



Agenda

Council Meeting

7.00pm, Tuesday 31 May 2022

Richmond Town Hall

Council Meetings

Council Meetings are public forums where Councillors come together to meet as a Council and make decisions about important, strategic and other matters. The Mayor presides over all Council Meetings, and they are conducted in accordance with the City of Yarra Governance Rules 2020 and the Council Meetings Operations Policy.

Council meetings are decision-making forums and only Councillors have a formal role. However, Council is committed to transparent governance and to ensuring that any person whose rights will be directly affected by a decision of Council is entitled to communicate their views and have their interests considered before the decision is made.

There are two ways you can participate in the meeting.

Public Question Time

Yarra City Council welcomes questions from members of the community.

Ideally, questions should be submitted to Council in writing by midday on the day of the meeting via the form available on our website. Submitting your question in advance helps us to provide a more comprehensive answer. Questions that have been submitted in advance will be answered first.

Public question time is an opportunity to ask questions about issues for which you have not been able to gain a satisfactory response on a matter. As such, public question time is not:

- a time to make statements or engage in debate with Councillors;
- a forum to be used in relation to planning application matters which are required to be submitted and considered as part of the formal planning submission;
- a forum for initially raising operational matters, which should be directed to the administration in the first instance;

If you wish to raise matters in relation to an item on this meeting agenda, Council will consider submissions on these items in conjunction with and prior to debate on that agenda item.

When you are invited by the Mayor to ask your question, please come forward, take a seat at the microphone, state your name clearly for the record and:

- direct your question to the Mayor;
- refrain from making statements or engaging in debate
- don't raise operational matters which have not previously been raised with the Council administration;
- not ask questions about matter listed on the agenda for the current meeting.
- refrain from repeating questions that have been previously asked; and
- if asking a question on behalf of a group, explain the nature of the group and how you are able to speak on their behalf.

Once you have asked your question, please remain silent unless called upon by the Mayor to make further comment or to clarify any aspects.

Public submissions

Before each item is considered, the meeting chair will ask people in attendance if they wish to make submission. If you want to make a submission, simply raise your hand and the Mayor will invite you to come forward, take a seat at the microphone, state your name clearly for the record and:

- Speak for a maximum of five minutes;
- direct your submission to the Mayor;
- confine your submission to the subject under consideration;
- avoid repetition and restating previous submitters;
- refrain from asking questions or seeking comments from the Councillors or other submitters;
- if speaking on behalf of a group, explain the nature of the group and how you are able to speak on their behalf.

Once you have made your submission, please remain silent unless called upon by the Mayor to make further comment or to clarify any aspects.

Once all submissions have been received, the formal debate may commence. Once the debate has commenced, no further submissions, questions or comments from submitters can be received.

Arrangements to ensure our meetings are accessible to the public

Council meetings are held at either the Richmond Town Hall or the Fitzroy Town Hall. The following arrangements are in place to ensure they are accessible to the public:

- Entrance ramps and lifts (off Moor Street at Fitzroy, entry foyer at Richmond).
- Interpreting assistance is available by arrangement (tel. 9205 5110).
- Auslan interpreting is available by arrangement (tel. 9205 5110).
- A hearing loop is available at Richmond only and the receiver accessory is available by arrangement (tel. 9205 5110).
- Proposed resolutions are displayed on large screen.
- An electronic sound system amplifies Councillors' debate.
- Disability accessible toilet facilities are available at each venue.

Recording and Publication of Meetings

An audio recording is made of all public Council Meetings and then published on Council's website. By participating in proceedings (including during Public Question Time or in making a submission regarding an item before Council), you agree to this publication. You should be aware that any private information volunteered by you during your participation in a meeting is subject to recording and publication.

Order of business

1. **Acknowledgement of Country**
2. **Attendance, apologies and requests for leave of absence**
3. **Announcements**
4. **Declarations of conflict of interest**
5. **Confidential business reports**
6. **Confirmation of minutes**
7. **Public question time**
8. **Council business reports**
9. **Notices of motion**
10. **Petitions and joint letters**
11. **Questions without notice**
12. **Delegates' reports**
13. **General business**
14. **Urgent business**

1. Acknowledgment 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.”

2. Attendance, apologies and requests for leave of absence

Attendance

Councillors

• Cr Sophie Wade	Mayor
• Cr Edward Crossland	Deputy Mayor
• Cr Gabrielle de Vietri	Councillor
• Cr Stephen Jolly	Councillor
• Cr Herschel Landes	Councillor
• Cr Anab Mohamud	Councillor
• Cr Claudia Nguyen	Councillor
• Cr Bridgid O'Brien	Councillor
• Cr Amanda Stone	Councillor

Council officers

• Chris Leivers	Interim Chief Executive Officer
• Brooke Colbert	Group Manager Advocacy and Engagement
• Malcolm Foard	Director Community Wellbeing
• Ivan Gilbert	Group Manager Chief Executive's Office
• Geoff Glynn	Director City Works and Assets
• Gracie Karabinis	Group Manager People and Culture
• Diarmuid McAlary	Director Corporate, Business and Finance
• Bruce Phillips	Director Planning and Place Making
• Mel Nikou	Governance Officer

Municipal Monitor

• Yehudi Blacher	Municipal Monitor
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3. Announcements

An opportunity is provided for the Mayor to make any necessary announcements.

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

Any Councillor who has a conflict of interest in a matter being considered at this meeting is required to disclose that interest either by explaining the nature of the conflict of interest to those present or advising that they have disclosed the nature of the interest in writing to the Chief Executive Officer before the meeting commenced.

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.

RECOMMENDATION

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

Item

5.1 **C1606 - Tree Maintenance Services**

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 that has been submitted on a commercial in confidence basis as part of a tender process.

5.2 **Fairlea Netball Precinct, Yarra Bend**

This item is to be considered in closed session to allow consideration of council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

These grounds are applicable because the report contains information which, if released, may be contrary to Council's interests in negotiations regarding the project.

6. Confirmation of minutes

RECOMMENDATION

That the minutes of the Council Meeting held on Tuesday 10 May 2022 be confirmed.

7. Public question time

An opportunity is provided for questions from members of the public.

8. Council business reports

Item		Page	Rec. Page	Report Presenter
8.1	Brunswick Street Oval Sporting and Community Facilities Upgrade	9	19	Graham Davis – Manager Building and Asset Management
8.2	Fitzroy Adventure Playground Grant Report	56	64	Lisa Wilkins – Manager Family, Youth and Children's Services
8.3	Yarra Moves Action Plan	70	76	Sally Jones – Manager Recreation and Leisure Services
8.4	Melbourne Airport Third Runway Proposal	100	105	Bruce Phillips - Director Planning and Place Making
8.5	Amendment C286yara - Public Open Space Contributions (Panel Report)	106	117	Bruce Phillips - Director Planning and Place Making
8.6	March 2022 Monthly Finance Report	138	140	Wei Chen – Chief Financial Officer
8.7	2021/22 Annual Plan Quarterly Progress Report - March	156	161	Julie Wyndham – Manager Corporate Planning and Performance
8.8	Governance Rules Review 2022	199	204	Rhys Thomas – Senior Governance Advisor

9. Notices of motion

Nil

10. Petitions and joint letters

An opportunity exists for any Councillor to table a petition or joint letter for Council's consideration.

11. Questions without notice

An opportunity is provided for Councillors to ask questions of the Mayor or Chief Executive Officer.

12. Delegate's reports

An opportunity is provided for Councillors to table or present a Delegate's Report.

13. General business

An opportunity is provided for Councillors to raise items of General Business for Council's consideration.

14. Urgent business

An opportunity is provided for the Chief Executive Officer to introduce items of Urgent Business.

8.1 Brunswick Street Oval Sporting and Community Facilities Upgrade

Executive Summary

Purpose

The purpose of this report is to provide Council with an overview of the status of the Brunswick Street Oval Precinct (BSOP) redevelopment project, including:

- (a) the outcomes of the public consultation process on the revised design;
- (b) the funding status of the project; and
- (c) matters relevant to planning and heritage approval processes for the project.

The report also seeks Council direction on proceeding with the project.

Key Issues

Following the report to Council on 8 March 2022, a community consultation has been undertaken on the revised design for the sporting and community facilities at Brunswick Street Oval.

The community consultation indicated the design was strongly, although not universally, supported.

A key issue arising from the consultation was the location of the proposed sports pavilion on the north-west side of the oval near Brunswick Street. Alternative locations for the sports pavilion have been considered as part of the development of the revised design and based on submissions received during the consultation; the location as proposed remains the recommended location based on consideration of the relevant factors.

Further, a briefing on the project has been provided to the Heritage Advisory Committee and an internal referrals process undertaken in preparation for a planning application, with some resulting adjustments to the design.

The project is split into two delivery stages, with Stage 1 encompassing the sports pavilion and Stage 2 the tennis courts, tennis/community pavilion and works to the heritage grandstand.

The project has received “State Project” status under clause 52.30 of the Yarra Planning Scheme.

Financial Implications

The State have recently provided Council with a proposed \$6.5 million funding agreement for Stage 1, and announced further funding of \$6.37 million for Stage 2, bringing the State’s total financial support for the project to \$12.92 million.

Council’s total contribution to the project (after reimbursement for funds already expended) will be \$2.735 million, mainly in Stage 2.

The project is now materially fully funded.

A delay to the project may cause a project cost increase due to escalations in construction labour and material costs over time and could risk the loss of State funding support for the project.

PROPOSAL

That Council endorses the revised design for the Brunswick Street Oval sports and community facilities, authorises officers to enter into funding agreements for Stage 1 and Stage 2 of the project and to submit a planning application for the project under clause 52.30 (State Projects) of the Yarra Planning Scheme and an associated heritage application for works to the heritage grandstand under the Heritage Act 2017.

8.1 Brunswick Street Oval Sporting and Community Facilities Upgrade

Reference	D22/109933
Author	Ann Limbrey - Building Projects Manager
Authoriser	Director City Works and Assets

Purpose

1. The purpose of this report is to provide Council with an overview of the status of the Brunswick Street Oval Precinct (BSOP) redevelopment project, including:
 - (a) the outcomes of the public consultation process on the revised design;
 - (b) the funding status of the project; and
 - (c) matters relevant to planning and heritage approval processes for the project.
2. The report also seeks Council direction on proceeding with the project.

Critical analysis

History and background

3. An overview of the history of this project is provided in the Council report of 8 March 2022.
4. This project commenced with Council's resolution of 18 September 2018 which endorsed the reallocation of \$50,000 of Council budget to explore the redevelopment of the sports and community facilities at the WT Peterson Oval (Brunswick St Oval).
5. The original design which proposed the integration of sporting club facilities into the upper levels of the heritage grandstand failed to gain support from Heritage Victoria, despite attempts that were made unsuccessfully to resolve that over a period of time including discussions involving the senior levels of Council management and Heritage Victoria.
6. A revised design was developed based upon a new standalone sports pavilion on the north-west side of the oval.
7. Council's resolution of 8 March 2022 endorsed a community consultation on the BSOP redevelopment revised design to obtain feedback from the general community on the revised proposal.

Discussion

8. The following relevant events have occurred since the most recent report to Council on 8 March 2022:
 - (a) A broad-based community consultation on the revised design was undertaken from late March through to early May 2022;
 - (b) Sport and Recreation Victoria provided a proposed \$6.5 million funding agreement for Stage 1 of the project on 29 April 2022;
 - (c) A further State funding contribution of \$6.37 million for Stage 2 construction was announced in the 2022 State budget on 3 May 2022;
 - (d) The 'State Project' status (as defined in section 52.30 of the Yarra Planning Scheme) of the project was confirmed on 20 March 2022; and
 - (e) An internal planning referrals process has been conducted by Yarra Statutory Planning as part of preparations for a prospective 52.30 planning application.

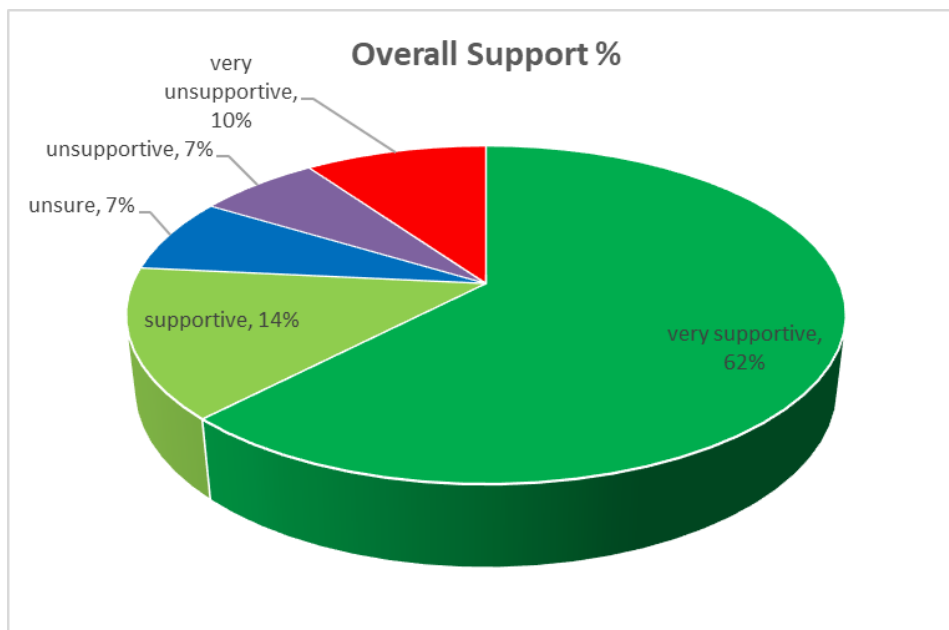
9. The project is now poised a critical juncture, and subject to Council's approval can move forward to planning and heritage approvals processes and construction. This report seeks to obtain direction from Council on proceeding with the project.
10. The revised design is shown in Attachment 1 (BSOP Revised Design).

Community engagement on the revised design

11. An overview of the community consultation undertaken on the revised design from late March through to early May 2022 covering the consultation methodology and the outcomes is presented in Attachment 2 (BSOP Revised Design Consultation Overview).
12. The Your Say Yarra project engagement page (available at <https://yoursayyarra.com.au/brunswickstoval>) was visited a total of 2,333 times, with a total of 307 submissions received from the community.
13. The engagement included seeking feedback on:
 - (a) the proposed plan for the grandstand;
 - (b) the proposed plans for the tennis court and tennis pavilion/community rooms;
 - (c) the proposed plans for the new sports pavilion;
 - (d) the proposed changes to landscaping and vehicle access
 - (e) the overall new proposed design; and
 - (f) input into the public art aspects of the project.

Overall outcomes

14. The overall support indicated for the project is shown in the graphic below, with 76% of respondents being supportive or very supportive, and 17% being unsupportive or very unsupportive.



15. A very common theme in the comments was general support for the design, asking for Council to proceed with the project and/or expressing a view that the project was overdue; a large number of comments also expressed support for the overall design solution.
16. A number of submitters (15 through Your Say Yarra and 12 Oracle customer requests) expressed concerns regarding the proposed location of the sports pavilion, the associated impact on viewing aspects of the park from Brunswick Street, and the possible impacts to amenity.

17. Further detail on the level of support expressed for each element of the design, and an analysis of key themes in comments received is in Attachment 2.
18. In summary, the outcome of the public consultation process was that the design was strongly, although not universally, supported.

Public Art

19. Attachment 2 also includes detail on the submissions received in relation to the public art component of the project. Further analysis of the supplied comments will be undertaken in consultation with Council's Art and Culture team before a specific approach is determined in relation to the public art.
20. Considering the extensive nature of the project and the fact that it is two distinct areas of the park it is possible that it may be appropriate for the art for the project be developed in two facets:
 - (a) one associated with the new sports pavilion and could therefore reflect the sporting history of the ground in its design; and
 - (b) the other could be associated with the general park to the north of the grandstand and west of the tennis pavilion and reflect an indigenous consideration in the design development.
21. Council's Open Space Planning and Design team have indicated that their preference is not formal built form such as a statue in the park but rather more embedded design arising from the overall park landscaping plan. This could include such elements as seating details and embedded pathways. Council typically invites a number of artists to prepare concepts for consideration incorporating these design considerations presented as concepts for selection of the final art design.
22. The public art costs have not yet been estimated and are not formally part of the project cost estimate, although depending on the form(s) of public art selected, the project landscaping budget may contribute towards the delivery of appropriate public art.
23. Further, the Edinburgh Gardens Sporting Community (EGSC) have indicated that they will contribute for public art providing it is related to the sporting activities at the grounds. This is consistent with the results of the survey as this theme was the second preferred design consideration after indigenous themes in design.

Briefing to Heritage Advisory Committee

24. A briefing on the project was provided to the Heritage Advisory Committee (HAC) meeting of 26 April 2022.
25. Key concerns raised by the HAC included the design and location of the new sports pavilion and the work to the grandstand.
26. An area of contention in the grandstand design was the proposed gate and fence at the top of each entrance staircase, allowing the ability to restrict access to the seating in the grandstand. These are of a lightweight steel finish sensitively fixed to the fabric for ready removal to meet heritage requirements and able to be open and secured for match days. A similar fencing solution is proposed on the western end of the upper level grandstand to avoid intrusion over the skillion roof at the western end of the grandstand.
27. This solution has been introduced to deter occupation of the grandstand for rough sleeping, noting the structure has previously been deemed by the Municipal Building Surveyor as unsuitable and unsafe for accommodation, and due to the excessive deterioration of the heritage building fabric due to cleaning required when the site is occupied.
28. There is currently temporary fencing installed at ground level around the staircase entrances to restrict access to the grandstand seating, and also temporary hoarding on the upper level of the grandstand that will be removed as part of the works with the revised access restrictions are in place.

29. Council's Statutory Planning heritage advisor had (as part of an internal planning referral report) noted that the structure of the stairs and upper landing should be as transparent as possible and not contrast with the original building detail. It is believed that this is the best solution given the particular circumstances.
30. The discussion with the HAC also considered the design and location of the new sports pavilion and its potential to block views of the grandstand. The report of the Statutory Planning heritage advisor supports the location of the sport pavilion as being appropriate to not detract from the grandstand; the project heritage consultant also supports this view.
31. The Statutory Planning heritage advisor's report notes *"(the new pavilion) proposed position, on the corner of the oval, is however considered appropriately less dominant than the position of the heritage grandstand which is essentially square to the oval. The proposed new building will be of a similar footprint size as the heritage grandstand however it appears to be about 2 metres lower in height. This will ensure that the existing heritage building remains the more dominant of the two buildings."*
32. A follow-up meeting was conducted on 5 May 2022 including the project heritage consultant (of Lovell Chen P/L) with selected members of the HAC. At this meeting key issues discussed included the design of the roof on the sports pavilion and other concerns including whether solar panels installed on the skillion roof of the building would be visible.
33. A HAC member suggested a gabled roof design but this is not seen as appropriate by the project heritage consultant. The Statutory Planning heritage advisor report also supported the roof design with the note *"...the flat roof also ensures that the new building is recognisable as a design of its time, not a mock heritage building"*. Further, it is considered that any concerns about viewing of solar panels or other plant items on the roof of the sports pavilion can be satisfactorily resolved in the finalisation of the detailed design.

Proposed Project Staging

34. The proposed staging of the project is as follows (as depicted in Attachment 1 page 2):
 - (a) Stage 1 – is the western side of the project area and includes the new sports pavilion and surrounding landscaping and civil infrastructure – estimated cost \$6.65 million (including lead-in precinct design and planning/heritage approval activities); and
 - (b) Stage 2 – is the balance and central/eastern side of the project area and includes the new tennis/community pavilion, the tennis courts, works to the heritage grandstand and surrounding landscaping and civil infrastructure – estimated cost \$9.0 million.
35. Stage 1 construction, subject to Council and planning approval, could potentially be undertaken in the period from early 2023 through to mid-2024.
36. The Stage 2 construction period is less certain, but prospectively could be undertaken from mid-2023 through to mid-2025.

Stage 1 Funding Agreement

37. On 29 April 2022, Sport and Recreation Victoria (SRV), as the nominated State funding agency, provided Council with a proposed funding agreement of value \$6.5 million under the Local Sports Grant program for the funding of Stage 1 construction activities.
38. SRV have indicated that the agreement needs to be executed prior to end of June 2022, in time for an initial milestone payment to Council of \$3.9 million in the 2021/22 financial year on signing of the agreement.
39. Subject to Council's approval to proceed, the funding agreement for Stage 1 will be executed.

Stage 2 Funding Announcement

40. On 3 May 2022, the State government announced additional funding support of \$6.37 million for Stage 2 construction as part of the 2022 State budget.

41. This eliminates the Stage 2 funding gap as reported in the 8 March 2022 report to Council, and brings the State's total financial support for the project to \$12.92 million, inclusive of the funding for Stage 1 (proposed funding agreement provided), Stage 2 (announced) and an initial \$50,000 of funding provided in 2018/19.

Clause 52.30 State Project Status

42. Recapping from the 8 March 2022 report to Council, a planning approval approach using clause 52.30 (State Projects) of the Yarra Planning Scheme has been signalled as of interest by the State, noting that the project is a joint project of the State and Council with majority funding coming from the State.
43. This option requires several steps:
- (a) Step 1 – pre-application discussion;
 - (b) Step 2 – assessment of whether the project has “State project” status by the Department of Environment Land Water and Planning (DELWP);
 - (c) Step 3 – application by Council to DELWP for the assessment of the project for approval under clause 52.30. This involves submission and assessment of comprehensive project documentation similar to that which would accompany a normal planning application; and
 - (d) Step 4 – a decision by the Minister for Planning (or under delegation) as to the outcome of the application.
44. Step 1 pre-application discussions were held with the with the DELWP Development Facilitation team to understand the process, and on 24 February 2022 the project team submitted a request to DELWP for the step 2 “State Project” assessment.
45. On 20 March 2022, the Minister for Planning, Hon Richard Wynne MP, wrote to Council to confirm that the project is a State Project meeting the requirements of clause 52.30 of the Yarra Planning Scheme.
46. The implication of this is that, subject to Council approval, officers can proceed to step 3 to submit an application to DELWP for assessment of the project for planning approval under clause 52.30.
47. Notice and review requirements do not apply to the 52.30 process, although there is a requirement that the proponent (Council) has undertaken a consultation/engagement process, and details of this must be provided as part of the application.
48. Officers engaged with DELWP Development Facilitation regarding the design of the community consultation held from late March 2022 through to early May 2022, to confirm that it met the requirements of a prospective 52.30 planning application, as well as Council's Community Engagement Policy for Council's own purposes in considering how to proceed with the project.
49. A separate heritage approval application to Heritage Victoria is required for the elements of the project within the extent of the VHR H0751 registration, which is subject to notice and review provisions under the Heritage Act 2017.
50. Noting that Development Facilitation and Heritage Victoria are both teams within DELWP, there are advantages in having DELWP coordinate the planning and heritage approvals under this approach.

Internal Design Referrals

51. Council's Statutory Planning team has been coordinating a process to collate the standard planning application referral stakeholder reports such Traffic, Civil Engineering, Strategic Transport, Urban Design, etc., similar to the process that would be undertaken on receipt of a planning application. As the whole of the precinct is within a heritage overlay of the Yarra Planning Scheme, a report was sought on the proposed redevelopment from Council's Statutory Planning heritage advisor.

52. This process is being undertaken in preparation for a prospective 52.30 planning application, whereby Council is required to submit the relevant planning referral responses to DELWP as part of the application.
53. These are largely completed and have been reviewed. Adjustments to the design for the project in response to these reports included changes to the street interface of the sports pavilion by introduction of glazing to the west side to ensure passive surveillance and introduce transparency to lighten the impact of the building on the streetscape. Similarly, the brick work to the tennis pavilion has been lightened.
54. Reviews of other stakeholder issues for traffic and waste management on site, and for acoustic treatment of the sports pavilion have also been undertaken and adjustments, where required, have been made to the design.

Alternative locations for the sports pavilion

55. In developing the revised design, a number of alternative locations were considered for a standalone sports pavilion, with the north-west location considered to be the best of the alternatives.
56. A key issue in the recent consultation process was a number of submitters who were not supportive of the proposed location of the sports pavilion.
57. The main alternative locations that have been considered during the development of the revised design, and also as a result of the submissions, are listed below, along with the challenges associated with each alternative location.
58. West of the grandstand but closer to it – the challenges with this location are as follows:
- (a) It would require the removal of a significant parcel of mature trees in the park;
 - (b) It would interrupt and impact the path network to the south of the World War 1 Sportsman's Memorial and timber ticket box;
 - (c) Building in this location would provide challenges to providing vehicle access for service, emergency and universal access purposes to all buildings in the precinct; and
 - (d) It would further crowd the war memorial harbour adjacent to the Fitzroy Victoria Bowling Club building, reducing its significance in the park, noting that this harbour has been built-in over time by the bowling club building to the immediate north of the structure and electricity sub-station to the immediate west of the structure.
59. East of the grandstand (Hipster Hill) – the challenges with this location are as follows:
- (a) Hipster Hill is understood to have contributory significance as an integrated part of the social cultural heritage of the sports ground as being where the general supporters traditionally watched the Fitzroy games from, is still used for watching games of football and cricket, and on that basis is not recommended for development;
 - (b) The requirement for access for vehicles (delivery, emergency, maintenance and universal access) would mean loss of more park space and/or a reduction in the number of tennis courts;
 - (c) The mound is understood to be likely to be heavily contaminated which has implications for cost and safety (the other end of the mound was contaminated when work was undertaken in 2008-09); and
 - (d) It is more expensive to extend services infrastructure to this site within the park.
60. South side of oval (Freeman Street side) – the challenges with this location are as follows:
- (a) This location is considered to be too remote from the other sporting facilities, and would produce a fragmented sports precinct and introduce operational difficulties for the sporting clubs; and
 - (b) There is no history of sporting facilities of that scale in that general vicinity within the park, so may be seen as inconsistent with the local heritage context of the park.

61. Based on consideration of all relevant factors including the submissions made during the consultation, the location as proposed remains the recommended location.

Options

62. No other options have been considered for the purposes of this report.

Community and stakeholder engagement

63. An overview of the recent community consultation process for the revised design is included in the discussion above, with details in Attachment 2.
64. Key stakeholders on the project including the Edinburgh Gardens Sporting Community (EGSC) member clubs, Sport and Recreation Victoria as the nominated State funding agency and Council internal stakeholders have been, and will continue to be, engaged through regular meetings of the Project Control Group and direct discussions with project team as required. These stakeholders are supportive of the revised design including changes arising from the recent engagement and internal referrals process.
65. A further public consultation process will occur as part of the heritage permit application process in relation to the heritage grandstand and its curtilage. Submissions are reviewed and Heritage Victoria advise that a decision on the application “usually takes about 60 days”. Under this process:
- (a) notices for the heritage application are displayed on site (likely to be at several locations around the park and near the sports precinct); and
 - (b) the public can review the heritage application online and lodge submissions online. In this context, the submissions can only be about matters related to the heritage-listed grandstand.

Policy analysis

Alignment to Community Vision and Council Plan

66. The Council Plan 2021-25 includes the following strategic objectives and strategies which apply to this project:
- (a) Strategic objective one – Climate and environment:
 - (i) Strategy 1.1 – Take urgent action to respond to the climate emergency and extend our impact through advocacy and partnerships;
 - (b) Strategic objective two – Social equity and health:
 - (i) Strategy 2.2 – Build a more resilient, inclusive, safe and connected community, which promotes social, physical and mental wellbeing; and
 - (c) Strategic objective four – Place and nature:
 - (i) Strategy 4.1 – Create safe, accessible active spaces that provide diverse physical activity opportunities for the whole community; and
 - (ii) Strategy 4.2 – Plan and manage community infrastructure that responds to growth and changing needs.
67. The following health and wellbeing themes of the Municipal Public Health and Wellbeing Plan incorporated within the Council Plan 2021-25 are supported by these strategies:
- (a) Promoting community safety (strategy 4.1);
 - (b) Promoting physical wellbeing (strategies 2.2 and 4.1); and
 - (c) Promoting mental wellbeing (strategy 2.2).
68. The Access and Inclusion Strategy 2018-2024 includes these relevant strategies:
- (a) Strategy 1.1 – Promote and encourage the application of Universal Design and Access within and external to Council;

- (b) Strategy 1.5 – Improve accessibility to City of Yarra buildings and facilities, including ensuring adequate amenities are available; and
- (c) Strategy 2.1 – Provide and/or support the community to provide a diverse range of accessible community services and arts, cultural, sports and recreational activities that are creative and fun for all abilities and ages.

Climate emergency and sustainability implications

- 69. A review of the proposed design features indicates the project will achieve industry best practice. The sustainable features in the design include increased lighting efficiencies, hot water heat pumps, R4 rated ceiling and roofing, additional 10kW solar panels and water harvesting (120,000 litres, revised upwards from 50,000 litres) to support the watering of the tennis courts and public toilets, and to reduce Council's overall environmental footprint.
- 70. The Council Climate Adaptation tool has also been considered in the design development.
- 71. Gas usage will be removed from the site.
- 72. The features and attributes of the new sports pavilion is designed with sustainability outcomes for industry best practice. The thermal massing provided by the setting of the rear ground floor of the sports pavilion into the existing mound will have a significant positive contribution to the thermal performance of the building.

Community and social implications

- 73. The project will benefit the broader community with a new and improved community room as part of the tennis pavilion, additional public toilets and upgrading of landscaping in and around the precinct.
- 74. The project will benefit sporting clubs users (including community members attending as spectators) by improving the sporting facilities and amenities.
- 75. The landscaping works will provide a more valued entry to the Sportsman's War Memorial and the revised arrangements for vehicle movements will enhance the safety of park users.

Economic development implications

- 76. There are no known specific economic development implications.

Human rights and gender equality implications

- 77. Increasing participation and inclusion is consistent with the Charter of Human Rights and Responsibilities Act 2006. Council has a responsibility to meet its obligations through appropriate and accessible community infrastructure.
- 78. The introduction of further change rooms to the facilities specifically allows for increased female participation in sports at the oval.
- 79. Universal access to covered and elevated spectating positions of the oval will be provided at the new sports pavilion and tennis/community pavilion.
- 80. An accessible toilet to "Changing Places" standard is proposed as part of the redevelopment, which will provide universal access to safe and private toilet facilities in the precinct.

Operational analysis

Financial and resource impacts

- 81. The estimated total project cost for the revised design is \$15.65 million (project quantity surveyor's cost estimate dated 14 Dec 2021), inclusive of project activities since the commencement of budget year 2019/20.

Stage 1 Costs

82. Stage 1 estimated costs are \$6.65 million. With the \$6.5 million to be provided by the State under the Stage 1 funding agreement and prior contributions of \$50,000 each from Sport and Recreation Victoria and Clifroy Community Bank, Council's net contribution toward Stage 1 activities will be \$50,000.
83. Stage 1 costs incurred to date (July 2019 through April 2022) are \$527,006 which, excepting the prior \$100,000 of external contributions, have been borne by Council. These costs include architects, consultants, project manager, heritage advisors and other specialists.
84. The implication of this is, subject to Council approval to proceed and execution of the Stage 1 funding agreement with SRV, Council is expected to recover all but \$50,000 of project expenditure based on external funding receipts associated with Stage 1.

Stage 2 Costs

85. The Stage 2 estimated costs are \$9.0 million. With the \$6.37 million announced by the State Government for Stage 2, along with Council contributions of \$2.685 million (included in years 2023/24 and 2024/25 of the Council's Draft Long Term Financial Plan 2022/23-2031/32), Stage 2 is essentially now fully funded.

Overall funding

86. The announced Stage 2 funding implies a small nominal excess of \$55K. The detail of the public art budget and funding of that yet is to be resolved, although this matter is not of material consequence in considering the funding position of the overall project.
87. Project costs will not be known with certainty until construction tenders are undertaken for Stage 1 and Stage 2 project activities. A delay to undertaking tenders for example to further investigate other design options will likely result in higher project costs due to escalation of construction material and labour costs over time (the quantity surveyor's estimate includes forecast escalation costs through to the construction starts for Stages 1 and 2 in early-2023 and mid-2023 respectively).
88. Noting that SRV have indicated the Stage 1 agreement is to be entered into before 30 June 2022, a delay to the project could also jeopardise the proposed State funding for the project.
89. Council's contribution to the overall project will be \$2.735 million out of \$15.65 million, or a 17.5% contribution by Council, financially representing a strong outcome for Council, or viewed alternatively, allowing Council to undertake a significant upgrade to the sporting and community facilities at Brunswick Street Oval that it would be unlikely to be able to afford from its own resources within the foreseeable future.

Legal Implications

90. No specific legal implications are identified.

Conclusion

91. An extensive public consultation process has recently been undertaken on the revised design, with the design strongly, although not universally, supported.
92. A key point of contention is the proposed location of the sports pavilion near Brunswick Street, in particular with residents having properties on Brunswick Street in the immediate vicinity of the proposed sports pavilion expressing a range of concerns through the community consultation.
93. Other locations for the pavilion have been suggested during the consultation and examined during the development of the revised design; each alternative location proposed poses its own challenges and is unlikely to be viable and/or universally supported. Officers view that on the balance of considerations, to achieve the sporting and community objectives of the project, the location as proposed for the sports pavilion is the best option available.

94. The BSOP redevelopment is under tension from competing demands of the community users of the park, the sporting activities of the precinct and the heritage constraints of the grandstand and registered area. The revised design is intended to resolve this tension as far as is practicable offering a long-term solution to both sporting and community users of the park, whilst respecting its heritage context and meeting the 2019 Needs Analysis.
95. Officers have responded to concerns regarding the bulk of the proposed sports pavilion by modifying the Brunswick Street frontage to include additional glazing providing a design promoting better safety outcomes and an improved interface to the street.
96. The project is now materially fully funded and is eligible for planning approval under clause 52.30 (State Projects) of the Yarra Planning Scheme.
97. Delaying the project for further consideration of alternative locations and designs will risk the loss of the significant State funding support proposed for the project and/or project cost increases due to design rework and cost escalation over time.

RECOMMENDATION

1. That Council:
 - (a) note that a public engagement on the revised design for the Brunswick Street Oval Precinct (BSOP) Redevelopment of sporting and community facilities has recently been undertaken;
 - (b) note the support for the design by the Edinburgh Gardens Sporting Community (EGSC), Sport and Recreation Victoria (SRV) and internal project stakeholders;
 - (c) endorse the revised design based on the balance of considerations in relation to the project and the outcomes from the community consultation;
 - (d) authorise officers to enter into a \$6.5 million funding agreement with Sport and Recreation Victoria for Stage 1 construction with a view to commencing Stage 1 construction in early 2023;
 - (e) authorise officers to enter into a subsequent \$6.37 million funding agreement with the State for Stage 2 construction, with the balance of funding required for Stage 2 being \$2.685 million to be referred to Council's 2023/24 and 2024/25 budgets in line with Council's Long Term Financial Plan; and
 - (f) authorise officers to submit a 52.30 State Project planning application to the Department of Environment Land Water and Planning for the project under the Yarra Planning Scheme, and an associated heritage permit application to Heritage Victoria in relation to proposed works to the heritage grandstand under the Heritage Act 2017.

Attachments

- 1 [📄](#) Attachment 1 - BSOP Revised Design
- 2 [📄](#) Attachment 2 - BSOP Revised Design Consultation Overview

Brunswick Street Oval sporting and community facilities



Attachment 1 - Attachment 1 - BSOP Revised Design

Project Staging

Stage 1 (west side)

New Sports Pavilion

Associated landscaping, lighting,
parking & access

Stage 2 (central/east side)

New Tennis/Community Pavilion

Relocate heritage Tennis Pavilion

Demolish current Community Room

Grandstand works

- decommission change rooms
- install storerooms
- public WCs
- new stairs

Tennis Courts

Bocce court

Associated landscaping, lighting,
parking & access



Sports Pavilion from Brunswick Street



Attachment 1 - Attachment 1 - BSOP Revised Design

Sports Pavilion



Sports Pavilion from Oval



Sports Pavilion Brunswick Street View



6

Sports Pavilion towards Grandstand



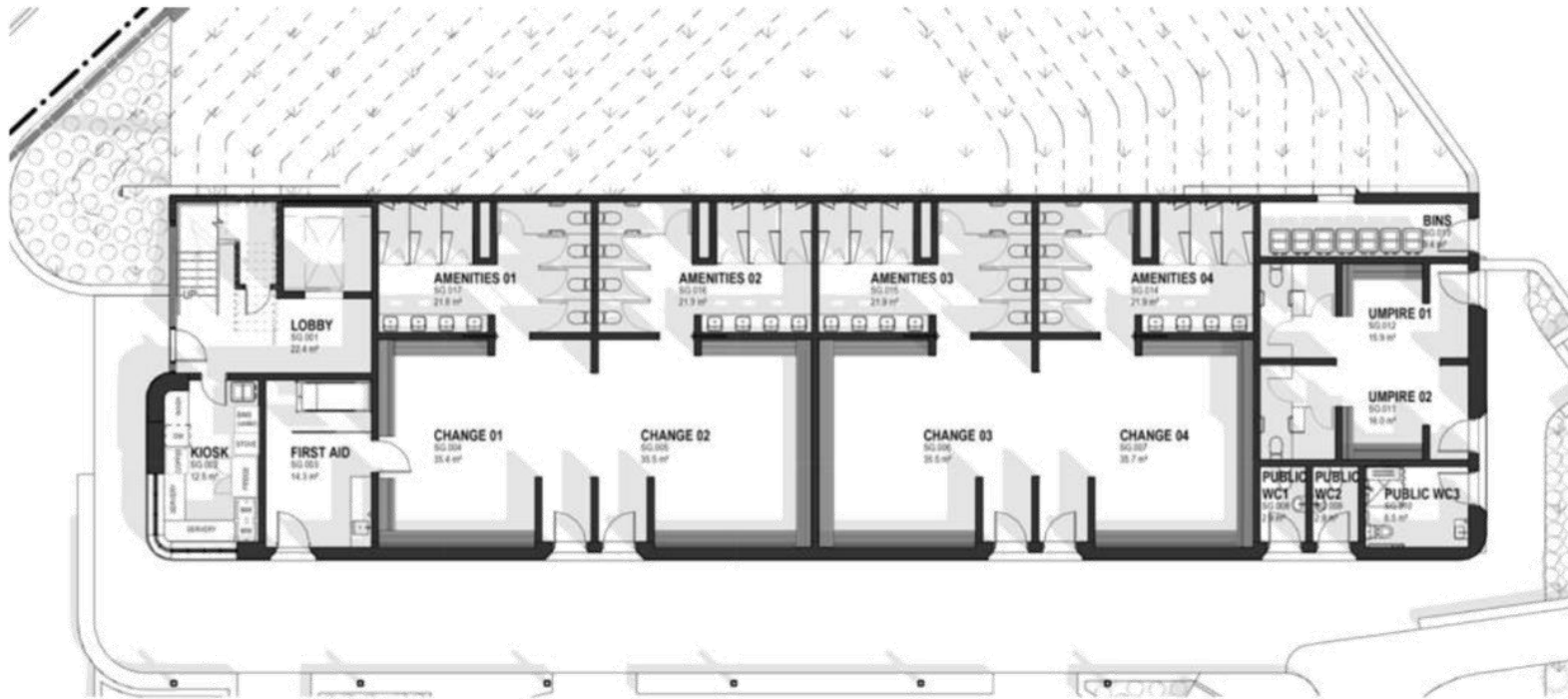
Sports Oval View 1



Sports Oval View 2

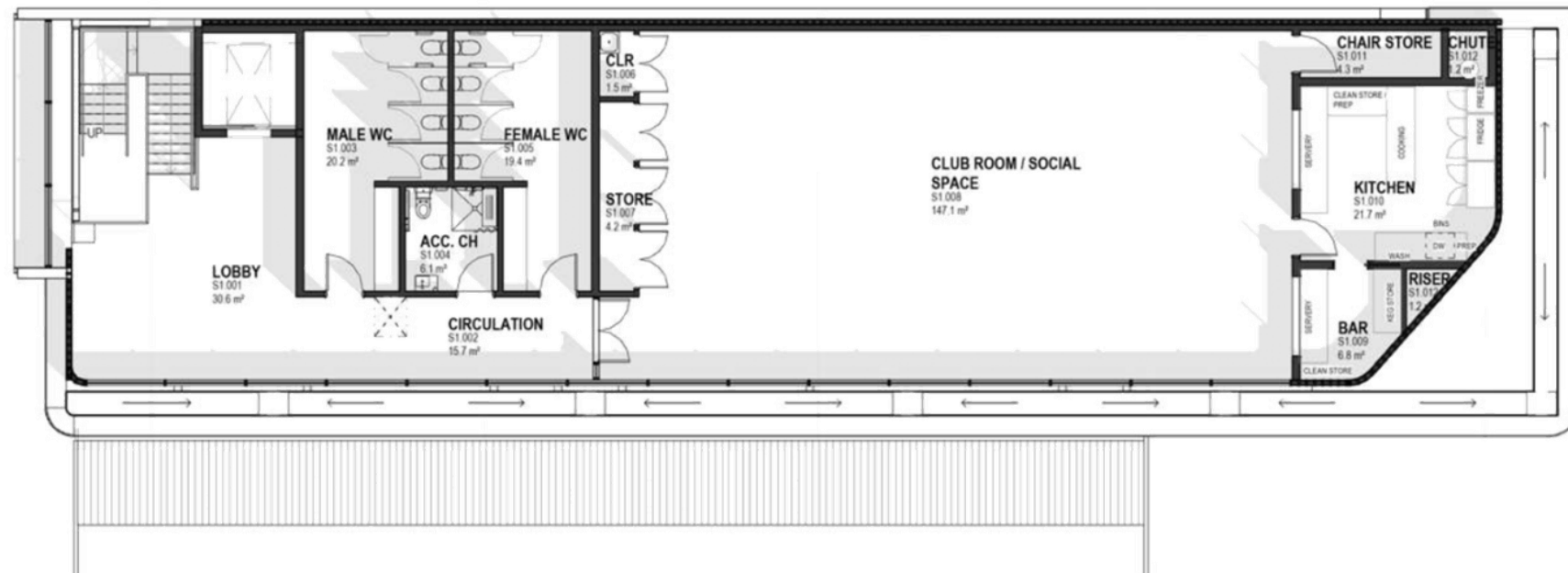


Sports Pavilion Ground Floor



Attachment 1 - Attachment 1 - BSOP Revised Design

Sports Pavilion First Floor



East side of Tennis & Community Room



12

Rear of Grandstand & Tennis Entry



Tennis & Community Room from North



Attachment 1 - Attachment 1 - BSOP Revised Design

Tennis Pavilion Ground floor



Community Room in Tennis Pavilion First Floor



Grandstand view from Oval



Grandstand view from Hipster Hill

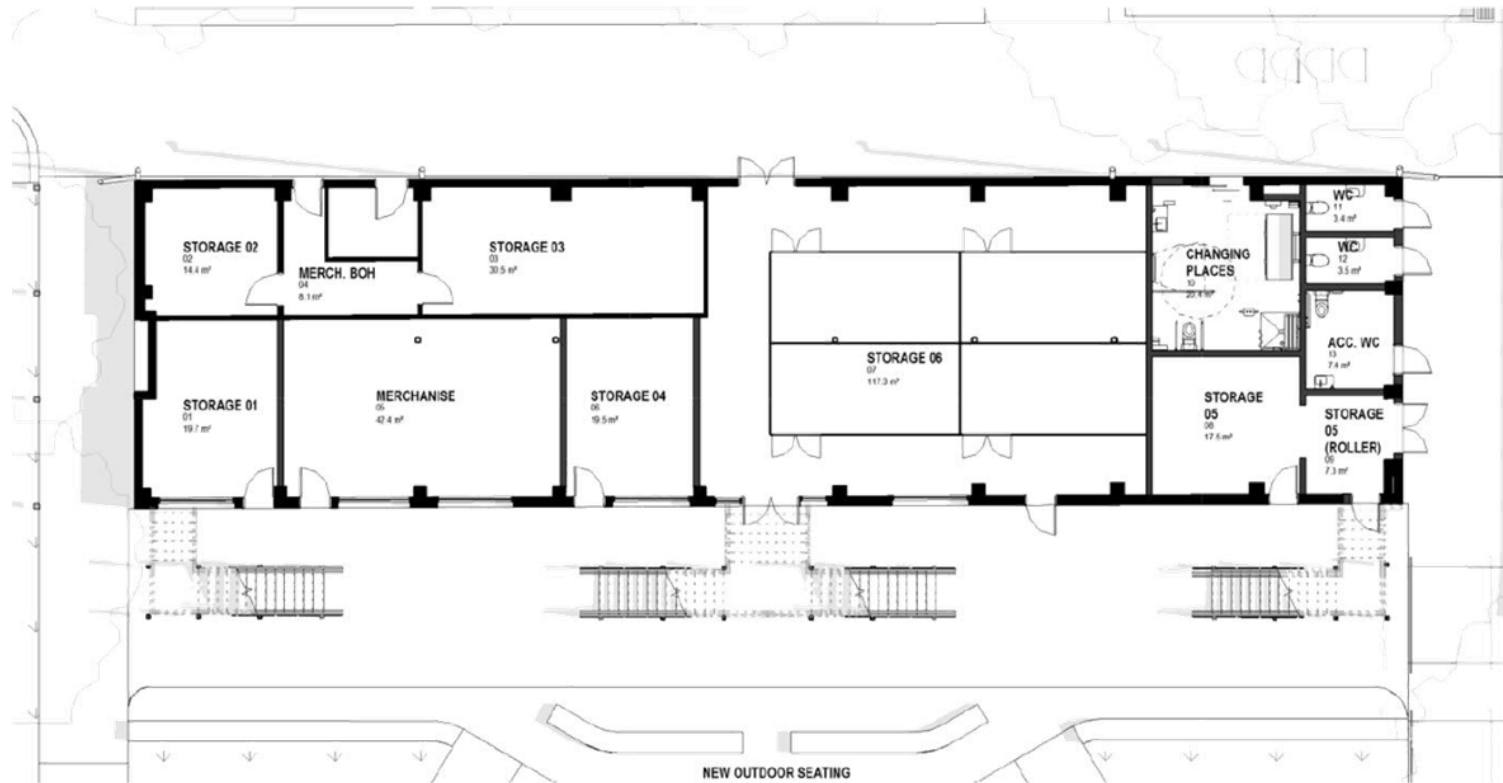


Grandstand view to Oval

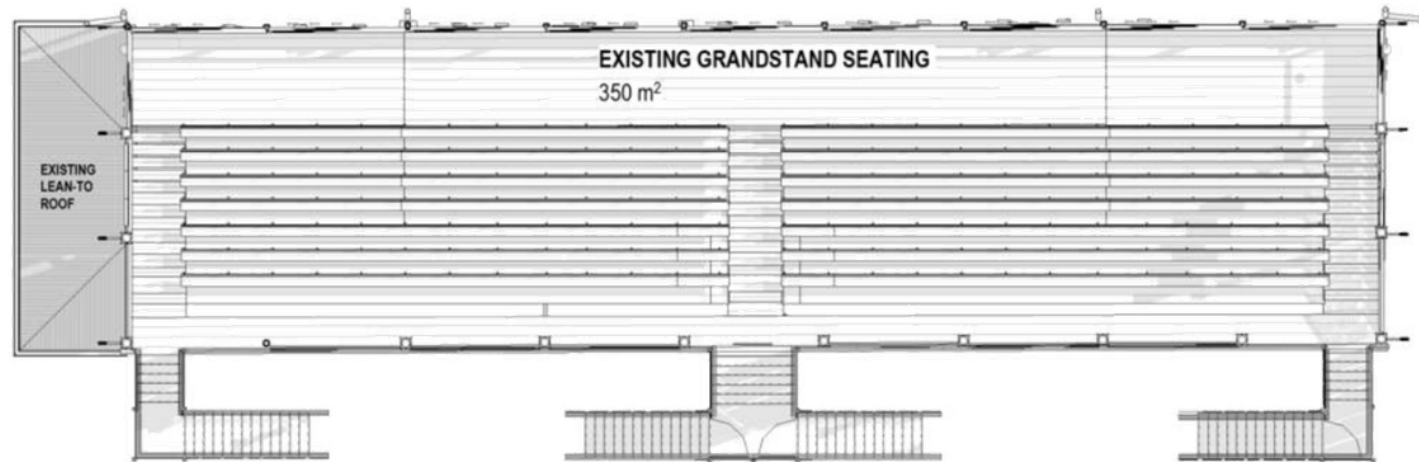


Attachment 1 - Attachment 1 - BSOP Revised Design

Grandstand Ground Floor

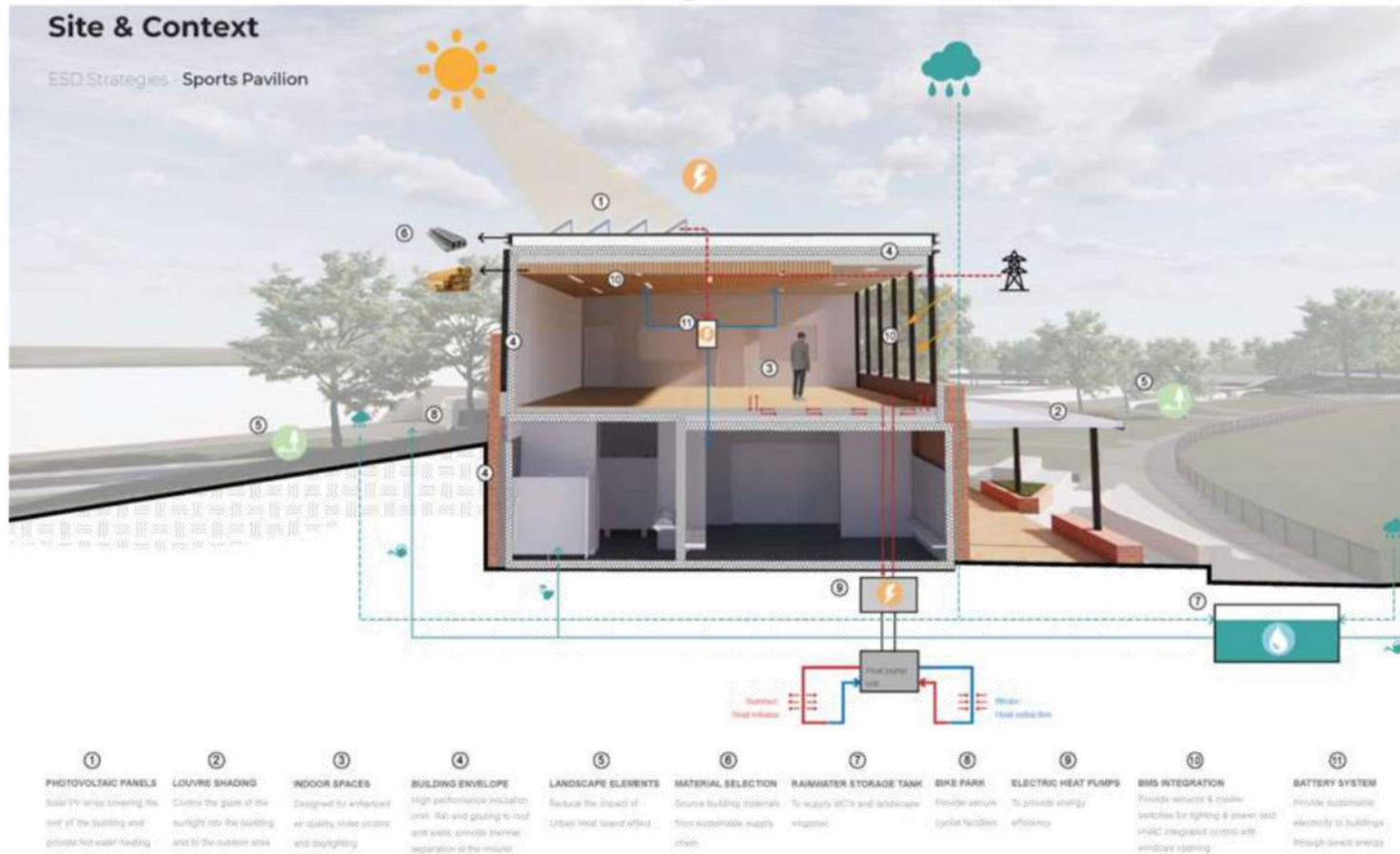


Grandstand First Floor

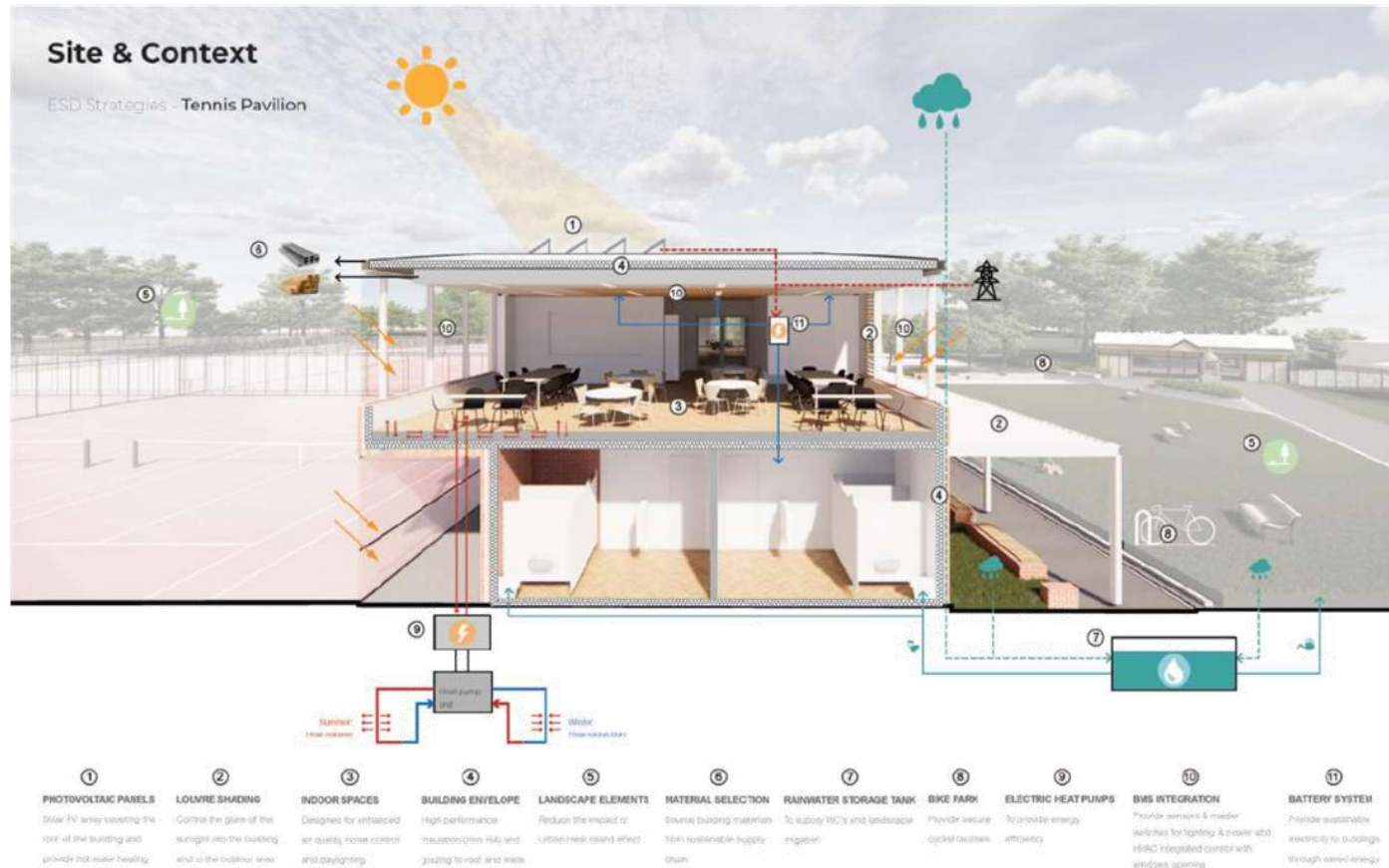


Attachment 1 - Attachment 1 - BSOP Revised Design

Sustainable Design Environmentally

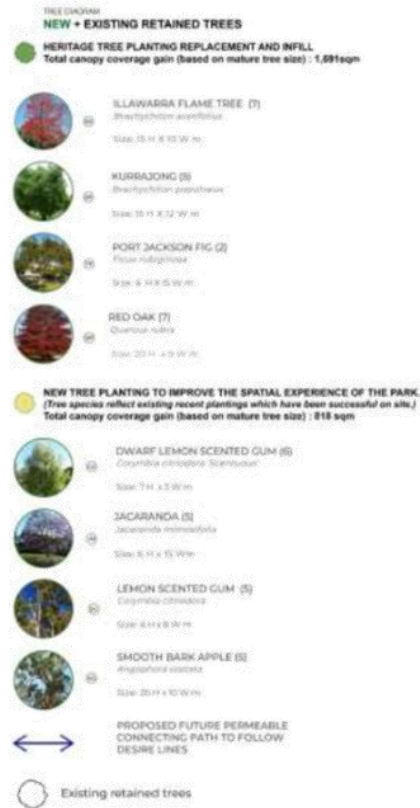


Environmentally Sustainable Design



Attachment 1 - Attachment 1 - BSOP Revised Design

Tree Replacement Plan



Attachment 1 - Attachment 1 - BSOP Revised Design

Tree Removal Plan

TREE ENVOIR
TREE REMOVAL PLAN

TREES WITH HERITAGE VALUE
Total canopy coverage loss : 562 sqm

	ENGLISH ELM <i>Ulmus procumbens</i> Height: 12 - 20 m	Tree # (2) (3) (4) 03	Life Expectancy + 15 + 20 + 15 + 10
	DUTCH ELM <i>Ulmus x hollandica</i> Height: 8 - 10 m	Tree # 04	Life Expectancy + 15
	ELM <i>Ulmus sp.</i> Height: 8 - 10 m	Tree # 43 44 45	Life Expectancy + 15 + 20
	PIN OAK <i>Quercus petraea</i> Height: 8 - 10 m	Tree # 46 47 48	Life Expectancy + 20
	JACARANDA <i>Jacaranda mimosifolia</i> Height: 4 - 6 m	Tree # 61 62 63 64 65 66 67 68 69 70 61 62 63	Life Expectancy + 15

TREES CONTRIBUTING TO THE GENERAL SPATIAL EXPERIENCE OF EDINBURGH GARDENS
Total canopy coverage loss : 730 sqm

	SWEET PITTOSPORUM <i>Pittosporum undulatum</i> Height: 5 - 8 m	Tree # 05 06 07	Life Expectancy + 15 + 20
	NARROW-LEAVED BLACK PEPPER <i>Artocarpus lacucha</i> Height: 12 m	Tree # 08	Life Expectancy + 20
	WHITE GUM <i>Podocarpus neriifolia</i> Height: 12 m	Tree # 09 10	Life Expectancy + 10 + 15
	PORT JACKSON FIG <i>Ficus macleayana</i> Height: 5 - 8 m	Tree # 11	Life Expectancy + 15

Existing retained trees
Demolished trees (insignificant value)



Attachment 2 - Attachment 2 - BSOP Revised Design Consultation Overview

Brunswick Street Oval Precinct – Revised Design Consultation Overview

May 2022

Community engagement methodology

1. The process for community consultation included the following:
 - (a) an information flyer drop to approximately 3,600 properties in the immediate vicinity of Edinburgh Gardens;
 - (b) notices installed at various locations in Edinburgh Gardens, including around the oval, the grandstand, the tennis courts, the playground in the east of the gardens and in the north of the gardens;
 - (c) a news article on Council's website;
 - (d) promotion in two editions of 'Yarra Life' e-newsletter;
 - (e) email campaign to Your Say Yarra (YSY) subscribers and people who have registered for updates on the project;
 - (f) social media posts;
 - (g) YSY online engagement at <https://yoursayyarra.com.au/brunswickstoval>;
 - (h) Pop-up information sessions held near the grandstand on Saturday 23 April and Tuesday 27 April;
 - (i) A follow-up meeting with four residents of Brunswick St (having properties near to the proposed sports pavilion); and
 - (j) A number of Oracle customer requests in relation to the project.

Yarra Life, e-mail campaign and social media response

2. The following table shows the number of Yarra Life newsletters and email campaign letters sent, opened and that generated a click through to the project YSY page; and similarly how many social media posts were opened and generated a click-through.

Media/Platform	Sent	Opened	Clicked through to BSOP YSY
Yarra Life			
Edition 2 April 2022	12,019	6,691	127
Edition 22 April 2022	12,008	6,895	89
Email campaign			
First email 6 April 2022	2,276	1,346	67
Second email 22 April 2022	2,281	1,317	50
Social Media			
Facebook posts	N/A	198	57
Instagram posts	N/A	70	N/A
TOTAL		16,517	390

3. The data indicate that the project was brought to the attention of a potentially interested party 16,517 times through the various channels, generating a total of 390 click-through referrals to the YSY page for the project.

Attachment 2 - Attachment 2 - BSOP Revised Design Consultation Overview

Your Say Yarra response

4. The YSY online engagement for the project was open for feedback from 30 March through to 2 May 2022. During this period, the project engagement page was visited a total of 2,333 times.
5. The Your Say Yarra engagement had a total of 307 responses, including 294 on-line responses entered directly in the YSY platform and 13 completed paper forms at pop-up information sessions held on site.
6. The YSY page asked for submitters to rate their support for the project, by asking how supportive the submitter was of:
 - (a) the proposed plan for the grandstand;
 - (b) the proposed plans for the tennis court, pavilion and community rooms;
 - (c) the proposed plans for the new sporting pavilion;
 - (d) the proposed changes to landscaping and vehicle access; and
 - (e) the (overall) new proposed design.
7. A summary of the results of the 307 responses received are presented in the table below.

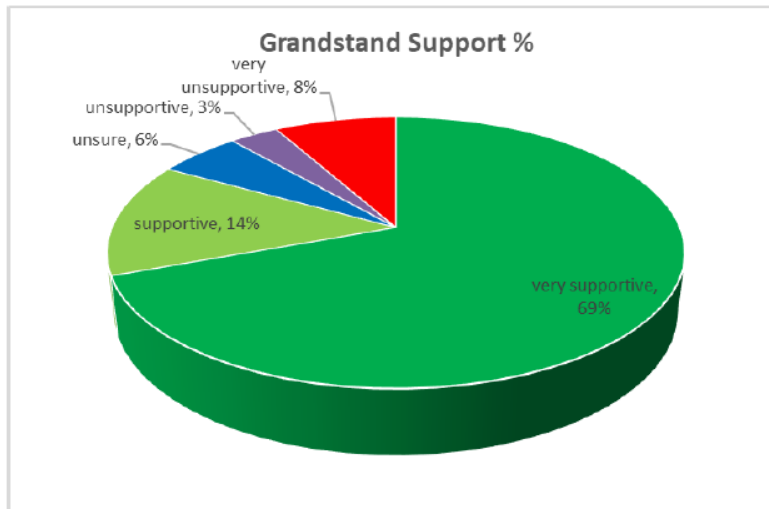
Response	Grandstand	Tennis & Community Rooms	Sports Pavilion	Landscaping & Vehicle Access	Overall
very supportive	69%	64%	67%	61%	62%
supportive	14%	15%	9%	12%	14%
unsure	6%	7%	8%	14%	7%
unsupportive	3%	5%	3%	6%	7%
very unsupportive	8%	9%	12%	7%	10%
TOTAL	100%	100%	100%	100%	100%

8. Support for the three design elements incorporating building works (grandstand, tennis/community pavilion and the sports pavilion) was positive overall and reasonably consistent, with supportive or very supportive responses being in the range 77% (for the sports pavilion) to 83% (for the grandstand). Responses that were unsupportive or very unsupportive varied from 15% (for the sports pavilion) down to 11% (for the grandstand), with 6 to 8% of responses being unsure.
9. The support for the landscaping element and vehicle access was slightly lower at 73% overall supportive or very supportive, but with a higher proportion of 14% being unsure.
10. The overall support for the new proposed design was 77% supportive or very supportive, and 17% unsupportive or very unsupportive.
11. In addition to indicating their level of support, submitters were asked for their additional comments for each of the four design elements and on the overall design.

Attachment 2 - Attachment 2 - BSOP Revised Design Consultation Overview

Grandstand

12. The level of support for the grandstand is shown in the graphic below.



13. The analysis of key themes in relation to comments on the grandstand is in the table below.

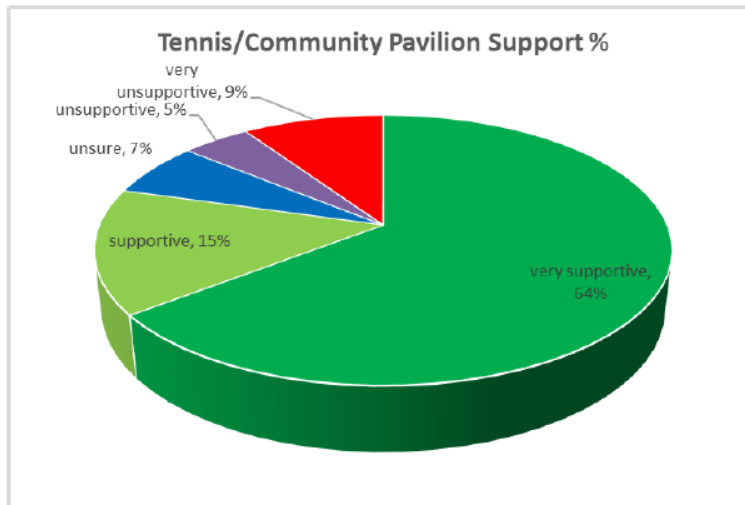
Grandstand – Comments Analysis	
Theme	Number
Ensure maintenance	12
Liked design	8
Disliked stairs design/access restrictions	5
Disliked design	3
Inappropriate to use for public toilets	3
Inappropriate location for merchandising/commercial activity	3
Add more public toilets	2
Inappropriate to use as storage	2
Ensure access to view fireworks etc.	2
Liked stair design/access restrictions for safety of park users	2

14. A number of comments acknowledged the proposal as important to ensure the ongoing protection and preservation of a major heritage asset. There were a few comments on design of the stairs and restricted access both from a design view and comments both in support and opposition of restricting access to discourage rough sleeping. A few saw the use of the heritage building for toilets, storage and/or merchandising as inappropriate, and others thought the changing rooms should be retained.

Attachment 2 - Attachment 2 - BSOP Revised Design Consultation Overview

Tennis Courts and Tennis/Community Pavilion

15. The level of support for the tennis courts and tennis/community pavilion is shown in the graphic below.



16. The analysis of key themes in comments on the tennis courts and tennis/community pavilion is in the table below.

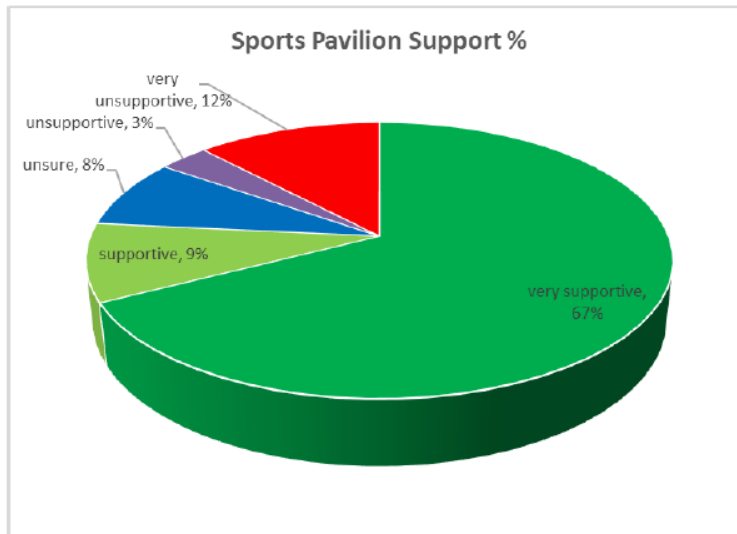
Tennis Courts and Tennis Pavilion/Community Room – Comments Analysis	
Theme	Number
Concerned about open space/tree loss due to building and additional courts	7
Object to community room on first floor	6
Disliked design	4
Disliked heritage tennis clubhouse location/inappropriate	4
Waste of money	4
Liked design	3
Locate more courts elsewhere	2
Positive to keep heritage tennis clubhouse	2
Community room unnecessary/community users should go elsewhere	2

17. This element attracted the least number of comments. Some found the retention of the old tennis clubhouse as appropriate whereas others were concerned that this would be a source of vandalism. Several people commented on the proposed additional two courts, that the courts should go elsewhere (e.g. Yarra Bend) and about loss of trees and open space due to the new building and extended courts.
18. The community room located on the first floor attracted comment with some being concerned about universal access; a lift is provided in the design for this purpose which some submitters may be unaware of. A few comments suggested that the community room should not be in the park.

Attachment 2 - Attachment 2 - BSOP Revised Design Consultation Overview

Sports Pavilion

19. The level of support for the sports pavilion is shown in the graphic below.



20. The analysis of key themes in comments on the sports pavilion is in the table below.

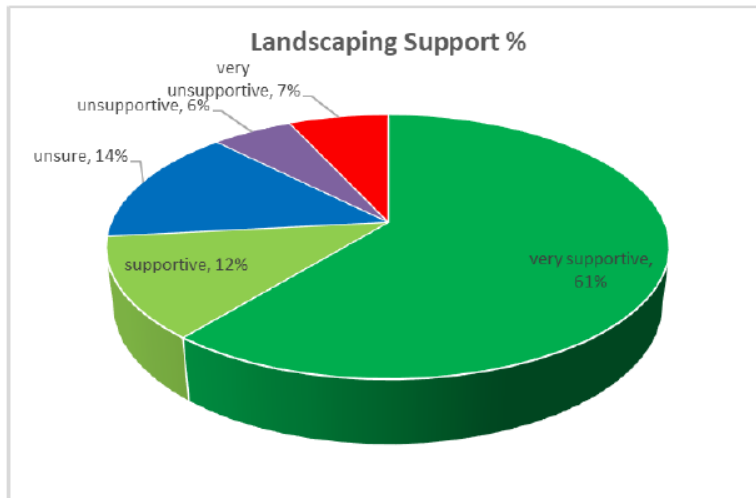
Sports Pavilion – Comments Analysis	
Theme	Number
Liked design	27
Disliked design	19
Supported female participation	16
Disliked location	15
Supports improved facilities for sporting groups	13
Building obstructs view of park and grandstand	9
Reuse heritage building/grandstand	7
Liked location	6
Concerned about open loss of open space/trees	8
Building is too big	3
Glad to have additional toilets	3

21. This element attracted the most comment. There were comments in support of the proposed location, although more comment provided objections to the proposed location. Regarding the design itself, there were a significant number of comments in support of the design and also a number that disliked the design.
22. Several comments suggested the building should be relocated to the east (Hipster Hill) or the south side of the oval (Freeman Street end of the park).
23. In addition, there was a level of comment showing support for the proposed new facilities supporting female participation and improved facilities for sports in the park.
24. There were general comments acknowledging the provision of more toilets at the sports pavilion and comments on the loss of open space and trees due to the building.

Attachment 2 - Attachment 2 - BSOP Revised Design Consultation Overview

Landscaping and Vehicle Access

25. The level of support for the landscaping and vehicle access is shown in the graphic below.



26. The analysis of key themes in comments on the landscaping and vehicle access is in the table below.

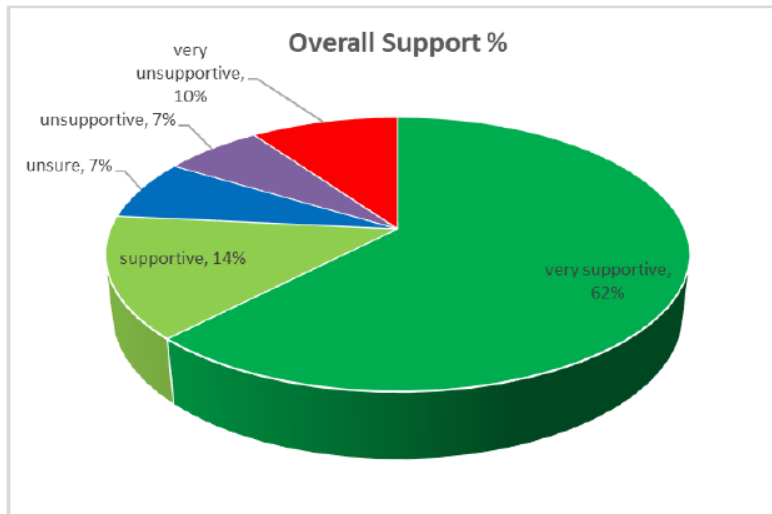
Landscape and Vehicle Access – Comments Analysis	
Theme	Number
Loss of trees	16
Overall impact of project is negative on landscape/heritage context of park	9
Overall impact of project is positive on landscape	9
Disliked vehicle access design – Brunswick St entry/exit, car parking, surfaces	9
Add more trees	2
Comments on path/tree lighting	2

27. There were a number of comments expressing concern on the loss of trees associated with the replanting plan, although some of these comments also acknowledged the need.
28. There were comments that saw the overall landscaping as an improvement to the precinct counterbalanced by a similar number that thought the project negatively impacted on the landscape.

Attachment 2 - Attachment 2 - BSOP Revised Design Consultation Overview

Overall Design

29. The level of support indicated for the overall design is shown in the graphic below.



30. The analysis of key themes in comments on the overall design is in the table below.

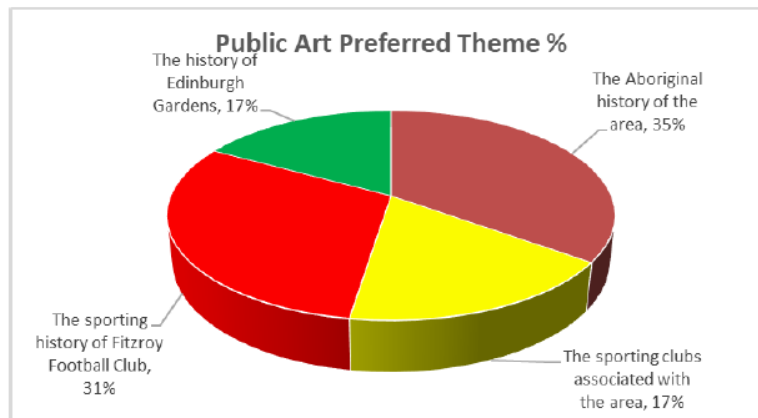
Overall Design – Comments Analysis	
Theme	Number
General support for Council to proceed/start now/project overdue	64
Liked overall design solution	40
Support additional public toilets	8
Greatly improved facilities/amenity	8
Consultation process poor/lacking	4
Loss of green space in park	3
Comments on lack of heritage support for original design	2
Don't do it	2
Keep Hipster Hill as is	2

31. A very common theme in the comments was general support for the design, asking for Council to proceed with the project and/or expressing a view that the project was overdue; a large number of comments also expressed support for the overall design solution.
32. A small number of comments suggested that the consultation process had been poor, and a few comments expressing disappointment that the original design had failed to achieve heritage support.

Attachment 2 - Attachment 2 - BSOP Revised Design Consultation Overview

Public Art

33. The YSY online engagement for the project also sought community input on which theme or themes the respondent would like considered in creating meaningful public art for the project, with four suggested themes being:
- (a) the Aboriginal history of the area;
 - (b) the sporting club associated with the area
 - (c) the sporting history of Fitzroy (Football Club); and
 - (d) the history of Edinburgh Gardens.
34. The results indicated the preferred theme as being the Aboriginal history of the area and the sporting history of Fitzroy Football Club as shown in the graphic below.



Attachment 2 - Attachment 2 - BSOP Revised Design Consultation Overview

Meeting with residents

35. At the second pop-up information session on Tuesday 26 April 2022, a small group of residents with properties in Brunswick St near to the proposed sports pavilion attended and expressed a range of concerns in relation to the project.
36. As a follow-up, a further on-line MS Teams meeting was arranged on the evening of Wednesday 27 April between these residents and Council officers. A total of four residents, three Council officers, and Council's appointed project architect attended this meeting.
37. The resident group queried consideration of alternative locations for the sports pavilion particularly to the east of the grandstand on Hipster Hill, at the Freeman St (south) side of the oval near the cricket nets, or moved further east into the park from the proposed location towards the grandstand or to the rear of the Bowling Club. Council officers outlined how the proposed location had been determined and the various issues with other locations.
38. The resident group also expressed that the design presented as a solid block to Brunswick Street and had noted that the blind side of the building to Brunswick St caused them to have concerns about safety. The architect advised that the Brunswick Street elevation of the sports pavilion had been designed mindful of the heritage elements of the buildings in the park already such as the grandstand. Thus, the building has a heavy horizontal focus rather than the vertical focus of the nearby terraces. The new sports pavilion is also significantly recessed from Brunswick Street with the frontage being up to 10 metres from the street on the northern end, thus read as embedded in the park more so than that the streetscape.
39. Notwithstanding the above, based on the feedback from residents, and further internal expert advice from Council's Urban Design team, the frontage onto Brunswick Street has been redesigned to include a window to promote passive surveillance of the area of the mound and towards Brunswick St. The detail of this installation also includes a degree of vertical massing presenting a more consistent finish to Brunswick Street. Officers believe this addresses the residents' concerns of the block heavy nature of the building whilst maintaining the link to the key elements of built form in the park.
40. The residents had issues with decreased views from Brunswick Street into the park, with seeing a building when travelling south rounding the bend from St Georges Road into Brunswick Street instead of the green park edge, and that the building will be visible from the Tramway Hotel (corner St Georges Road South and Church St), when looking east along Church St towards the park.
41. Officers noted these resident concerns, and further noted that the need for the appropriate club facilities along with the lack of Heritage Victoria support for the original design had prompted the development of the revised proposal.
42. Residents also had concerns about potential noise generated from social events operating at the sport pavilion and also that concurrent social events could run at the sports pavilion and community rooms. Officers provided information regarding the acoustic reports that had been prepared and that the design included suitable acoustic treatments to ameliorate noise transition to the residences opposite.
43. Issues relating to traffic movement into and out of the site were also discussed. Officers provided information regarding the traffic studies that had been undertaken.

Attachment 2 - Attachment 2 - BSOP Revised Design Consultation Overview

Customer Requests

44. An analysis of customer requests received via various channels (email, phone calls and social media) and logged in Council's customer request system Oracle CRM shows 28 recent customer requests in relation to the project as of 23 May 2022. Of these, 14 were directed to one or more Councillors.
45. Some enquiries were simply about the engagement process and how to participate, one caller expressed positive comments in support of the project and others were concerned with substantive issues in relation to the revised design, largely reflecting those raised through the YSY submissions process and the meeting with residents; 12 of the customer requests specifically expressed concern with the proposed sports pavilion location.

Reported missing information flyers

46. Complaints were received regarding non-delivery of project consultation information flyers to six properties (either reported by the resident, or on their behalf by a neighbour). Of these, the delivery address was provided for four properties, all of which were on Brunswick Street near to the proposed sports pavilion.
47. Council uses an outsourced provider for the delivery of bulk letter drops such as the one in this campaign. The provider was requested to investigate the reported non-delivery to the four addresses.
48. The provider uses GPS technology to track their delivery walkers. The provider advised that the GPS records indicate that these addresses were passed on the delivery run on Thursday 9 April between 3:50pm and 4pm, with the speed being consistent with the walkers having stopped at each residence. The provider also interviewed their delivery walkers who reported that the residences were delivered to.
49. Therefore, the investigation was inconclusive as to the reason as to why a group of residents in this location had reported not receiving the information flyer.

8.2 Fitzroy Adventure Playground Grant Report

Executive Summary

Purpose

To inform Council of the performance of the current provider (Save the Children Australia) of the Fitzroy Adventure Playground and to seek Council endorsement of a proposal to extend the current funding agreement for 12 months.

Key Issues

The funding agreement with Save the Children Australia for the Fitzroy Adventure Playground Program Grant ends on 30 June 2022.

A resolution by Council is necessary to support continuation of the Cubbies program in 2022/23.

A future grant initiation report has been delayed as the Fitzroy Adventure Playground has outstanding site management issues that must first be addressed. Responsiveness to maintenance and site issues was delayed to some extent by the impact of COVID-19 lockdowns and service adjustment priorities, and the complexity of the site itself.

Work to resolve the outstanding maintenance and site issues is progressing but requires more time to resolve. There are also issues relating to management of the facility and playground that must be further investigated by officers and provided in a future report to Council.

Financial Implications

This report does not propose any change to the draft 2022/23 Annual Budget that supports funding of \$150,000 plus CPI for continuation of a Fitzroy Adventure Playground Grant.

PROPOSAL

Officers are seeking Council endorsement of a proposal to extend the current funding agreement for the Fitzroy Adventure Playground for 12 months whilst officers investigate and resolve facility management and future funding options

8.2 Fitzroy Adventure Playground Grant Report

Reference	D22/108456
Author	Nona San Pedro - Coordinator Connie Benn Centre
Authoriser	Acting Director Community Wellbeing

Purpose

1. To inform Council of the performance of the current provider (Save the Children Australia) of the Fitzroy Adventure Playground funding agreement.
2. To seek Council endorsement of a proposal to extend the funding agreement for the Fitzroy Adventure Playground for 12 months whilst officers investigate and resolve facility management and future grant program options.

Critical analysis

History and background

3. Adventure playgrounds differ from regular playgrounds as they offer beneficial risk-taking during supervised play. They are open during set hours and children are supervised by qualified staff and volunteers.
4. In the 1970s, adventure playgrounds were established in five sites in the inner metropolitan area of Melbourne to support public housing communities. The adventure playground in Fitzroy is located near the Atherton Gardens public housing estate.
5. The Fitzroy Adventure Playground has always been operated by a community committee of management or a not-for-profit organisation. The Playground is often referred to as Cubbies, which is the name of the program, offered by the former Board of Management and now Save the Children Australia, on the site.
6. The former City of Fitzroy and the City of Yarra have supported the playground since its start. Following cessation of funding by the Commonwealth in 2014, Yarra Council increased its level of subsidy to support operation of the Fitzroy Adventure Playground.
7. On 16th April 2019, Council resolved to return this program to a public competitive three-year grant program for the playground. The Fitzroy Adventure Playground Program Grant was established to provide up to three years of funding subsidy to a not-for-profit organisation towards the operating of the Fitzroy Adventure Playground and management of the site.
8. The grant guidelines were informed by an evaluation of the Cubbies program undertaken by the Family, Youth and Children's Services Branch. An internal evaluation of the Cubbies program was undertaken in 2019, which found there has been a long-term association for many Atherton Gardens families with the Cubbies program and that the program fits within the goals of an adventure play program.
9. The grant program was widely promoted throughout May 2019, on council's website, social media and via community, youth, and children's networks. One application was received from Save the Children Australia.
10. The Council approved a three-year grant on 30th July 2019 to Save the Children for \$150,000 per annum (plus CPI). The funding agreement finishes on 30 June 2022.

Discussion

Performance of Contract

11. The evaluation and research officer from Family Youth and Children's services worked with Save the Children Australia in 2019 to help develop the Program Logic and Key Performance Indicators for Cubbies. A copy of the Program Logic is presented in Attachment 1.
12. The outcome of the evaluation in 2019 informed the performance targets for the adventure playground program to cover the period from 1 July 2019 to 30 June 2022.
13. The Cubbies program is managed by Save the Children Australia and specifically services school aged children and young people (5-16 years) living in the public housing estate predominantly from Atherton Gardens.
14. Save the Children Australia aims to deliver the following outcomes for Cubbies:
 - (a) Children, young people, and families have a safe space to play and actively participate in their community;
 - (b) Improved connections between children, young people and families with local community groups and service providers;
 - (c) Children and young people are supported to strengthen individual skills that encourage positive life choices and build resilience; and
 - (d) Emerging young leaders are supported to engage in education, employment and community pathways.
15. Save the Children Australia is committed to delivering 4 sessions per week during school terms with 30-40 participants per session. Sessions are conducted on Mondays, Tuesdays, Thursdays, and Saturdays.
16. In the 2019 grant application process, Save the Children Australia also committed to sourcing additional funds to increase the number of sessions delivered per week in response to community requests. As part of their contribution Save the Children Australia also allocated its own funds to operate school holiday programs from 2019 to the present when the covid restrictions allowed opening of adventure playgrounds.
17. As part of the key performance indicators of the grant, Save the Children is required to increase the utilisation of the site by facilitating access to other programs and services including the Family Learning Club sessions on Wednesdays and Fridays as well as one-off activities conducted by other service providers.
18. Annual written reports have been provided to Council officers regarding the progress of the Cubbies program.
19. Performance targets were adjusted during COVID-19 lockdowns for modified service delivery. When Cubbies was allowed to operate and deliver face to face sessions, some of the highlights include:
 - (a) Exceeding delivery targets for participation of children living in public housing;
 - (b) Exceeding delivery targets for participation of children from CALD backgrounds;
 - (c) Meaningful engagement with children through establishing Kids Committee and other child-led activities; and
 - (d) Staffing ratios were maintained during sessions.
20. All staff and volunteers working at Cubbies completed the Child Safeguarding Training, and the organisation continued to develop partnership projects and activities with key services in Fitzroy.
21. Save the Children Australia modified their service delivery model during the lockdown period in 2020-2021 and their activities included:

- (a) Provision of family care packages, 3 x week, supporting 15-20 families per week. Included in the care packs were a range of tailored activities for specific age groups. Also included were essential items such as soaps, masks, hand sanitiser and basic food items for the children and their families;
 - (b) A total of 96 referrals to 26 local organisations for the following service requests: housing, food/material support, financial/legal support, health, education, and support for children;
 - (c) Provision of 422 individual activities to 86 children;
 - (d) Engagement with parents continued via 400+ phone conversations with Save the Children's Family Support Worker; and
 - (e) Establishment of a *WhatsApp* group which provided regular communication with 40 families. This was a useful medium for sharing information with the community around COVID testing, vaccine information and updates on restrictions. The group had high levels of engagement and was critical in ensuring that Save the Children was able to continue their work with children and their families during lockdowns.
22. Since the lifting of restrictions on playgrounds, Save the Children Australia has resumed delivery of regular programs onsite. Staff have also implemented new initiatives including:
- (a) Establishment of the Kids Committee to ensure child participation in the co-design of Cubbies programs;
 - (b) Organising a community meeting in September 2021 to consult with parents and community members to improve parent participation in Cubbies;
 - (c) A monthly Community Day Program which opened the Cubbies Program to the local community during non-program hours; and
 - (d) Upgrade of the client database which will result in improved reporting of key deliverables.
23. A summary of performance against the agreed targets for Cubbies under the grant is presented in Attachment 2.

Maintenance, facility, and site issues

24. Responsibility for maintenance of the facility and the playground is shared between Council and the Save the Children Australia.
- (a) Applicants for the Fitzroy Adventure Playground grant were required to submit a site management plan and this forms part of the funding agreement;
 - (b) The grant also included provision of a lease for the Fitzroy Adventure Playground; and
 - (c) The lease provides a condition report and maintenance schedule that specifies responsibilities of Council and of the tenant (Save the Children Australia).
25. COVID-19 restrictions had an impact on the maintenance of the facility and site.
26. In April 2021, the Parks and Open Space Team conducted their annual tree maintenance inspection and identified hazards that needed to be rectified. These included:
- (a) Various locations with visible/torn geo-fabric;
 - (b) Various areas with exposed soil;
 - (c) Many loose bolts in the slides, garden beds and cubbies;
 - (d) Lack of softfall in the fall zones of play equipment;
 - (e) Solid objects placed in fall zones of climbing apparatus;
 - (f) Severely overgrown lawns and gardens with many trip hazards and depressions/holes; and
 - (g) Accumulation of hard rubbish and other debris.

27. Save the Children Australia was contacted and was asked to rectify the issues identified. A site visit was organised with representatives from Save the Children Australia as well as Council's Parks and Open Space, Open Space Planning and Design and Family Youth and Children's Services. Council's Property Services was also asked to provide advice on the roles and responsibilities of Council and Save the Children regarding the maintenance of Cubbies.
28. After the site visit, there was an agreement to rectify the hazards that were identified. The following actions were undertaken:
 - (a) Save the Children Australia organised topping up of softfall in particular areas, mowing of lawn, fixing the play equipment, garden beds and cubbies, and clearing out of debris and hard rubbish; and
 - (b) City of Yarra undertook repairs of the electricity pole, resolved the overflowing water tank, prune overgrown trees and shrubs and fix the drain to the rainwater pond.
29. Save the Children Australia was also asked to seek independent advice to support their role in site management. Council staff provided contact details for Play DMC to conduct an independent inspection of the site and to seek advice on the maintenance standards that needed to be maintained. Save the Children Australia was also referred to Play Australia for resources and advice regarding ongoing management of play spaces and programming. The Manager from Save the Children Australia has confirmed that they have since contacted these agencies.
30. Save the Children Australia acknowledged their difficulties in undertaking regular maintenance of Cubbies in the last two years. They lost all their corporate volunteers during covid lockdowns, whom they had relied on to provide critical support for site maintenance. Since the lifting of restrictions, Save the Children Australia has been able to re-establish a regular maintenance schedule with their previous corporate partners and volunteers.
31. Save the Children Australia approached Council officers and raised concerns about the condition of the main building and recurring maintenance issues related to this including: recurring flooding of the kitchen and office spaces after heavy rain, toilet blockages, partial collapse of the ceiling, overflowing water tanks, and the poor condition of the perimeter fence and gate.
32. Save the Children Australia also informed Council that the current grant does not adequately cover their costs to run the program as well as the maintenance requirement for the facility. They highlighted that the costs associated with ongoing maintenance is putting a strain on the overall budget to run the adventure playground program. They have requested that Council takes into consideration the amount allocated to the grant to reflect the maintenance requirements for the site.
33. Council's grant and the provision of a lease is a significant contribution to continuing provision of an adventure playground program in Fitzroy. The Fitzroy Adventure Playground grant is considered a partnership grant and the intention was never for Council to bear most of the costs of providing the program.
34. There are outstanding maintenance issues with the site that must be resolved, which may involve further cost to Council. Further investigation is necessary to consider how this issue could be addressed and this will include reviewing responsibilities under the lease to best meet the program aims for a well-maintained adventure playground.
35. Resolution of the site and maintenance issues was delayed to some extent by the impact of COVID-19 lockdowns and service adjustment priorities and the complexity of the site itself. Work to resolve the outstanding issues is progressing but cannot be at once resolved.

End of Contract Notice

36. Save the Children Australia have requested that Council give them confirmation in writing preferably 4 weeks before the end of the current contract (30 June 2022) if the funding will cease or be extended. Save the Children have advised that unless they receive confirmation in time, it may impact their ability to keep operating the Cubbies program after June 2022.

Options

37. Three options are presented to inform Council's decision on this matter with Option A being the recommended course of action.
38. Option A proposes:
- (a) An extension of the current funding agreement including the program KPIs for Save the Children Australia from 1 July 2022 until 30 June 2023 to provide funding certainty for continuation of their Cubbies program;
 - (b) Officers to continue monitoring the performance of the funding agreement and working with Save the Children Australia to resolve outstanding issues for maintenance of the site;
 - (c) Officers undertake further work and report back to Council in February 2023 on future funding considerations for the Fitzroy Adventure Playground that addresses:
 - (i) The value of the Fitzroy Adventure Playground to local children and the community;
 - (ii) Afterschool and holiday programs currently offered through the Fitzroy Adventure Playground are well utilised;
 - (iii) Participation of children to the adventure playground and utilisation of the site at other times;
 - (iv) Potential future opportunities through the Fitzroy precinct plan;
 - (v) The intended use and design for the site as an adventure playground;
 - (vi) Facility management options for the site; and
 - (vii) Resolution of maintenance requirements for the site and grant management.
39. This option gives funding certainty to support continuation of Cubbies within the proposed draft budget for 2022/23. The extension period provides opportunity to address outstanding maintenance issues and enhance the amenity for the children attending the site, and time to consider facility management in alignment with future funding options to be canvassed as a separate report .
40. The risks associated of Option A is that it delays opportunity for other providers to apply for the Fitzroy Adventure Playground Grant, if that was to continue beyond June 2022. Some community groups / individuals have contacted officers to express interest in this grant. Their eligibility would need to be assessed should this progress to a competitive grant round.

Option B

41. Option B proposes:
- (a) An extension of the current funding agreement with Save the Children from 1 July 2022 to 31 December 2022 to provide funding certainty for continuation of their Cubbies program;
 - (b) Officers to continue monitoring the performance of the funding agreement and working with Save the Children Australia to resolve outstanding issues on the site; and
 - (c) Officers to prepare a grant initiation process and to report back to Council for endorsement of the grant guidelines by September 2022.

- 42. The benefit of Option B is that it gives funding certainty to support continuation of Cubbies within the proposed draft budget for 2022/23. The extension period allows time to address immediate concerns including program continuity for Save the Children Australia and to address many outstanding maintenance issues. The option provides a community grant process in 2022 and responds to expressed interest in the playground by a few community groups.
- 43. The main risks associated with Option B is that it does not provide sufficient time to investigate long standing site management issues or facility management model in alignment with future funding considerations.

Option C

- 44. Option C proposes ceasing Council funding for the Fitzroy Adventure Playground from 30 June 2022.
- 45. The benefit of Option C is that Council could consider redirecting the allocated grant money to a different program or use the allocation to invest in the playground site.
- 46. The risk associated with this option is that consideration will need to be made about the potential impact to the children and the community. This option is not recommended by officers.

Community and stakeholder engagement

- 47. Council officers have been liaising with Save the Children Australia representatives and other branches including Social Strategy and Community Development, Parks and Open Space, Property Services, Sustainability and Building and Maintenance throughout 2021-22.

Policy analysis

Alignment to Community Vision and Council Plan

- 48. The Fitzroy Adventure Playground grant supports two of the strategic objectives of the Council Plan: strategic objective two - social equity and health, and strategic objective four: place and nature.
- 49. The provision of adventure play is premised on being the 'backyard' for families living in high-rise and the programs provided have evolved from being unstructured to having structured activity based on local identified need. This is directly aligned with principles of social equity and health and place and nature.
- 50. The Fitzroy Adventure Playground grant aligns with the Yarra 0-25 Plan priority areas including:
 - (a) Improve the health and wellbeing of children, young people and families; and
 - (b) Support children, young people and their families to be strong, resilient and resourceful.

Climate emergency and sustainability implications

- 51. Applicants to the Fitzroy Adventure Playground Grant were encouraged to consider the environmental impact of their program and opportunities to minimise their footprint. They were required to demonstrate strategies to reduce and/or re-using resources.

Community and social implications

- 52. The original policy basis of the adventure playground model was based on the Commonwealth Government's decision to provide opportunities for social support and engagement to families living in public housing. This was based on the relative level of disadvantage of public housing residents and that high-rise housing of this type was relatively unusual.

53. Adventure playgrounds were established in five sites in the inner metropolitan area of Melbourne to support children living in high rise public housing estates. The playgrounds differ from regular playgrounds as they offer beneficial risk-taking during supervised play. They are open during set hours and children are supervised by qualified staff and volunteers.
54. The Fitzroy Adventure Playground provides a safe, creative, and fun play environment with targeted activities to help support participants to help increase their participation in the community and their sense of self and identity.

Economic development implications

55. Community grants strengthen the community sector through providing a flexible and responsive source of funds to community based not-for-profit organisations.

Human rights and gender equality implications

56. The Fitzroy Adventure Playground program is in alignment with the Victorian Charter of Human Rights and Responsibilities Act 2006 insofar that it supports children and young people to participate in and contribute to their community through the adventure playground and related activities.

Operational analysis

Financial and resource impacts

57. The 2022-23 budget has allocated \$150,00 (plus CPI of 1.8%) to the Cubbies program.
58. The Fitzroy Adventure Playground grant program will require Council allocation of at least \$150,000 per annum (plus CPI) unless otherwise directed.
59. There are still outstanding maintenance issues for Cubbies that Council will need to be addressed that may require allocation or re-direction of funds.

Legal Implications

60. The Fitzroy Adventure Playground is located on Crown Land and is part of the Atherton Gardens Reserve. Council must obtain approval from the relevant Minister to offer a new lease for the site.
61. Extension of the funding agreement as proposed in this report would not impact on the lease with Save the Children Australia as the lease could continue in overholding.

Conclusion

62. The Fitzroy Adventure Playground is valued by the local community, especially the children who attend the Save the Children Australia Cubbies' program.
63. Save the Children Australia's funding agreement from Council for the Fitzroy Adventure Playground Program Grant ends on 30 June 2022. The organisation is meeting their KPIs under the funding agreement for the delivery of the Cubbies program.
64. During COVID-19 lockdowns, reasonable service adjustments were made to provide a program for children. The pandemic impacted on opportunities to increase utilisation during school hours and to seek other grants for the Cubbies' program.
65. An important component of the performance of the grant funding is also delivery of a site management plan. Resolution of the site and maintenance issues was delayed to some extent by the impact of COVID-19 lockdowns, service adjustment priorities and the complexity of the site itself. Work to resolve the outstanding issues is progressing but cannot be at once resolved. There also remains outstanding issues relating to the facility management that must be addressed by Council.

66. Officers are seeking Council endorsement of a proposal to extend the funding agreement for the Fitzroy Adventure Playground for 12 months whilst officers investigate facility management and future funding arrangements. The extension of the program will allow the ongoing investigation to address outstanding maintenance issues for the site, and the costs and responsibilities associated with it, to ensure safety and enhance the amenity for the children and the community.

RECOMMENDATION

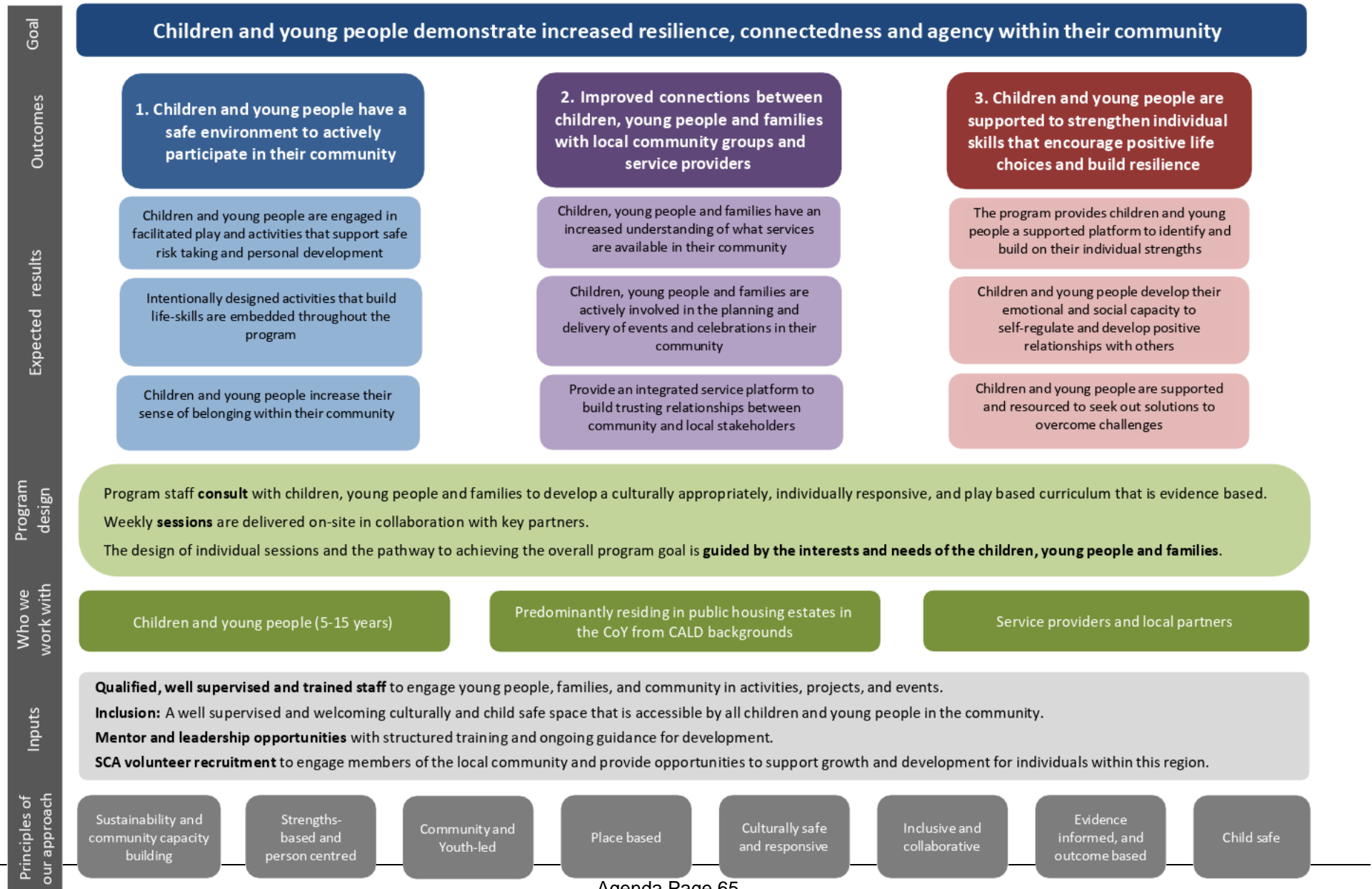
1. That Council:
 - (a) note the site and workforce issues outlined in this report and that officers continue seek a suitable resolution for the management of the Fitzroy Adventure Playground site;
 - (b) endorse a 12-month extension (\$150,000 p.a. plus CPI) of the current funding agreement to Save the Children Australia, from 01 July 2022 until 30 June 2023, to continue delivery of the Cubbies program following the current funding agreement and subject to the following conditions:
 - (i) officers continue to monitor compliance of the agreed service agreement with Save the Children Australia including KPIs to seek external funding to increase programming hours and increase utilisation of the site; and
 - (ii) that Save the Children Australia actively seek to explore and report on partnerships with providers that can support and complement the delivery of the Cubbies program;
 - (c) request officers to report back to Council in February 2023 on future funding considerations for the Fitzroy Adventure Playground that addresses:
 - (i) the value of the Fitzroy Adventure Playground to local children and the community;
 - (ii) afterschool and holiday programs currently offered through the Fitzroy Adventure Playground are well utilised;
 - (iii) participation of children to the adventure playground and utilisation of the site at other times;
 - (iv) future opportunities though the Fitzroy precinct plan;
 - (v) the intended use and design for the site as an adventure playground;
 - (vi) facility management options for the site; and
 - (vii) resolution of maintenance requirements for the site and the community grant; and
 - (d) advocates to the Victorian and Commonwealth Governments to financially support the provision of adventure play spaces for children living in high rise public and social housing estates in Yarra.

Attachments

- 1 [📄](#) Attachment 1 - Save the Children Australia - Cubbies Program Logic
- 2 [📄](#) Attachment 2 - Summary of Performance Against Agreed Targets for Cubbies

Attachment 1 - Attachment 1 - Save the Children Australia - Cubbies Program Logic

Fitzroy Adventure Playground – ‘CUBBIES’ Program Logic



Attachment 2 - Attachment 2 - Summary of Performance Against Agreed Targets for Cubbies

Summary of Performance Against Agreed Targets for Cubbies (2019/20 to April 2022)

Target	2019/ 202	2020 / 2021	2021- 2022 (YTD April)
70% of school-aged children participating reside in public housing	98%	92%	<i>Data not available at time of report</i>
80 % of school aged children participating identify as Culturally and Linguistically Diverse	98%	95%	<i>Data not available at time of report</i>
120 children participating each week	An average of 168 children participated each week	An average of 168 children participated each week	<i>Data not available at time of report</i>
Deliver supervised sessions with 1:15 staff/volunteers per children per session	5 staff and volunteers attended each session	5 staff and volunteers attended each session	5 staff and volunteers attended each session
Provide a safe and maintained adventure playground environment by conducting regular safety checks and audits	<ul style="list-style-type: none"> Daily inspections by staff and volunteers completed Daily operational checks by senior staff completed Onsite safety audit was not completed due to COVID 19 lockdown 100% of staff and volunteers completed Child Safeguarding Training 	<ul style="list-style-type: none"> Daily inspections by staff and volunteers completed (undertaken when Cubbies was allowed to operate under the COVID-19 restrictions) Weekly operational checks by senior staff completed (undertaken when Cubbies was allowed to operate under the COVID-19 restrictions) Safety audit was completed with City of Yarra and Save the Children addressed issues identified through the audit. 	<ul style="list-style-type: none"> There is a daily site inspection completed prior to the delivery of each session (undertaken when Cubbies was allowed to operate under the COVID-19 restrictions) All staff and volunteers have completed the child safeguarding training. Audit undertaken by MDS and maintenance standards

Attachment 2 - Attachment 2 - Summary of Performance Against Agreed Targets for Cubbies

Target	2019/ 202	2020 / 2021	2021- 2022 (YTD April)
		<ul style="list-style-type: none"> 100% of staff and volunteers completed Child Safeguarding Training 	
Deliver 160 sessions per year (school terms)	<ul style="list-style-type: none"> 158 Cubbies sessions including modified service delivery (120 sessions) during COVID 19 restrictions Adapted service delivery in line with Covid-19 restrictions delivered: 3 x online sessions; 53 x phone outreach, 44 x individual care packages to families, and 435 activities for 72 children 	<ul style="list-style-type: none"> 162 Cubbies sessions including modified service delivery during COVID-19 restrictions Adapted service model in line with Covid-19 restrictions delivered: 400+ phone outreach calls to families and, 422 individual activities for children. 	Regular face to face sessions in place during Term 1 in 2022.
Develop five partnerships with local services to access the FAP outside of Cubbies operational hours	5 partners utilised the Fitzroy Adventure Playground including: BSL, State of Being, Cultivating Community, WeCycle and Child Dance Music Group.	<ul style="list-style-type: none"> Additional programs and/or events were unable to proceed due to repeated Covid-19 restrictions 	<p>The Cubbies Team are re-establishing connections with other services following COVID Lockdowns including:</p> <ul style="list-style-type: none"> Supporting a local program Auskick every Tuesday to access to speakers and water. BSL will conduct a series of publishing workshop at Cubbies for children and their parents
Develop five partnerships with local services to provide information about available services	12 workshops/activities were delivered by partners throughout this period including: The Fabric Store; Richmond FC; Bounce; Collingwood Children's Farm;	<ul style="list-style-type: none"> Supported 96 referrals to 26 local organisations for Housing, Food/material support, Financial/legal support, Health, Education and Child Development 	<ul style="list-style-type: none"> Cubbies staff facilitated the Yarra Communities that Care Child Participation project which since informed the new 3-year strategy

Attachment 2 - Attachment 2 - Summary of Performance Against Agreed Targets for Cubbies

Target	2019/ 202	2020 / 2021	2021- 2022 (YTD April)
	Wecycle; Fitzroy Legal Service; BSL Homework Club; MYSPACE; BSL Breakfast Club; Yarra Youth Services, Soccer program; and Family engagement.	<ul style="list-style-type: none"> Targeted engagement activities were held over this period based on children's feedback including DJ workshops, Bounce excursions, Gertrude Street projection festival arts project, State of Being Yoga + mindfulness workshops, and gardening workshops facilitated by local community members 	<ul style="list-style-type: none"> In April, the Cubbies Team attended a local soccer event, set up an information stall and provided information to the local community about the Cubbies program.
Build 4 networks for the Cubbies program per year	9 community events and networks were attended by staff including the Connecting Fitzroy Network; Yarra Block Party; Sacred Heart Graduation; Yarra Youth Sports Day; Harmony Day celebrations; Rachel and Her Children Advisory board and governance group; NJC Yarra Vulnerable Youth Working Group; and Walking side by side with community working group.	<ul style="list-style-type: none"> Community networking including meetings and consultations with: STREAT, Yarra Youth Services, Anglicare, Fitzroy Legal Service, Connie Benn, St Mary's House of Welcome, St Vincent's Mobile Outreach, Sacred Heart Primary School, YSAS, SAIL, Myspace, HIPPY/BSL and Cohealth. Attended the following events and meetings: Connecting Fitzroy, Service mapping Fitzroy, Community Cup soccer tournament, Friday Free Food Market events, communities for children. 	<p>Cubbies is actively involved in:</p> <ul style="list-style-type: none"> Connecting Fitzroy Network Communities that Care
50% of program input provided by children through child and youth-led activities	75% of activities were child and youth-lead	70% of activities were child-led	<ul style="list-style-type: none"> A 'Kids Committee' has been established and meets once per month. All the activities at Cubbies are led by the children.

Attachment 2 - Attachment 2 - Summary of Performance Against Agreed Targets for Cubbies

Target	2019/ 202	2020 / 2021	2021- 2022 (YTD April)
			<ul style="list-style-type: none"> The Children are provided with opportunities to choose the activities they want to include into the Cubbies programming each month
Conduct 1 evaluation per year that is informed by child friendly processes	7 x verbal evaluations were completed post activity with children, and 72 x child-friendly Covid-19 surveys distributed to families.	2 x child friendly evaluations were completed, as well as ongoing opportunities for verbal feedback.	<ul style="list-style-type: none"> The monthly Kids Committee meeting provides an opportunity for children to provide feedback and evaluation A child friendly safety survey was undertaken to get feedback from children about their sense of safety in the Cubbies program. Staff created a feedback box for the children to encourage regular feedback.
Deliver four activities that include both unstructured and supervised play	Four activities were delivered that incorporated creative, physical, social, and cognitive play, as well as one in MY Space co-facilitated in partnership with BSL.	Sessions were delivered within COVID guidelines. Cubbies was not open during lockdowns, however, take home packs were created to support ongoing activities continuing during this period.	The program activities are designed by the Cubbies Team based on the feedback from the children. There are a range of structured and supervised play activities integrated into each program.

8.3 Yarra Moves Action Plan

Reference	D22/109901
Author	Grace van der Merwe - Participation Officer
Authoriser	Director City Works and Assets

Purpose

- The purposes of this Council report are:
 - To provide Councillors with an overview of the outcomes of the recent public consultation process; and
 - To seek endorsement of the *Draft Yarra Moves Physical Activity Action Plan 2022-2024*.

Critical analysis

History and background

- It is widely acknowledged that physical activity plays a primary and important role in the prevention of chronic disease and supports lifelong physical and mental wellbeing.
- The provision of health promoting environments that encourage active living is a key focus of the strategic objectives within the Council Plan (2021-2025). Further, the 2020/21 Yarra Council Annual Plan contained an action to develop a Physical Activity Strategy.
- In Yarra, just 50% of adults and less than 20% of young teenagers meet the recommended physical activity guidelines. Further, over 40% of Yarra's population are susceptible to sedentary behaviours in the workplace and at school.

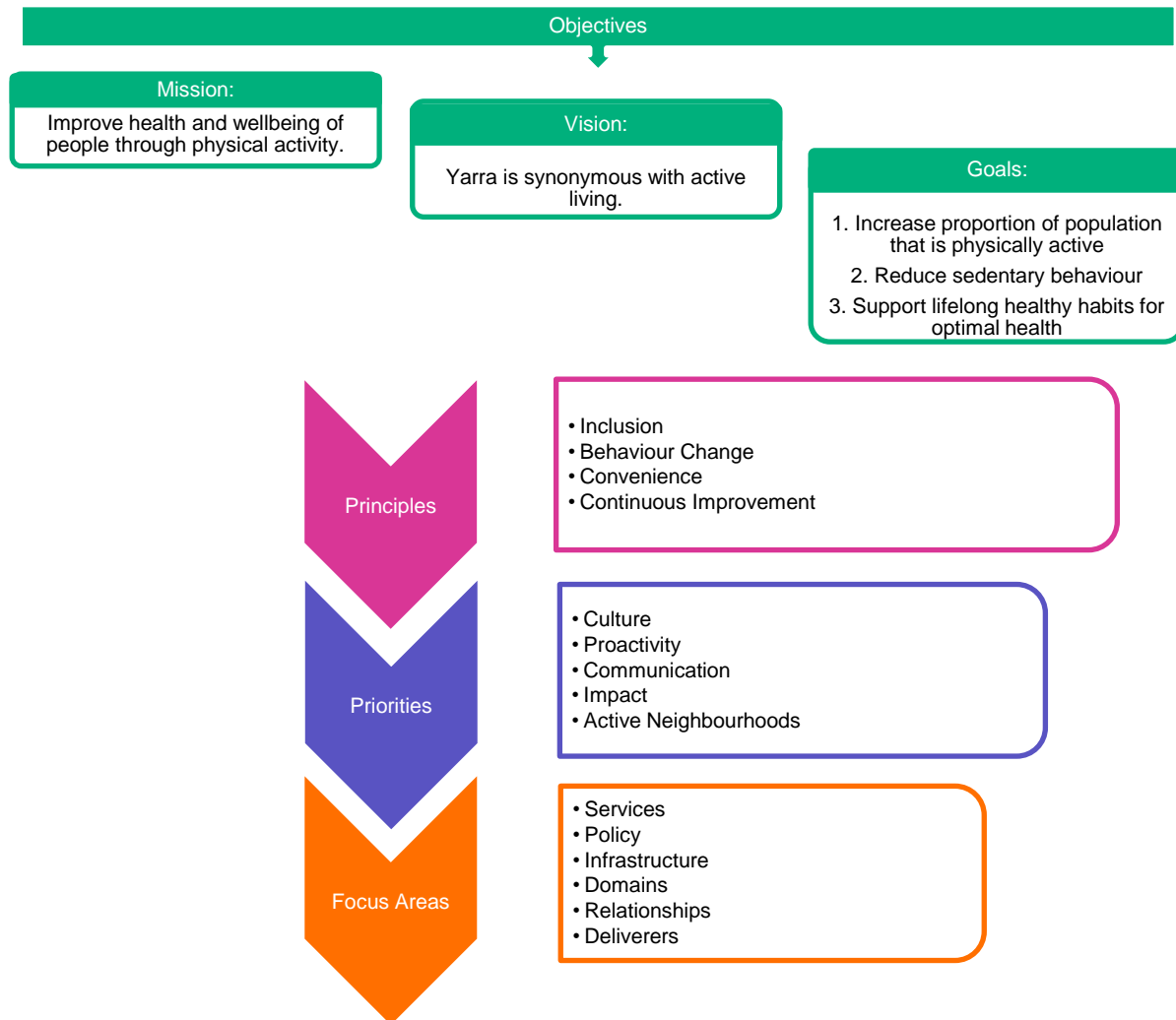
Table 1 – Proportion of population meeting physical activity guidelines

Physical Activity Levels	Yarra	Vic
Sedentary*	2.7%	2.5%
Insufficient	41.4%	44.1%
Active	54.9%	50.9%
*Sitting 7+ hours per weekday	40.8%	26.6%
*Sitting 7+ hours per weekend day	11.3%	14.1%

Source: Victorian Population Health Survey, Department of Health and Human Services (2017).

- The health benefits of physical activity are numerous and can include:
 - Reduces risk of health conditions like heart disease, type 2 diabetes and cancer;
 - Management of blood pressure, weight gain and muscle development for improved bodily function;
 - Improves wellbeing by alleviating feelings of stress, anxiety and depression;
 - Reduces social isolation and strengthens social connection;
 - Improves and maintains cognitive function;
 - Improves academic performance and workplace productivity; and
 - Supports active transport and limits the negative impact of climate change.
- The Yarra Moves Physical Activity Strategy 2021-2031 (Yarra Moves Strategy) presents an evidence based and balanced approach to supporting the lifelong health of all people who live, work, learn and play in Yarra.

7. To inform the development of the Yarra Moves Strategy, Recreation and Leisure Services undertook an in-depth and intensive review of literature from leading health authorities, sport and recreation bodies, and government within Australia and internationally, which lead to the development of the strategy structure as follows:
- Objectives (vision, mission and goals);
 - Principles;
 - Priorities; and
 - Focus areas.



- Council endorsed the Yarra Moves Strategy on Tuesday 7 September 2021.
- Yarra plays a key role in the management and delivery of many facilities and services related to physical activity, including but not limited to leisure centres, community centres, youth services, maternal child health, parks and sportsgrounds. As the closest level of government to the community, Council, therefore, plays a significant role in providing leadership to the community and stakeholders when advocating for physical activity.
- To achieve the Strategy's vision of Yarra being synonymous with active living, the *Draft Yarra Moves Physical Activity Action Plan 2022-2024* (Attachment 1) outlines short to mid-term actions that will deliver the Yarra Moves Strategy's goals.
- The proposed Draft Action Plan has been structured so that is adaptive, flexible and has been designed to ensure delivery evolves with the community demands.

Discussion

12. The first two years of the *Draft Yarra Moves Physical Activity Action Plan 2022-2024* establish the framework to progress the Yarra Moves Strategy for the long term. This undertaking is necessary to ensure that future actions are evidence based, targeted and evolve. The effect of the global pandemic supports this notion that action development must be agile, flexible and meet emerging trends and demands.
13. Achieving the objectives of the Yarra Moves Strategy requires input across many Yarra business units. Accordingly, the Draft Action Plan sees 17 business units responsible for achieving a range of specific deliverables over the next two years related to physical activity and active living, which highlights the diverse role Council has in supporting people to be physically active.
14. The first proposed Action Plan is based on the immediate need to establish support structures and embed a culture of active living in all Council operations.
15. The Draft Action Plan focuses on:
 - (a) Creating a campaign to support the ongoing promotion of the Yarra Moves Strategy, as well as physical activity opportunities at Yarra; and
 - (b) Establishing a culture of active living at Yarra.
16. The feedback provided through the consultation drove the development of the Draft Action Plan's three themes - Impact and Promotion, Inclusion and Active Neighbourhoods - as well as the objectives and actions.
17. The objectives of the first theme, Impact and Promotion, aim to:
 - (a) Identify and promote the opportunities to be physically active in Yarra;
 - (b) Promote opportunities for people to connect and participate in the community while improving physical wellbeing;
 - (c) Provide opportunities for the community to engage and connect with the natural environment to enhance their physical wellbeing;
 - (d) Improving the health and wellbeing of all employees by implementing initiatives that make active living part of the workplace culture and reduce sedentary behaviour; and
 - (e) Use evidence to guide and drive decisions about how to increase participation in physical activity and improve the health of our community.
18. The objectives of second Draft Action Plan theme of Inclusion aims to:
 - (a) Support and facilitate opportunities for the community to be physically active through Council's services;
 - (b) Support active recreation and sport organisations to continue to provide diverse physical activity opportunities for the whole community; and
 - (c) Build partnerships with key partners to provide sustainable and inclusive local options to be physically active.
19. The third theme of the action plan is Active Neighbourhoods, and its objectives aim to:
 - (a) Encourage and support greater walkability and cycling throughout Yarra; and
 - (b) Plan and develop neighbourhoods to support active lifestyles.
20. The Draft Action Plan contains measurable outcomes, which will be reported on each year as part of the Plan's review. In addition to these measures, success will also be measured on improvements over time using industry benchmarking data.

21. Officers propose that the Draft Action Plan be reviewed after the first year to inform the planning of the next two-year action plan (2024-2026). Each subsequent Action Plan is proposed to be two years in length, which is necessary as the objectives of the 10-year Yarra Moves Strategy requires long-term change that cannot be achieved via fixed perspectives, methods or systems.

Options

22. There is currently no Council plan that focuses directly on physical activity, active living, and reducing sedentary behaviour in Yarra, despite the clear and overwhelming evidence that increases in physical activity and decreases in sedentary behaviours are a known contributor to many positive health and wellbeing outcomes. Therefore, Officers have developed both the Yarra Moves Strategy the *Draft Yarra Moves Physical Activity Action Plan 2022-2024*.

Community and stakeholder engagement

External Community Engagement – Stage 1 Action Plan

23. Per Council's resolution, Officers undertook a community consultation process to inform the development of the *Draft Yarra Moves Physical Activity Action Plan 2022-2024*. In November and December 2021, Officers heard from over 350 people through the Your Say Yarra site. This broad consultation process included running separate consultation sessions with children and young people, engaging directly with community groups for older people and those from different language backgrounds.
24. As noted in Attachment 2 - *Community Engagement Report Yarra Moves Physical Activity Action Plan*, Officers asked the community their motivations, and challenges to being active, as well as the ways Council could support them to be more active. Some key pieces of feedback Officers heard from the community were:
- (a) The most popular motivation to be active is for physical and mental health;
 - (b) Physical activity decreased during COVID-19;
 - (c) Yarra could help by improving issues faced in active travel, such as space on footpaths;
 - (d) Different approaches are needed for different areas of the community based on their needs;
 - (e) Activities need to fit into people's everyday lives and/or be flexible in terms of time commitment;
 - (f) Many respondents said they want to try activities outside of community sport; and
 - (g) A high number of respondents told us they want to find opportunities to be active with their friends or family.

25. The information from this community consultation was used to develop the Draft Action Plan.

External Community Engagement – Stage 2 Action Plan

26. The *Draft Yarra Moves Physical Activity Action Plan 2022-2024* was shared with the community through Your Say Yarra from 24 March 2022 until 14 April 2022, which provided the community with an opportunity to provide further feedback.
27. As outlined in Attachment 2, Officers received 39 responses from the community during the exhibition/second stage of the consultation.
28. The majority of responses supported the Draft Action Plan. The themes and its associated objectives and actions were as follows:
- (a) 59.46% of respondents are supportive or very supportive of Theme 1: Impact and Promotion and its associated objectives and actions;
 - (b) 64.86% of respondents are supportive or very supportive of Theme 2: Inclusion and its associated objectives and actions; and

- (c) 64.87% of respondents are supportive or very supportive of Theme 3: Active Neighbourhoods and its associated objectives and actions.

29. Some of the key themes rising from the exhibition of the Draft Action Plan were:

- (a) A large portion of the feedback related to road safety, bike riding, accessibility for pedestrians and footpath safety, highlighting the importance of the theme – Active Neighbourhoods and the actions associated with the Yarra Transport Strategy; and
- (b) Much feedback related to specific actions (e.g., “Get lights”). However, as this is the first action plan at Yarra focused directly on physical activity and is the first two years of a 10-year Strategy, subsequent Action plans will continue to evolve and develop, along with targeted, costed actions over the life of the Yarra Moves Strategy.

External Community Engagement – Physical Activity Strategy

- 30. The Council resolution on 7 September 2021, directed Officers to consult the community in November and December 2021 on the Yarra Moves Physical Activity Strategy 2021-2031. 11 responses were received, with majority of the responses being supportive of the Strategy.
- 31. There was a broad level of feedback received that isn't related to the context of the strategy but is a 'wish list' of infrastructure, which is outside of the scope of this consultation (e.g., basketball courts, exercise stations etc.). However, it demonstrates there is a high level of interest from the community to be physically active. Through the actions in the Draft Action Plan, Officers aim to identify and promote opportunities to be physically active, to improve the health and wellbeing of all people who live, work, learn and play in Yarra.
- 32. Based on the community feedback received, Officers do not believe any modifications to the Yarra Moves Physical Activity Strategy 2021-2031 (endorsed by Council on Tuesday 7 September 2021) are required.

Policy analysis

Alignment to Community Vision and Council Plan

- 33. The follow strategic objectives of the Council Plan 2021-2025 apply to the Draft Action Plan: Strategic Objective two: Social equity and health; Strategic Objective four: Place and nature; and Strategic Objective five: Transport and movement.

Climate emergency and sustainability implications

- 34. With more than 320,000 trips within Yarra on any given weekday (Victorian Integrated Survey of Travel and Activity – LGA Profiler, Department of Transport, 2018), active transport has a significant role in improving the overall health and wellbeing of Yarra's community. Exchanging sedentary modes of transport for active travel not only provides an opportunity for daily physical activity, but also reduces the amount of carbon emissions that contribute negatively to climate change.

Community and social implications

- 35. The *Draft Yarra Moves Physical Activity Action Plan 2022-2024* recognises some people and communities are more at risk of experiencing negative health related to inactivity than others, due to participation barriers. The Yarra Moves Strategy highlights the broad influence Council has on the opportunities, environments and people that can support the equitable provision and inclusive access to physical activity in Yarra. Further, the community consultation process targeted direct feedback from at risk communities to ensure relevance and effectiveness of the Draft Action Plan.

Economic development implications

- 36. The value of the health benefits supported by community sport and active recreation infrastructure in Victoria has been estimated at \$2.3 billion annually (The Value of Community Sport and Active Recreation Infrastructure, Sport and Recreation Victoria, 2020).

37. Further, the report by Sport and Recreation Victoria (The Value of Community Sport and Active Recreation Infrastructure, 2020), found that being physically active led to increased productivity (i.e., lower number of sick days and increases in personal skills and ability), as well as enhanced cognitive performance. The value of increased productivity associated with physical activity supported by community sport and active recreation infrastructure in Victoria is estimated at \$270 million annually.
38. Research by Victoria Walks (Walking and transport in Melbourne suburbs, 2019) found that there is an economic benefit to 'Active Neighbourhoods', because people who walk to shops spend more and go to the shops more often than those who drive. It was found that walking, cycling and public realm improvements increase retail sales by up to 30% and people who walk to retail areas spend up to 40% more over a month than those who drive (Identifying and valuing the economic benefits of 20-minute neighbourhoods, DELWP, 2019).

Human rights and gender equality implications

39. A key element of the *Draft Yarra Moves Physical Activity Action Plan 2022-2024* is ensuring opportunities for participation in physical activity is inclusive and accessible for all.
40. Inclusion is the fundamental right of all people to partake in physical activity regardless of individual circumstances. In line with *Yarra Social Justice Charter* (2020), inclusion means that all people can, "Participate in community and access services and information regardless of age, gender, sex, sexuality, income, education, cultural background, language skills, religion or disability". Yarra Moves puts in place a strategy to provide inclusive, adapted and safe opportunities to participate in physical activity and sport.

Operational analysis

Financial and resource impacts

41. The delivery of the proposed *Draft Yarra Moves Physical Activity Action Plan 2022-2024* will be conducted within existing resourcing and budget allocations.
42. Additional budget to support the campaign design, collateral, and advertising for the 2023/24 financial year would be required of up to \$25,000 and be subject to the budget bid process.

Legal Implications

43. There are no known direct legal implications of this report.

Conclusion

44. Yarra City Council is committed to a healthy and inclusive Yarra, and physical activity is a known contributor to several positive health and wellbeing outcomes.
45. At the time of developing the Yarra Moves Strategy, half the adult population, and five out of six young teens in Yarra did not meet the recommended guidelines for physical activity. The risks associated with inactivity are heightened in Yarra where levels of sedentary behaviour are of specific concern. Two in five adults spend more than seven hours sedentary each weekday and half of the year eight students in Yarra do not meet the recommendation for avoiding sedentary behaviour.
46. The Yarra Moves Strategy presents an evidence based and balanced approach to supporting the lifelong health of all people who live, work, learn and play in Yarra.
47. Following extensive community consultation and exhibition, Officers have created the proposed *Draft Yarra Moves Physical Activity Action Plan 2022-2024*, which establishes the foundation framework to progress the Yarra Moves Strategy.
48. The Draft Action Plan focuses on strengthening existing physical activity opportunities in Yarra; creating a campaign to support the ongoing promotion of the Yarra Moves Physical Activity Strategy 2021-2031, as well as physical activity opportunities at Yarra; and establishing a culture of active living at Yarra.

49. Should the Draft Action Plan be endorsed, in the first year, its implementation would be conducted within existing resources and budget allocations.

RECOMMENDATION

1. That Council:
 - (a) Endorse the *Draft Yarra Moves Physical Activity Action Plan 2022-2024*.

Attachments

- 1 [↓](#) Attachment 1 - Draft Yarra Moves Physical Activity Action Plan 2022-2024
- 2 [↓](#) Attachment 2 - Community Engagement Report Yarra Moves Physical Activity Action Plan



Attachment 1 - Attachment 1 - Draft Yarra Moves Physical Activity Action Plan 2022-2024

Yarra City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Owners and true sovereigns of the land now known as Yarra. 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 and to their Elders past, present and future.

Yarra Moves – Physical Activity Action Plan

Introduction

An integral component of the *Yarra Moves* Strategy is the Action Plan. The Action Plan will be reviewed and updated every two years. This approach is necessary as the objectives of the strategy require long-term change that cannot be achieved via fixed perspectives, methods or systems.

Yarra Moves Action Plan prioritises short to mid-term initiatives that will contribute to the strategy's long-term goals. Each version of the Action Plan will be reviewed and updated in line with agreed timeframes or as required. This process will enhance the plan's relevance for the community and ensure resources are assigned in the most effective manner.

Yarra Moves action planning will:

1. Address the 10-year strategic objectives to increase physical activity levels.
2. Remain responsive to community needs.
3. Be reviewed after the first year to inform the planning of the next two-year action plan (2024-2026).
4. Set and integrate short, mid and long-term Council planning.

Action Plan 2022-2024 (July 2022 – June 2024)

The first iteration of *Yarra Moves* Action Plan is based on the immediate need to establish support structures and embed a culture of active living in all Council operations.

This Action Plan focuses on:

- Strengthening existing physical activity opportunities in Yarra.
- Creating a campaign to support the ongoing promotion of *Yarra Moves* and physical activity opportunities.
- Establishing a culture of active living at Yarra City Council.

The *Yarra Moves* Action Plan is created using the results from the community consultation in November and December 2021.

Achieving the strategic objectives requires input from a range of Yarra business units. This action plan maps out specific deliverables over the next two years across Council related to physical activity and active living.

The focus on physical activity and active living will continue to increase across Council throughout the 10 years of the strategy to achieve the vision of Yarra being synonymous with active living.

Throughout the Action Plan are the measurable outcomes, which will be reported on each year as part of the review of the plan. In addition to these measures, as outlined in the *Yarra Moves* Physical Activity Strategy, success will also be measured on improvements over time.

Contemporary industry data that informed the strategy and will be used as ongoing benchmarks of physical activity will include:

- Department of Health and Human Services' Victorian Population Health Survey
- Sport Australia's AusPlay Survey
- Victorian Health Promotion Foundation's LGA Profile.

The impact on wider Council objectives will also be benchmarked against liveability indicators as reported in Yarra City Council's:

- Annual Customer Satisfaction Survey
- Health and Wellbeing Status Reports.

Yarra Moves – Physical Activity Action Plan

Theme 1: Impact and promotion

Empower the community to be physically active, supporting them to make choices through easy to understand information. Provide awareness of the varying ways you can be physically active and participate in the community.

Objective	Action	Responsible business units	Timeframe	Measurable outcomes	Resources
1.1 Identify and promote the opportunities to be physically active in Yarra.	1.1.1 Build a Physical Activity Directory that showcases the physical activity opportunities available in Yarra.	Recreation	June 2023	Physical Activity Directory available by June 2023.	Within current resources.
	1.1.2 Establish a Yarra Moves communications program that promotes the importance of being physically active and reducing sedentary behaviour.	Recreation Communications	December 2022	Yarra Moves communication program launched by December 2022 and communications plan in place.	Within current resources.
1.2 Promote opportunities for people to connect and participate in the community while improving physical wellbeing.	1.2.1 Promote opportunities for volunteering and community participation across a range of activities e.g. environmental groups, sport groups etc.	Community Development (Capacity Building) Recreation	Ongoing	Promote through social media, newsletter, or other volunteering/recreation networks a minimum of 6 volunteering opportunities that improve physical wellbeing each year.	Within current resources.
	1.2.2 Support Neighbourhood Houses and Learning Centres to continue to provide activities to the community focused on physical activity and wellbeing. Promote the activities provided	Community Development (Neighbourhood Programs) Recreation	Ongoing	Support each Neighbourhood House to provide a minimum of one program each year that focuses on physical activity e.g. yoga, pilates, tai chi, gardening workshop etc.	Within current resources.

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	by Neighbourhood Houses and Learning Centres through the Physical Activity Directory.				
1.3 Provide opportunities for the community to engage and connect with the natural environment to enhance their physical wellbeing.	1.3.1 Facilitate access and promotion of spaces for people to engage in urban agriculture as outlined in the Urban Agriculture Strategy. Residents that can accommodate a planter box, productive tree or laneway garden are given the resources to apply for and keep the gardens healthy. Regularly run community growing spaces workshops, provide information to successfully gain a permit, be given a wicking system planter box (where appropriate) and the education to maintain their gardens to a healthy state eg. MySmartGarden workshops and information.	Urban Agriculture	Ongoing	Document the number of square metres of public land used in Yarra for growing food (includes Rushall, Condell and Railway community gardens, Burnley, Finbar and Balam Balam neighbourhood houses, planter boxes and laneway gardens).	Within current resources.
	1.3.2 Encourage and support nature focussed initiatives and engagement programs as outlined in the Nature Strategy.	Biodiversity	Ongoing	250 households in the City of Yarra participating in a nature in the neighbourhood initiative by 30 June 2025 (Year 4 of Nature Strategy). One streetscape initiative implemented by 30 June 2025 (Year 4 of Nature Strategy) that aims to introduce nature focussed elements into a neighbourhood,	Within current resources.

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				resulting in wellbeing and community benefits.	
1.4 Improving the health and wellbeing of all employees by implementing initiatives that make active living part of the workplace culture and reduce sedentary behaviour.	1.4.1 Development of staff induction resources highlighting the importance of being physically active and less sedentary. E.g. speaker spot at induction and slides included in online induction.	Organisational Development Recreation	December 2022	Staff induction resources ready by December 2022 and included in each induction ongoing.	Within current resources.
	1.4.2 Include increasing active living and reducing sedentary behaviour as one of the monthly themes for the Wellbeing Action Group (WAG) each year.	Organisational Development Wellbeing Action Group	Ongoing	Active living and reducing sedentary behaviour included as at least one monthly theme each year.	Within current resources.
	1.4.3 Promote opportunities to reduce sedentary behaviour in the workplace.	Recreation	Ongoing	6 times a year provide information about ways to reduce sedentary behaviour in internal staff communications e.g. walking meetings, stand up desks etc.	Within current resources.
1.5 Use evidence to guide and drive decisions about how to increase participation in physical activity and improve the health of our community.	1.5.1 Develop an evaluation framework that effectively monitors the impacts of the Yarra Moves Physical Activity Strategy.	Recreation Social Strategy	June 2023	Evaluation framework created by June 2023.	Within current resources.

Attachment 1 - Attachment 1 - Draft Yarra Moves Physical Activity Action Plan 2022-2024

Theme 2: Inclusion

Provide a range of local options that cater to the diverse needs of different groups to support people to be physically active, particularly focusing on engaging those least likely to participate.

Objective	Action	Responsible business units	Timeframe	Measurable outcomes	Resources
2.1 Support and facilitate opportunities for the community to be physically active through Council's services.	2.1.1 Deliver and support a variety of programs to support active living and play for children and families in Yarra. <ul style="list-style-type: none"> First time parent groups, playgroups, integrated family services 	Family Services	Ongoing	Yarra Council facilitates playgroups that provide active living and play opportunities throughout the year. First time parent groups promote being active with baby and children. Family Services promote and facilitate opportunities for children and young people to participate in physical activity programs and initiatives particularly focussed on more vulnerable families.	Within current resources.
	2.1.2 Deliver and support a variety of programs across Children's Services to support active living and play for children in Yarra. <ul style="list-style-type: none"> Play-based activities and physical movement provided in all early childhood programs (long day care, occasional care, sessional kindergarten and out of school hours care). Playgrounds in centres resourced 	Children Services	Ongoing	As per quality improvement plans ensure play-based activities and physical movement are provided in all early childhood programs.	Within current resources.

Attachment 1 - Attachment 1 - Draft Yarra Moves Physical Activity Action Plan 2022-2024

Objective	Action	Responsible business units	Timeframe	Measurable outcomes	Resources
	<p>with equipment that invites and encourages children to move their bodies.</p> <ul style="list-style-type: none"> Services provide regular community outings for children to learn and play in open space and nature. Specialist providers attend programs to provide bespoke movement experiences (dance, sport, yoga etc.). Out of School Hours Care and Vacation Care programs engage children in organised sports, organised games and informal play. 				
	<p>2.1.3 Deliver a variety of social sport programs for young people in Yarra.</p> <ul style="list-style-type: none"> Weekly swimming program School holiday activities Support young people to participate in other sports programs and events Youth-led Grants <p>Advocate for more play and outdoor activity spaces with and on behalf of young people.</p>	Youth Services	Ongoing	<p>Deliver and/or support through partnerships a minimum of three weekly social sports programs for young people; Ensure a minimum of two physical activities/excursions through each school holiday program; Provide funding for at least two social sports programs, activities and events per annum through Council's youth-led grants; and Support young people's advocacy for outdoor activity spaces (incl. key projects, such as the Richmond futsal pitch)</p>	Within current resources.

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Objective	Action	Responsible business units	Timeframe	Measurable outcomes	Resources
	2.1.4 Support new and existing groups of older people to incorporate physical activity as part of their regular community group.	Aged and Disability Services Recreation	Ongoing	Work with a minimum of two community groups of older adults each year to incorporate physical activity as part of their regular community group.	Within current resources.
	2.1.5 Deliver community-based programs to service vulnerable cohorts: Aquatics - Women Making Waves and Access All Abilities. Health and Fitness - Empower, Empower +, Move for Life and Collingwood Estate Gym.	Yarra Leisure	Ongoing	Women making waves: 3,000 visits annually Access All Abilities: 10% of classes offered to be AAA classes Empower: 20% Occupancy Empower+: 20% Occupancy Move For Life: 55% Occupancy Collingwood Estate Gym (CEG): 20% Occupancy.	Within current resources.
2.2 Support active recreation and sport organisations to continue to provide diverse physical activity opportunities for the whole community.	2.2.1 Deliver annual grant program's sport and recreation stream to increase community participation in physical activity.	Recreation Community Development (Community Grants)	Ongoing	Under the participation initiatives stream have a minimum of 5 clubs apply for a grant each year to fund programs and projects that increase inclusion, diversity and access to opportunities that increase physical activity levels.	Within current resources.
	2.2.2 Provide support and club development opportunities to sport and recreation organisations and clubs in accordance with relevant strategic documents and in	Recreation	Ongoing	Deliver at least 3 development opportunities to clubs and organisations each year.	Within current resources.

Attachment 1 - Attachment 1 - Draft Yarra Moves Physical Activity Action Plan 2022-2024

Objective	Action	Responsible business units	Timeframe	Measurable outcomes	Resources
	response to direct feedback from clubs through annual surveys. E.g. child safety, inclusion, diversity, strategic planning and governance.				
2.3 Build partnerships with key partners to provide sustainable and inclusive local options to be physically active.	2.3.1 Support health and community organisations to increase active living opportunities available to the community. E.g. Cohealth and North Richmond Community Health.	Recreation Social Strategy	Ongoing	Meet with Cohealth and North Richmond Community Health a minimum of four times each year to identify and align objectives to increase active living opportunities.	Within current resources.
	2.3.2 Collaborate with peak sporting bodies and sport and recreation providers, supporting them to provide innovative ways the community can participate in physical activity. E.g. Disability Sport and Recreation, Reclink, Proud to Play and CMSport (Centre for Multicultural Sport).	Recreation	Ongoing	One initiative delivered in Yarra each year.	Within current resources.

Attachment 1 - Attachment 1 - Draft Yarra Moves Physical Activity Action Plan 2022-2024

Theme 3: Active Neighbourhoods

The development of safe, accessible and well-connected neighbourhoods that optimise and encourage active transport and active living.

Objective	Action	Responsible business units	Timeframe	Measurable outcomes	Resources
3.1 Encourage and support greater walkability and cycling throughout Yarra.	3.1.1 Develop and deliver the Yarra Transport Strategy (YTS) with a focus on safe and connected cycling and walking infrastructure networks.	Strategic Transport Open Space Planning & Design Traffic Engineering Parking Management	Ongoing	Progress towards the targets as outlined in the Yarra Transport Strategy: 15km more compliant routes by 2027 25 cycling projects delivered by 2027 20% more cycling or scooter trips by 2027 30 hoops each year and 1 bike corral per year	Within current resources.* *Subject to annual budget process
	3.1.2 Continue to address road safety issues and remove barriers to walking and cycling through Council's Spot Safety program, Road Safety Studies and Road Safety Strategy.	Traffic Engineering	Ongoing	Deliver Local Area Place Making and Road Safety Study treatments included within 2022/23 budget; Deliver any new Road Safety Studies included within 2022/23 budget; Deliver roads safety treatments for which external funding has been provided in 2022/23; Apply for external funding for road safety treatments for delivery during 2023/24.	Within current resources.

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Objective	Action	Responsible business units	Timeframe	Measurable outcomes	Resources
3.2 Plan and develop neighbourhoods to support active lifestyles.	3.2.1 Continue to implement the Open Space Strategy.	Open Space Planning & Design	Ongoing	Delivery of the new Otter Street Park and Cambridge Street Reserve expansion. Creation of the Linear Parklands masterplan.	Within current resources.
	3.2.2 Continue to implement the annual tree planting program through the Urban Forest Strategy. This program provides shade and encourages pedestrian activity and active transport.	Urban Design	Ongoing	The annual tree planting targets outlined in the Urban Forest Strategy be achieved.	Within current resources.

Attachment 2 - Attachment 2 - Community Engagement Report Yarra Moves Physical Activity Action Plan



Community Engagement Report

Yarra Moves Action Plan, Stage 1 external engagement

Engagement purpose

- To understand why certain people in Yarra are reluctant to exercise or participate in physical activity.
- Learn what specific settings (preferably outside) would encourage them to be more physically active.
- To hear from groups in our community who are most at risk of being inactive.
- To help inform the Action Plan that will go with our Physical Activity Strategy.
- To share Yarra's Physical Activity Strategy with the community.

Engagement stages and influence

Internal, January-April 2020	External stage 1, (input to inform draft Action Plan), November-December 2021	External Stage 2, (feedback on draft Action Plan), 24 March 2022-14 April 2022
Involve	Involve	Consult

Engagement objectives – External stage 1

- To hear from a range of diverse voices in Yarra, specifically those who are at greater risk of inactivity, about how they are active and how we can support them to be more active.
- To collect data to inform the Yarra Moves 2-year action plan.
- Inform the community about our recently adopted Physical Activity Strategy
- Provide some education to the community about the importance of being active, including health benefits.

What did we ask?

Participants were asked:

- 'How often are you active?'
- 'What motivates you to be active?'
- 'What stops you from being active?'
- 'How are you active at the moment? Is it different to how you were active pre-covid?'
- 'What experiences do you want to have in Yarra in the next 12 months?'
- 'What do you think Yarra could do to support you to be more active?'

Methods included:

- Surveys, including Your Say Yarra survey, targeted survey for families with children, plain English version of survey, translated surveys and hard copy
- Ideas board at Yarra Youth Centre – Fitzroy and Richmond Youth Hub
- Small Group Discussion (verbal and drawings) at North Carlton Children's Centre (Kindergarten), Yarraberg Children's Centre (Kindergarten) and Richmond West PS (Out of School Hours Care program).
- Discussion at Advisory Committee meetings

Attachment 2 - Attachment 2 - Community Engagement Report Yarra Moves Physical Activity Action Plan

How did we engage and who did we hear from?

Community stakeholders	Promotion and engagement methods
Whole Yarra community	<ul style="list-style-type: none"> • Surveying achieved a good spread of ages from 20 to 80+ years (majority 25-75 years) • Survey shared through Yarra social media channels, Yarra Life and Yarra News. These go out to: <ul style="list-style-type: none"> – Yarra Life 12,000+ subscribers – Facebook 14,000 followers – Yarra News every household in Yarra – Instagram over 7,000 followers • Survey also shared through Yarra Leisure newsletter, Economic Development newsletter, Volunteering mailing lists
Children 0-12	<ul style="list-style-type: none"> • 31 people responded to the family's survey • Shared consultation information with schools • Targeted Facebook Advertising • Through the Children Services team a small group discussion (verbal and drawings) was completed at <ul style="list-style-type: none"> – North Carlton Children's Centre (Kindergarten): 4 children aged 5 years – Yarraberg Children's Centre (Kindergarten): 8 children between 4-5 years of age – Richmond West PS (Out of School Hours Care program): 10 children aged between 5-10 years of age
Young people 12-25-years	<ul style="list-style-type: none"> • Through the Youth Services team information was gathered through an ideas board* from young people aged 8-18 years old at Yarra Youth Centre – Fitzroy and Richmond Youth Hub. <p>*See photos of ideas board at end of this document on pages 10 and 11.</p>
Older adults (65 years +)	<ul style="list-style-type: none"> • 23% of Your Say Yarra main survey participants (of a total 326 participants) were aged 65 years and older. • Shared through Yarra's Aged and Disability Services channels • Shared with neighbourhood houses who run activities for older adults
Women	<ul style="list-style-type: none"> • 53.25% of Your Say Yarra main survey participants (of a total 326 participants) identified as female • Post cards created and shared through Yarra's Maternal and Child Health service
People from culturally and linguistically diverse background/communities	<ul style="list-style-type: none"> • 36 responses in the main survey from people who speak a language other than English at home. • Shared with Whats App group of community contacts including CALD community and public housing residents • Presented at Multicultural Advisory Group • Shared with Neighbourhood Houses • Bi Cultural Liaison Officers shared through their networks • Two videos were used in targeted Facebook Advertising aimed directly at specific language groups.

Attachment 2 - Attachment 2 - Community Engagement Report Yarra Moves Physical Activity Action Plan

Community stakeholders	Promotion and engagement methods
Aboriginal and Torres Strait Islander people	<ul style="list-style-type: none"> Presented at Yana Ngargna Advisory Group meeting Aboriginal Partnerships team shared with networks Shared through 3KND radio station from 7th Dec till 31 Dec.
People with disability	<ul style="list-style-type: none"> 20 people responded in the main survey that they identified as a person with disability Presented at Disability Advisory Committee Shared in the Brotherhood of St Laurence – The Loop (NDIS) newsletter Hard copy survey available and shared at Disability Advisory Committee meeting Shared through Access and Inclusion mailing lists
LGBTIQA+ community	<ul style="list-style-type: none"> 43 people responded in the main survey that they identified as LGBTIQA+ Presented at Rainbow Advisory Committee meeting

What did we hear?

What we heard	Connection to Physical Activity Strategy	Our response Physical Activity Action Plan
Theme 1 <u>Impact and Promotion</u> Recognising the varying ways people like to be active as well as the mental and social benefits		
<ul style="list-style-type: none"> Due to Covid people have been physical active for a range of reasons. In terms of what motivates people to be active 'For my physical health' was the top response but closely second and third were 'For my mental health' and 'I enjoy it'. When asked how people are active at the moment and whether it is different to how they were active pre covid, a decrease in being active at the moment was the greatest response compared to no change or an increase in being active. 'Being active with others (people you know like friends or family)' was the equal second response to the question what experiences do you want to have in Yarra in the next 12 months. 	<ul style="list-style-type: none"> Connects to the priority of Impact and the priority of Proactivity Continuous Improvement – responding to current issues e.g. Covid/ mental health Connects to the Principle outlined in the Physical Activity Strategy: Convenience – Make being physically active simple and enjoyable 	<ul style="list-style-type: none"> A key focus for the next two years is the response from Covid and the action plan will need to be adaptable. A focus when advertising physical activity options is promoting mental health benefits and social benefits and enjoyment. Having activities that a range of ages and abilities can participate in means people can be active with their family and friends Raise awareness of the physical activity opportunities available in Yarra including activities that people might not see as traditionally ways of

Attachment 2 - Attachment 2 - Community Engagement Report Yarra Moves Physical Activity Action Plan

<ul style="list-style-type: none"> • 'Gardening' was the fifth highest response to what experience do you want to have in Yarra in the next 12 months • People mentioned they wanted to try different movements than community sport e.g. gardening) 		being active e.g. gardening
What we heard	Connection to Physical Activity Strategy	Our response Physical Activity Action Plan
Theme 2 <u>Inclusion and Culture</u> Ensuring everyone is able to be active in a way that suits them. Having different options for everyone and making activities inclusive		
<ul style="list-style-type: none"> • Different approaches for different areas of the community • 'Limitations because of injury, illness or rehabilitation' was the fourth top response for what stops people from being active. • For those who speak a language other than English at home they had higher responses to 'fear of judgement', 'safety – not feeling welcomed', 'lack of inclusive options', and 'not knowing what's available' when answering the question about what stops them from being active. 	<ul style="list-style-type: none"> • Connects to the Principle outlined in the Physical Activity Strategy: Inclusion <ul style="list-style-type: none"> – Equity of access, ensuring all people can be physically active • Connects to the Focus Area: Services <ul style="list-style-type: none"> – Providing opportunities that are most flexible and have the least structures to increase opportunities for physical activity as part of everyday life e.g. social sport, active recreation and active living. • Connects to the Priority: Culture <ul style="list-style-type: none"> – Share resources and collaborate with all stakeholders to deliver meaningful outcomes that are reflective of community needs. 	<ul style="list-style-type: none"> • Collaborate with sport and recreation providers supporting them to provide innovative ways our community can participate in activities <ul style="list-style-type: none"> – E.g. Disability Sport and Recreation, Proud to Play, Reclink. – As well as physical activity providers that may not be focused on sport and recreation e.g. neighbourhood houses, community health organisations
What we heard	Connection to Physical Activity Strategy	Our response Physical Activity Action Plan
Theme 3 <u>Active Neighbourhoods</u> Physical activity being part of people's everyday lives		

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<ul style="list-style-type: none"> • 'Time' mentioned as the second highest answer that stops people from being active. There is a need to make being active convenient. • 'Weather' was the top answer. • Making movement part of daily routines • 'Walking' and 'Riding' were high answers • Large amount of people selected "using active transport like walking or riding to get somewhere" in response to what motivates them to be active. • Large amount of comments related to issues with active travel (conflict between cars and bikes, issues with narrow footpaths, bins being left out on footpaths, footpaths narrow and uneven 	<ul style="list-style-type: none"> • Connects to the Principle outlined in the Physical Activity Strategy: Convenience <ul style="list-style-type: none"> – Make being physically active simple and enjoyable • Connects to the Priority outlined in the Physical Activity Strategy: Active Neighbourhoods <ul style="list-style-type: none"> – Implement active design and increase walkability and cycling 	<ul style="list-style-type: none"> • Providing activities that fit into people's lifestyles (walking, riding as a mode of transport) or are flexible in terms of the time commitment as the busyness of life ebbs and flows. • Yarra Transport Strategy • Making the environment (streetscapes and open spaces) enticing for being active e.g. walking to the shops, playing at the park. • Having options available in Physical Activity Directory that aren't affected by the weather (e.g. indoors, gyms etc.).
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Attachment 2 - Attachment 2 - Community Engagement Report Yarra Moves Physical Activity Action Plan

Yarra Moves Action Plan, Stage 2 external engagement

Engagement stage and influence

Internal, January-April 2020	External stage 1, (input to inform draft Action Plan), November-December 2021	External Stage 2, (feedback on draft Action Plan), 24 March 2022-14 April 2022
Involve	Involve	Consult

Engagement objectives – External stage 2

- To seek feedback from the community on the draft Yarra Moves Action Plan.
- To update previous participants from the first-round consultation about how we have used their feedback.
- Provide some education to the community about the importance of being active, including health benefits.

What did we ask?

We asked the community and previous participants to tell us how supportive they are of the three overarching themes in the Action Plan as well as their associated objectives and actions:

- Impact and promotion
- Inclusion
- Active neighbourhoods

The community also had an opportunity to expand on their responses to each theme and provide any extra comments.

Communications and engagement activities

- Email to previous submitters who provided an email address
- Shared with internal stakeholders to pass on to their networks and Advisory groups who were involved in the first round of engagement
- Email to all Your Say Yarra subscribers
- Post on Facebook and Instagram
- Story in Yarra Life email newsletter

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What did we hear?

- 59.46% of respondents are supportive or very supportive of Theme 1: Impact and Promotion and its associated objectives and actions
- 64.86% of respondents are supportive or very supportive of Theme 2: Inclusion and its associated objectives and actions
- 64.87% of respondents are supportive or very supportive of Theme 3: Active Neighbourhoods and its associated objectives and actions

Written responses

In the Your Say Yarra survey the community was asked to provide a comment if they had any feedback on each of the themes as well as general feedback on the Draft Action Plan. The community was also provided the opportunity to send through written feedback via email.

39 responses were received from the community as well as one community group (Streets Alive Yarra), and the summarised key themes from the responses have been provided in the table below.

Number of written responses related to this theme	Key themes from the written feedback provided related to the draft Action Plan.	Officer comments
9 (23%)	Road safety - safer bike lanes and more shared paths. Children engaged in active transport from a young age.	The need for a focus on road safety and active transport has been highlighted in Theme 3: Active Neighbourhoods as well as the Yarra Transport Strategy which is an action in Theme 3.
8 (21%)	Accessibility for pedestrians and footpath safety including for older people, people with prams and people with a disability. Better protection for people walking and running. Stating that some types of activities i.e. walking and biking, are fundamentally better.	As part of Theme 3: Active Neighbourhoods, one of the actions is the Yarra Transport Strategy which has a policy focused on walking. It also aims to maximise space to allow more people of all ages and abilities to walk around Yarra.
3 (8%)	Comments related to more actions.	The mention of more actions shows the community sees the benefits in physical activity and active living. The actions in the Action Plan are from seventeen business units which demonstrates the large amount of work that is happening across council related to physical activity. This action plan is the first two years of the 10-year Physical Activity Strategy and will continue to develop targeted actions over the life of the strategy. As the initial action plan for Council focused

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Number of written responses related to this theme	Key themes from the written feedback provided related to the draft Action Plan.	Officer comments
		on physical activity, the plan provides the foundations for the next 10 years.
2 (5%)	Remove internal staff actions.	For Yarra Moves to be successful it needs to be a whole of Council approach and it need support and input from many different areas across Council. By focusing on the way Council can encourage its own staff to be physically active and less sedentary will help for physical activity and active living being part of the culture at Yarra City Council.
2 (5%)	Maintain green spaces and facilities such as toilets, seats, local parks and gardens.	Relates to Action 3.2.1 - Continue to implement the Open Space Strategy.
1 (3%)	More cross-cultural activities.	As part of the Action 2.3.1 and Action 2.3.2 Officers aim to build partnerships to provide sustainable and inclusive local options to be physically active. Through working with organisations such as Cohealth, North Richmond Community Health and CMSport (Centre for Multicultural Sport) Officers aim for there to be more cross-cultural activities.
1 (3%)	Neighbourhood Houses can be a key group of organisations to help implement.	Relates to Action 1.2.2 - Support Neighbourhood Houses and Learning Centres to continue to provide activities to the community focused on physical activity and wellbeing.
1 (3%)	Focus on local and aims to connect neighbourhoods is very important.	Support for Action Plan.
1 (3%)	Plantar boxes and community gardens do not enhance the required level of activity to maintain cardiovascular fitness.	An important part of the Physical Activity Strategy is encouraging people to be active and move each day. For those who are inactive, gardening can be a great way to make sure people are moving each day. As part of the comms campaign, Officers hope

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Number of written responses related to this theme	Key themes from the written feedback provided related to the draft Action Plan.	Officer comments
		to continue to challenge these stereotypes/myths.
1 (3%)	Improvements to linear path/city circle path.	Your Say Yarra consultation related to this (Linear Parklands Masterplan).
1 (3%)	Sending price signals to alter behaviour e.g., increasing car parking permits while reducing the cost of pool/gym sessions.	This requires a lot of work from across multiple business units. The momentum and collaboration of multiple business units being part of the one Yarra Moves Physical Activity Action Plan will provide opportunities to explore ideas such as those mentioned in this comment.

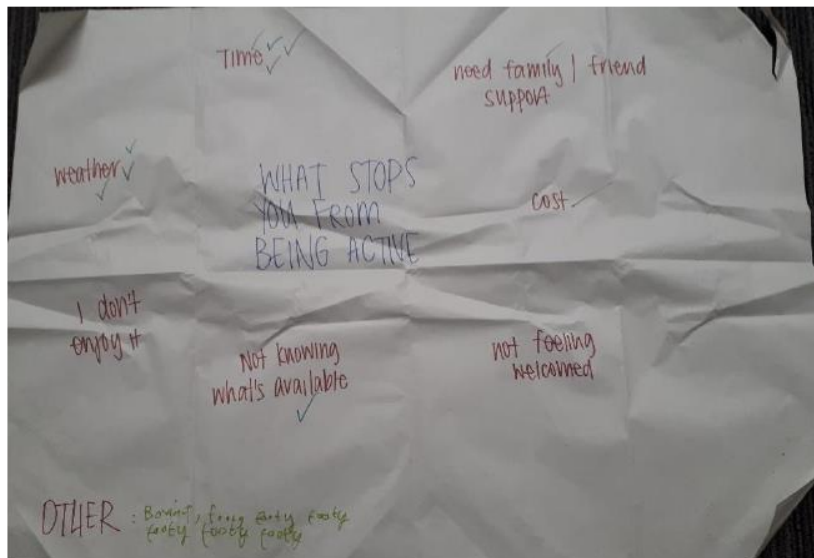
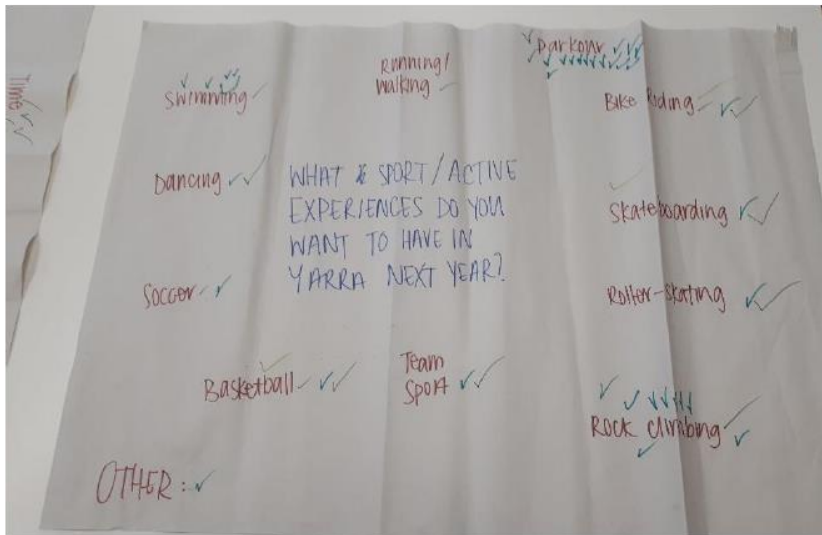
Other written comments to note that were received that aren't directly related to the Draft Yarra Moves Physical Activity Action Plan:

- Collingwood Children's Farm community gardens shouldn't have been demolished.
- Improve existing exercise timetable and instructors for Group Fitness at Yarra Leisure

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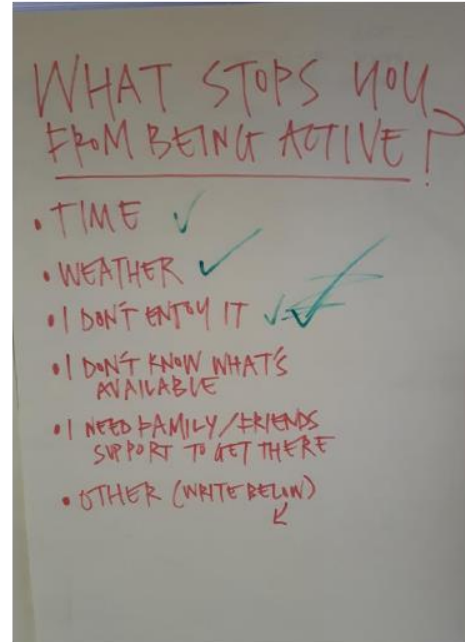
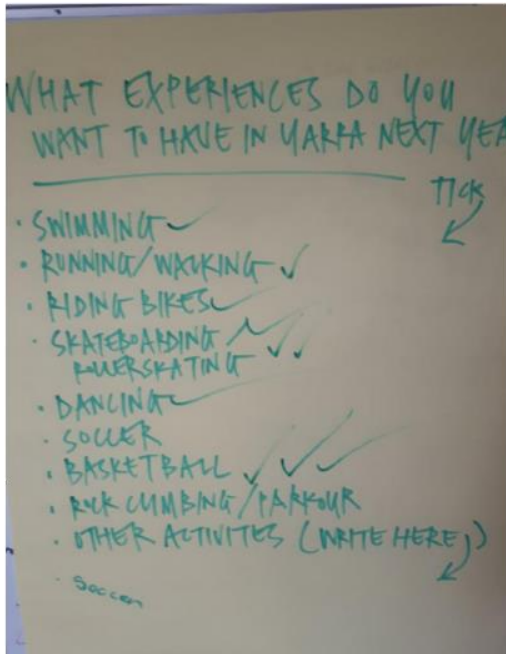
Youth Services Consultation - ideas board from Stage 1 external engagement

Richmond Youth Hub. 14 young people aged 8-15



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Fitzroy. 10 young people aged 10-18 years old.



8.4 Melbourne Airport Third Runway Proposal

Reference	D22/118401
Author	Bruce Phillips - Director Planning and Place Making
Authoriser	Director Planning and Place Making

Purpose

1. This report provides an outline of the proposed Third Runway Plan at Melbourne Airport as part of the *2022 Draft Preliminary Melbourne Airport Master Plan*.

Critical analysis

History and background

2. Melbourne Airport is Australia's second-busiest passenger airport, largest domestic freight operation, and the main aviation hub for the southern part of Australia. The airport is approximately 23 kilometres from the centre of Melbourne and a number of kilometres from the City of Yarra.
3. In line with the Airports Act 1996, Melbourne Airport has prepared a *2022 Preliminary Draft Master Plan* that outlines its objectives and strategic intent for the next 20 years, and provides detailed plans for the continued development of the airport over the next five years.

The 3rd Runway proposal

4. Key features of the plan include the development of a third runway and parallel runway operating system by 2027 – which is said to support the overall aviation and economic growth in Victoria.
5. Formal public exhibition on its preliminary Draft Third Runway Major Development Plan has occurred – Council can lodge a submission by 1 June 2022.

Policy Context - Federal legislation

6. The *Airports Act* 1996 requires all federally leased airports to prepare a master plan every 5 years to guide the future growth and development of the airport over the next 20 years.
7. The current Melbourne Airport Master Plan was prepared in 2018 and forms the base direction for the *2022 Preliminary Draft Master Plan*.

State and local legislation

8. The Planning Policy Framework includes an objective which requires the role of Victoria's airports to be strengthened within the State's economic and transport infrastructure, facilitate their siting and expansion and to protect their ongoing operation.
9. Specific to the Melbourne Airport, strategies to achieve the objective are as follows:
 - (a) ensure the effective and competitive operation of Melbourne Airport at both national and international levels;
 - (b) protect the curfew-free status of Melbourne Airport and ensure any new use or development does not prejudice its operation; and
 - (c) ensure any new use or development does not prejudice the optimum usage of Melbourne Airport.

Evolution of the Melbourne Airport Master Plan - The long term runway configuration

10. The following information is based on material from the Melbourne Airport website. This provides some context to the proposal for additional runways at the airport.

11. Since the 1960s, a four-runway design was the long-term plan for Melbourne Airport to cater for increases in air traffic movements.
12. The 1990 strategy identified a parallel east-west and north-south runway system as the preferred layout, with the 2013 and 2018 Master Plan outlining the preferred orientation for the third runway as east-west.
13. In 2018/2019, Melbourne Airport began a review on the design of the third runway. Evidence supported a change in the direction of the third runway to north-south with a parallel operating system (rather than the current intersecting system).
14. Runway availability, capacity, long term investment and overall community impacts are said to be the key drivers for the design change within the *2022 Preliminary Draft Master Plan*.
15. The *2022 Preliminary Draft Master Plan* retains the long-term vision of Melbourne Airport of a four-runway configuration with two parallel runways running north-south and east-west.
16. Melbourne Airport say that a four-runway parallel system would be able to operate at all possible times to provide flexibility for air traffic movements. It is said that this configuration is focused on supporting the capacity of Melbourne Airport beyond 2050.
17. Since the first strategy there have been five updates building upon the strategic direction from the first.
18. The *2022 Preliminary Draft Master Plan* continues building on the long-term solutions within the 2018 Master Plan. It also says that the latest data and forecasting inform this update to respond to issues with airport capacity and operations, and to reflect modern aviation practices.

Managing growth through 2022 Draft Master Plan

19. Melbourne Airport has experienced long term growth in passenger numbers and aircraft movements.
20. Melbourne Airport is forecasting that this growth will continue over the next 20 years, predicting:
 - (a) passenger numbers will grow from 37 million to 77 million;
 - (b) aircraft movements will grow from 246,000 to 429,000;
 - (c) freight volumes will grow from 448,000 tonnes to 980,000 tonnes; and
 - (d) the number of vehicles arriving at or departing from Melbourne Airport will reach 270,000 on a typical busy day.
21. These forecasts provide the basis for the future vision of the airport included in the *2022 Preliminary Draft Master Plan*, and is set out in three Development Concept Plans:

Plans: Development Concept Plans	Key Focus
2027 Development Concept Plan - Five year plan	<ul style="list-style-type: none"> • Completion of the third runway involving the construction and operation of a new parallel north-south runway • Extensions and improvements to the internal road and main forecourt to increase capacity, safety and security • Investments in and around existing terminals to maximise their use and capacity • Initial works in developing a western sub-precinct to house aviation and non-aviation uses and activity

2042 Development Concept Plan - 20 year plan	<ul style="list-style-type: none"> • Expansion of the existing terminals, including maximising aircraft parking positions and new Terminal 5 • Deepening of the international forecourt and extension to pier facilities • Internal road network and main forecourt expanded to support growth of terminals and management of the Melbourne Airport Rail (predicted to be operational) • Establishment of western sub-precinct to house aviation and non-aviation uses and activity
Long – term Development Concept Plan	<ul style="list-style-type: none"> • Work towards the development of the airport towards four runways design planned since 1990

The Third Runway Development Plan

22. Tullamarine airport currently operates with two intersecting runways. Melbourne Airport say that this two-runway system is expected to exceed its capacity by 2026, and that this run-way system is also not resilient in coping with Melbourne's wind patterns, often with severe crosswind negatively affecting flights.
23. Resolving these issues is a key focus of the *2022 Preliminary Draft Master Plan*. The Draft Third Runway Plan has been prepared by Melbourne Airport to help realise the re-design and expansion to a three runway parallel system by 2026 through:
 - (a) re-orientation of the planned third runway to function as a new parallel north-south runway system;
 - (b) shortening of the existing east-west runway; and
 - (c) modifications to taxiways and supporting infrastructure to support the above changes.

Discussion

24. The main consideration for Yarra is any effect from new flight paths due to the new configuration of runways and any consequential detrimental impact of noise to the local community.
25. The proposed new 3rd runway would run parallel to the existing north-south runway and be located to the west of the existing runway.
26. It is said that it would increase the airport's capacity by allowing for simultaneous arrivals and departures in conjunction with the other runways. The construction of the new runway would necessitate the shortening of the east-west runway, and this would also require changes to flight paths.
27. Aircraft, via jet arrivals and departures, do currently travel over Yarra municipality most often at a high altitude. For arrivals, this depends in part due to the direction of the wind and the need to navigate to the runway. In departures, it depends on which runway is used and where the aircraft is heading.
28. The proposed parallel runway system is said to focus take-off and landing from the north or south of the airport. The significant noise impacts are then concentrated in the north and south of the airport. Yarra municipality is some distance to the east of the airport; but that is within certain flight paths.
29. The airport has prepared an interactive noise tool that has allowed the community to explore future aircraft tracks, different operating modes and time of day comparisons.

Options

30. Council can either:
 - (a) lodge a submission, or

(b) not lodge a submission.

31. It is recommended Council does lodge a submission to maintain involvement in the formal process as it unfolds.

Community and stakeholder engagement

Melbourne Airport Consultation on the 2022 Preliminary Draft Master Plan

32. As required by the *Airport Act 1996*, Melbourne Airport placed the *2022 Preliminary Draft Master Plan* on public exhibition for a period of 60 days. This included:
- (a) one million households notified directly;
 - (b) online platform that allows community to contact the project team, access information and provide feedback, translated information into a number of languages and access to a flight path and noise tool to search property impacts;
 - (c) digital engagement, media, editorial and social media; and
 - (d) community drop-in events, information sessions and listening posts.
33. There has been no specific community engagement by Yarra.

Policy analysis

Alignment to Community Vision and Council Plan

34. The relevant Community Vision and Council Plan themes in relation to the airport development relate to the matters of:
- (a) environmental sustainability;
 - (b) climate and environment;
 - (c) transport and movement; and
 - (d) social equity and health.

Climate emergency and sustainability implications

35. There is a very significant additional number of flights predicted over the 20 year period.
36. Whilst this provides for the movement of people both domestically and internationally, the emission of carbon to the atmosphere will be considerable.
37. Council, via its Climate Emergency Plan, seeks to reduce the impact on environmental and climate related matters.

Environmental Sustainability

38. It is noted that Melbourne Airport has developed an Environmental Management Framework to manage and adapt to environmental risks and ensure an environmental lens has been applied across the various functions of the airport.
39. To support the Environmental Management Framework, an Environment Strategy has been prepared and is the Airport's key mechanism for ensuring the Airport's environmental commitments are met.

Community and social implications

40. The key matter for Yarra is the possible impact of further aircraft noise due to the change in flight paths due to the proposed configuration of the runway system.

Economic development implications

41. The future development and operations of the Melbourne Airport outlined in the *2022 Preliminary Draft Master Plan* envisage that the third runway will provide significant benefits to Victoria by:
- (a) generating 3,200 jobs during construction and a further 37,000 jobs state-wide; and

- (b) injecting \$4.6 billion into the economy.

Human rights and gender equality implications

- 42. The airport is an important facility for Melbourne, both residents and visitors. Movement between destinations is a human right.
- 43. Maintaining community amenity and minimal disturbance are important matters that Council seeks to achieve on behalf of the community.
- 44. Noise from aircraft is a matter that Council needs to have regard to.
- 45. There are no known gender equity implications.

Operational analysis

Financial and resource impacts

- 46. There have been no significant resource implications associated with Council officers preparing this report or in providing a submission to the *2022 Preliminary Draft Master Plan* and Draft Third Runway Plan.

Legal Implications

- 47. There are no known legal implications.

Conclusion

- 48. Melbourne Airport are required to plan for the future by Federal legislation and develop a plan each 5 years.
- 49. In this regard, Melbourne Airport has had a long standing vision for further runways to cater for the expected increase in demand, and has in recent times, determined that the next iteration of runways should be a new north / south runway, to the west of the current north south runway.
- 50. The introduction of a new runway would change the pattern of aircraft approaches and take off flight paths – however, these will vary depending on weather conditions.
- 51. The location of Yarra is a considerable distance from Melbourne Airport and the impact on Yarra is far less than municipalities in the close vicinity to the airport.
- 52. Melbourne Airport has no curfews which is one of its strategic advantages – however, further aircraft movement during evening hours may effect communities in proximity to the airport from planes in low altitudes taking off or preparing to land.
- 53. The main consideration for Yarra is that of possible noise disturbance to the local community, and also the broad sustainability aspects of the anticipated substantial increase in plane movement as predicted by Melbourne Airport.
- 54. Some other municipalities have lodged a submission with Melbourne Airport, and it is prudent that Yarra also provides a submission in order to maintain involvement in the matter so that it receives further information and considerations as necessary as the proposal further unfolds.

RECOMMENDATION

1. That Council note the officer report in relation to the third runway development plan proposal by Melbourne Airport.
2. That Council note the anticipated increase in activity at the airport as part of its 20 year plans, both insofar as aircraft movement and also on ground facilities.
3. That Council provide a submission to the 2022 Preliminary Draft Master Plan and Draft Third Runway Plan outlining:
 - (a) its interest in the proposal as it relates to the movement of aircraft over the Yarra municipality and expresses its views that due to the changed flight paths as a result of the configuration of the runways, that it may cause detrimental noise issues to the local Yarra community, and in this regard seeks further engagement and information;
 - (b) that Council has a Climate Emergency Plan that seeks to substantially reduce the use of fossil fuels in its own operations and in community emissions, and it notes the anticipated vast increase in plane movement which would only cause further use of fossil fuels and further emissions with environmental impact; and
 - (c) that it urges Melbourne Airport to actively plan for effective public transport to the airport from key access points in central Melbourne that persons can readily access in order to travel to and from the airport in sustainable ways.
4. That the Director, Planning Place Making provide a letter to this effect and for it to be submitted to Melbourne Airport on 1 June.

Attachments

There are no attachments for this report.

8.5 Amendment C286yara - Public Open Space Contributions (Panel Report)

Executive Summary

Purpose

The purpose of this report is for Council to consider the *Interim Report* of the Planning Panel regarding Amendment C286yara to the *Yarra Planning Scheme* which has sought to increase the open space contribution from developments.

The Panel's Interim Report was received on 14 April, 2022 and became a public document on 3 May, 2022.

Key Issues

Amendment (C286yara) has sought to increase the public open space contribution rate in the schedule to clause 53.01 of the *Yarra Planning Scheme* from 4.5% to 10.1%.

This requested change, as proposed in Amendment C286, was underpinned and supported by the adopted *Yarra Open Space Strategy 2020*.

During the exhibition period of the Amendment, seventy two (72) submissions were received and Council resolved that the matter be referred to an independent Planning Panel to consider the submissions.

The Panel Hearings took place in December 2021 and February 2022 and the Panel provided an Interim Report on 14 April 2022.

The Panel provided solid support for the Amendment on many fronts; however, it made specific comment on 2 matters and also recommended the deletion of one provision (see the officer report that summarises these points from the Panel Report).

The officer report outlines the key Panel findings of support, the matters raised by the Panel, its recommendations and outlines the options for Council consideration.

The Panel recommends (in part) that:

- (a) a new open space contribution rate, via a separate planning scheme Amendment (that is, a new Amendment number), be pursued for a rate of 7.4 % for all subdivisions at this point in time; and that Council seek Ministerial approval under Section 20 (4) of this new Amendment; and
- (b) if Council wishes to ultimately pursue a higher rate than 7.4 %, that it undertakes a 'peer review' of the 'apportionment of cost methodology' used by the Council consultant (see Panel Report and officer summary in this report).

Financial Implications

There were substantial costs associated with the Amendment C286 Panel process, including panel fees, senior legal representation and other experts who provided evidence on behalf of Council.

A new planning scheme amendment for Council consideration, has been prepared by officers (as recommended by the Panel), in order to seek an interim rate of 7.4 % from the Minister for Planning. This is presented in the Attachments to this report and is known as Amendment C306.

NB. An increase of the open space contribution rate from 4.5%, and also the inclusion of non-residential subdivisions in the rate, is a very important matter for Council in order to assist in funding both the new and improved open space provision in the municipality over the next 15 years.

PROPOSAL

In summary, it is recommended that Council resolve to prepare a new amendment to the *Yarra Planning Scheme* (to be known as Amendment C306yara), to amend the schedule to Clause 53.01 to include a rate of 7.4 % for open space contributions as recommended in the Interim Panel Report on Amendment C286yara; and request the Minister to approve that Amendment under section 20(4) of the Planning and Environment Act 1987.

It is also recommended that Council, as a separate exercise, authorise officers to:

- (a) seek out and engage a suitable consultant to undertake a 'peer review' of the apportionment of the costs between the existing and new populations in the *Yarra Open Space Strategy 2020* based on the parameters outlined in the Interim Panel Report on Amendment C286yara, and that
- (b) the outcome of the 'peer review' then be reported to Council with its analysis of the impact on the open space contribution rate to enable Council to decide whether to request that the hearing to Amendment C286yara be reconvened or closed.

See formal Recommendation at the end of this report.

8.5 Amendment C286yara - Public Open Space Contributions (Panel Report)

Reference	D22/101236
Author	Michael Ballock - Executive Planner Strategic Projects
Authoriser	Director Planning and Place Making

Purpose

1. The purpose of this report is for Council to consider the Interim Report of the Planning Panel regarding Amendment C286yara to the *Yarra Planning Scheme*, which has sought to increase the open space contribution from developments when subdivided.
2. The Panel's Interim Report was received on 14 April, 2022 and became a public document on 3 May, 2022 (see attached Planning Panel report).

Critical analysis

History and background

The Planning Scheme Amendment – intent and background

3. Open Space Contributions are charged on new subdivision on the basis of the rate specified in Clause 53.01 of the *Yarra Planning Scheme*.
4. Currently this rate is set at 4.5% in the *Yarra Planning Scheme* for residential subdivision.
5. Amendment C286 has sought to change Clause 53.01 to specify a rate of 10.1% that would apply to all subdivision (that is, residential, retail, commercial and industrial).
6. The Amendment was placed on exhibition and submissions were received by Council by the officer report, and then were referred to the Planning Panel for consideration and a report back to the Council.
7. The Interim Planning Panel has now been received.
8. Council now needs to consider the Interim Panel report, its findings and recommendations.

Relevant background to the Amendment

9. There are key documents and approaches that underpinned the Amendment – these are briefly outlined below.

The adopted Yarra Open Space Strategy (2020) – YOSS

10. The strategic justification for the new rate sought came from the *Yarra Open Space Strategy 2020* (YOSS) which was adopted by Council at its Meeting on 1 September 2020.
11. The costed implementation program (by Council consultants) that underpins the adopted Strategy is focussed on Council owned and / or managed open space, and includes projects that are appropriate to be funded by Public Open Space Contributions (which includes land purchase for open space as well as improvements to existing open space).

Key principles

12. The *Planning and Environment Act* considers 'fairness' a fundamental objective of the Victorian Planning System, and the principles of *need, nexus, equity* and *accountability* are considered when preparing a Public Open Space Contribution (POSC) rate to ensure it is derived from an appropriate basis.
13. There are long standing legislative principles with respect to a POSC rate, and the YOSS is based on these principles. The YOSS:

- (a) provides a strategic assessment of open space needs for the future population of Yarra and recommendations for expenditure of contribution funds to meet the needs of the population on whose behalf the contributions are collected;
- (b) supports a contribution rate that is strategically justified based on the value of open space projects;
- (c) ensures that contributions are used for land acquisition and capital works (not maintenance);
- (d) is based on the premise that contributions should not be used to make up historical deficiencies in open space provision; and
- (e) expects contribution funding in established urban areas will generally need to be co-funded at some level with income from grants, rates or fees.

Implementation of the POSC rate

- 14. Once a subdivision rate is set in the planning scheme, the rate is applied to the 'site value' of the subject site when a subdivision is sought via a planning permit application.
- 15. Council determines the form of the contribution that is required from each subdivision, whether land, cash or a combination of both.

Methodology used to derive the POSC rate in the YOSS

- 16. The adopted YOSS establishes the need for more open space, or open space improvements, in response to the anticipated population growth and change in the municipality.
- 17. The open space projects recommended in the Yarra Open Space Strategy are determined via the *open space needs assessment* process. This includes:
 - (a) determining the open space needs of the existing residential and employment populations;
 - (b) an *analysis* of the existing Yarra open space network; and
 - (c) mapping the extent and spatial distribution of the forecast change through:
 - (i) the population and dwelling data provided by id. Consulting for the time period, between 2016-2031, and
 - (ii) the employment and floor space data provided in the adopted *Spatial Economic and Employment Strategy 2018 (SEES)* developed by SGS Consultants.
- 18. The recommendations derived from this analysis include:
 - (a) upgrades to the existing open space network, and
 - (b) the provision of new open space,based on the research described above.
- 19. The costs for each project was then 'apportioned' between the existing and forecast population, based on the anticipated need and benefit derived from each project.
- 20. Where a recommendation has been made to develop new open space, and a land acquisition is required, the cost of purchasing land has been included in the costings (noting that Council would need to pay market value for these sites).
- 21. The Capital Improved Value (CIV) was used (instead of the undeveloped land value or 'site value') to establish the value of the land to be purchased.

Notes:

- (i) *It is noted that in the calculations by the consultant, a 30% margin had been added on top of the Capital Improved Value, in order to accommodate for the 'actual cost' to Council in purchasing new land for public open space (such as legal fees, conveyancing and other related land purchase components); which is meant to reflect the difference between CIV and the market value of the property (see Planning Panel comments on this point).*
- (ii) *It is also noted that the cost of purchasing new land for open space is the highest cost item when establishing the costings for the Strategy.*

- 22. A spatial demographer, Dr Serryn Eagleson was then engaged to assist in this work, to map the 'footprint of the population growth', and determine the land area requirements for the growth projections in Yarra.
- 23. In the methodology outlined, this suggested a 10.1% rate – this is what Amendment C286 proposed in order to serve the YCC public open space improvement program into the next decade and beyond.

Discussion

The Planning Panel hearing

- 24. A considerable number of issues were raised by submitters in opposition to Amendment C286 at the Panel Hearing. These are outlined and commented upon in the Interim Panel Report.
- 25. The Planning Panel, having considered and analysed these matters, has broadly supported the Council's position, except where it made particular comments on 2 matters. These relate to the following:
 - (a) the percentage 'oncost' related to the purchase of land for open space - where Council outlined that a 30 % on cost should be applied. The Panel disagreed and determined a 10 % figure was reasonable and should be applied, and
 - (b) some queries on the *apportionment methodology* used for calculating the ratio of demand between the existing population and the new population.

The Planning Panel Report

- 26. In summary, the Panel's *Interim Report* makes a number of recommendations; being, that Council:
 - 1. *Prepare and seek Ministerial approval under the Planning and Environment Act 1987, for a new Planning Scheme Amendment which:*
 - a. *includes an open space contribution rate of 7.4 per cent in the Schedule to Clause 53.01.*
 - b. *includes exemptions in the Schedule to Clause 53.01 as set out in the version of the Schedule at Appendix D.*
 - c. *amends the Schedule to Clause 72.08 to insert the following documents into the table at Clause 1.0:*
 - *Yarra Open Space Strategy 2020 Thompson Berrill Landscape Design Pty Ltd in association with Environment & Land Management Pty Ltd*
 - *Yarra Open Space Strategy 2020 Technical Report Thompson Berrill Landscape Design Pty Ltd in association with Environment & Land Management Pty Ltd (Technical Report).*
 - d. *deletes Action 7.5B-4 in Fairfield from the Yarra Open Space Strategy 2020, the Yarra Open Space Strategy Technical Report 2020, and from Preliminary Opinion of Probable Costs.*

- e. *replaces the exhibited Clause 22.12 with the version at Appendix E.*
- 2. *Commission a peer review of the apportionment of total open space action costs between existing and new resident and worker users of open space.*
- 3. *Replace the 30 per cent allowance added to Capital Improved Value of land with 10 per cent, in calculating the cost of land to be acquired for future open space, in the calculation of the open space contribution rate.*

Key Planning Panel Findings and Conclusions

27. In making its recommendations the Panel made a number of conclusions which included the following:

- (a) The *Yarra Open Space Strategy, 2020*, is strategically justified and is a sound and appropriate strategy and it was appropriate to view the YOSS and the income and expenditure from contributions in the context of a rolling set of strategies rather than a specific time frame (i.e. 2016 to 2031);
- (b) There is a clearly established need for the existing open space contribution rate to be increased as a matter of some urgency, and in this context the Panel accepted that the projections of new resident and future worker populations are appropriate;
- (c) The Panel supported the list of open space projects and their costing which were proposed to meet identified needs of the future populations with the exception of Action 7.5B - which has the following action:

Fairfield Park

Continue to implement the masterplan including a major upgrade to the playground and picnic facilities at the park. Future upgrades are for both the existing and forecast population.

- (d) The Panel agreed with Council that the open space needs of new residents and workers are the same for open space provision and it agreed with the methodology used to calculate the needs of residents and workers;
- (e) The Panel agreed that Capital Improved Value (CIV) is an appropriate measure of the market value of the land to be acquired for open space. However, it did not accept Council's position that 30% should be added to the CIV to take account of the difference between market value and CIV. Instead, the Panel recommended for a 10% increase in the CIV to take account of administrative and conveyancing costs;
- (f) The Panel concluded that the qualitative approach used by Council's experts was appropriate, but it could not confidently conclude that the apportionment of project costs to new and existing residents/workers was justified. As a consequence, it has recommended that a 'peer review' of the apportionment costs should be undertaken before the current Amendment (Am C286) can be finalised and that the Hearing be adjourned pending the completion of this further work;
- (g) The Panel accepted that a single contribution rate for residents and workers covering the whole municipality was appropriate and that a differential rate in Yarra would not work;
- (h) The Panel accepted that a 30% uplift in project costs was appropriate as part of the *Preliminary Opinion of Probable Costs* in the calculations (note this is applied to project costs and is not the 30% added to the value of land); and
- (i) While this further work recommended by the Panel is being undertaken, Council should seek approval from the Minister for Planning for an interim increase in the open space contribution rate to 7.4 per cent. This would occur via the preparation of a new Planning Scheme Amendment.

The Planning Panel finding regarding the Land Valuation Methodology

28. The new rate percentage sought by Amendment C286yara was based on the calculation by dividing the 'cost of the actions' proposed in the Open Space Strategy by the 'value of land to be developed'.
29. Consequently, the methodology used in the *Open Space Strategy 2020* to value the land, is a key determinant of the contribution rate.
30. Council's position was the CIV is the appropriate basis for calculating the value of land.
31. Council also argued that 30% margin should be added on top of this to accommodate the actual cost to Council in purchasing new land for public open space (which is meant to reflect the difference between Capital Improve Value (CIV) and the market value).
32. The Panel accepted that CIV is an appropriate, but imperfect measure of land value. However, it did not accept that the 30% allowance was justified or defensible.
33. During the hearing, Council's team proposed a reduced allowance of 20% which the Panel also rejected.
34. The Panel concluded that the 'best' and most transparent way to determine the cost of acquiring land for this purpose is to use CIV (averaged), and not to attempt to reflect what is purported to be 'market value' by adding on a selected allowance which was not justified.
35. However, the Panel did agree that there are administrative, conveyancing and other costs which will add to the cost of purchasing land and that these costs will vary depending on the method used. Consequently, the Panel recommended an allowance of 10% be added to cost of purchasing land.

Note: It is highlighted that given the way the POSC rate is calculated, this would have the effect of reducing the rate of contribution on subdivision to somewhere around 8.7% (rather than 10.1% as originally sought by the Council Amendment in Am C286).

The Planning Panel finding regarding Preliminary Opinion of Probable Costs

36. The *Preliminary Opinion of Probable Costs* (POPC) is an approach used by open space planners and landscape architects to make a provisional estimate of the likely future cost of providing open space without a quantity surveyor.
37. The YOSS *Preliminary Opinion of Probable Costs* (POPC) only includes 'Proposed Actions' that would be fully or partially funded by an open space contribution under Clause 53.01 of the *Yarra Planning Scheme*. These 'Actions' include the provision and establishment or upgrade of neighbourhood, small neighbourhood, local and small local open space.
Note: The YOSS Preliminary Opinion of Probable Costs (POPC) also includes the costs of providing facilities for the local community in higher order open space including the Regional and City-wide open space.
38. To calculate the total cost of the 'Actions' of the *Yarra Open Space Strategy* (YOSS) allocated to new and existing residents and workers, Council's consultants *apportioned* the percentage costs of each 'Action' to new and existing populations in the various precincts. That is, for example, for some 'Actions', the split might be 50 new/50 existing and for others 30 new/70 existing or 80 new/20 existing etc.
39. The Panel did not question the qualitative approach applied to this task, and it acknowledged the experience and expertise of Council's consultants.
40. The Panel also accepted the 'eight factors' identified by Council's consultants and the basis for apportioning costs between new and existing.
41. However, the Panel noted that the *apportionment methodology* appeared to rest on the consultant's professional judgement alone. In addition, it concluded that it could not be confident about how these factors were applied and what weight was given to them for individual 'Actions'. As a result, the Panel could not conclude that the apportionments were justified as proposed in the Amendment c286yara.

42. Given the sums of money involved the Panel's conclusion was that a separate 'peer review' process should validate the outcomes reached for the subject Amendment (that is, Amendment C286yara), which would then provide transparency of the process.

The Planning Panel finding regarding Action 7.5B-4 - Fairfield

43. The Panel noted that a key driver of the YOSS was to provide open space to all within the municipality and that it should be easily accessible to people of all ages and abilities. It agreed that the amount and distribution of proposed open space is appropriate to the needs of existing and new populations and to the open space hierarchy proposed.
44. It also acknowledged that appropriate weight had been given to the open space in adjoining municipalities.
45. Where individual actions were challenged at the Hearing, the Panel accepted Council's position that the Actions were strategically justified, except for Action 7.5b-4 in Fairfield which involved implementing the existing masterplan for Fairfield Park, including a major upgrade to the playground and picnic facilities at the park.
46. In this instance, the Panel accepted the argument of *Porta Investments Pty Ltd* that the projected increase of 57 residents in Fairfield was insufficient justification for including of a major upgrade to the playground and picnic facilities at the park.
47. As a result, the Panel recommended removal of Action 7.5B-4 in Fairfield from the YOSS and the POPC.

The Planning Panel comments about an Interim Rate

48. The Panel observed that the Yarra Open Space Strategy (YOSS) was not seriously contested at the hearings, and that it is a sound open space strategy for Yarra.
49. The Panel acknowledged that the current rate of 4.5% in the *Yarra Planning Scheme* which applies to 'residential' properties is inadequate, and there was broad agreement with this view. It concluded it had two options which were:
- (a) adjourn the Hearing on Amendment C286 indefinitely while further work recommended by it is undertaken, and leave the existing open space contribution rate of 4.5 per cent in place; or
 - (b) accept the majority of the proposed Amendment, require some further work and recommend an interim open space contribution rate.
50. The Panel opted for the second approach because it would generate some of the required revenue for Council while the additional work is considered.
51. In this regard, it is important to note that the Panel suggests that, via a separate planning scheme amendment, a rate of 7.4% be sought from the Minister for Planning whilst any peer review was undertaken on the subject Amendment (being Amendment C286).
52. In this regard, it says on page 81 under Interim open space contribution rate: **Conclusions**, the following:

"Council should prepare a new Planning Scheme Amendment which adopts the exhibited Amendment C286yara except for:

- *The application of an interim open space contribution rate of 7.4 %*
- *The minor changes as set out in Appendixes D and E*

Council should use an appropriate mechanism to submit this new Planning Scheme Amendment to the Minister for Planning for approval

If the Council wishes to achieve a higher final contribution rate, Council should commission a peer review of the apportionment of costs between existing and new populations and subsequently request the Panel to reconvene the Hearing for Amendment C286 to allow the Amendment to be finalised.

Council should use an appropriate mechanism to submit this interim position as a separate planning scheme amendment to the Minister for Planning for approval”.

(NB. underlines added for emphasis)

53. Further, in its **Recommendation** at Section 8.5 on page 82, the Panel states:

“The Panel recommends to:

Prepare and seek Ministerial approval under the Planning and Environment Act 1987 for a new Planning Scheme Amendment which:

- (a) Includes an open space contribution rate of 7.4 % in the Schedule to Clause 53-01.*
- (b) Includes exemptions in the Schedule to Clause 53-01 as set out in the version of the Schedule at Appendix D*

Commission a peer review of the apportionment of open space Action costs between existing and new resident and worker users of open space for the purpose of justifying a higher contribution rate than the interim rate recommended by the Panel”.

54. In calculating a recommended open space contribution rate in any separate planning scheme amendment, the Panel:

- (a) took Council’s proposed overall split of the total cost of all ‘Actions’ of 62/38 (new/existing population proportions);
- (b) reduced it by 10% to 52/48 (new/existing); and
- (c) then applied that to the total *Preliminary Opinion of Probable Costs* (POPC) of all ‘Actions’ revised

to calculate the suggested rate of 7.4%.

The Planning Panel comments about a Peer Review on the apportionment methodology

55. Further, the Panel did not provide any specific guidelines for the ‘peer review’, but recommended the following *parameters*:

- (a) the review should be undertaken by at least one suitably qualified person with open space planning experience;
- (b) the review should be restricted to the apportionment of project-by-project costs between existing and new populations. Population forecasts and project costs should not be the subject of review;
- (c) the qualitative methodology used in the apportionment of costs is acceptable and should not be the subject of review;
- (d) the Panel concludes that the ‘*eight factors*’ influencing the apportionment of costs listed in paragraphs 3.3.3 and 3.3.4 of Council’s expert witness statement are acceptable and should not be the subject of review, although commentary on them and their relative importance could be considered;
- (e) the extensive field work undertaken by Council’s consultant need not be repeated provided relevant records can be provided to the reviewer; and
- (f) where the reviewer finds that the apportionment of costs is different to that proposed by Council’s consultant, the reviewer’s recommended apportionment should be provided together with a clear rationale for the recommended change.

Options

56. Council has the following 3 options – shown below as a), b) or c):

- (a) adopt the Panel’s recommendations as outlined in full (as shown in the Amendment C286 Panel report), including:

- (i) seeking approval by the Minister for Planning (via new planning scheme amendment), under Section 20(4) of the Planning and Environment Act, for a 7.4 % rate to be included in the *Yarra Planning Scheme* for all subdivisions, and also, as a separate exercise:
- (ii) undertake a 'peer review' of the *Preliminary Opinion of Probable Costs* (POPC) apportionment of the YOSS Actions and then consider its position on whether or not to seek the Amendment C286 Panel to be reconvened for a 'Final Report' to consider any rate higher than 7.4 %.

OR

- (b) reject the Panel's recommendations and write to the Panel requesting that Amendment C286 be brought to a conclusion and submit the final report to Council for consideration, and then Council determine on whether or not to support the recommendations.

OR

- (c) abandon the amendment.

Officer Comment on Options

- 57. The Amendment should not be abandoned. The *Open Space Strategy 2020* is a very major plank of the Council Plan, its strategy work and ongoing work program. The increase in open space contributions is critical to the roll out of the program and delivery of new and improved open space in the areas where it is required.
- 58. The Panel has recommended (based on its deliberations following the rigour of the Panel hearings) that a rate of 7.4 % should, in the interim, be pursued by Council with the Minister for Planning via a new Planning Scheme Amendment. Officers consider this is a prudent way forward; and that is recommended. In this regard, officers have prepared a new Amendment (known as AMC306) for Council consideration; and this is presented in the attachments to this report.
- 59. In this regard, reference is made to Chapter 8 of the Planning Panel report where it says:
"This Chapter sets out the rationale for an interim open space contribution rate proposed by the Panel, the process to be followed from here and the broad parameters for a peer review of the open space contribution calculations".
- 60. It is also recommended that, as a separate matter, Council does authorise officers to commission the work required for a 'peer review' regarding the apportionment of costs, and then report back to Council once finalised for consideration.
- 61. Option (a) (i) and (ii) as above in paragraph 63 is therefore recommended by officers.

Community and stakeholder engagement

- 62. The exhibition period of the Amendment occurred and many submissions were received and provided to Councillors in a previous report with summary tables of submissions and officers comments.
- 63. The Council then determined that all submissions be referred to an Independent Planning Panel which occurred.
- 64. The Interim Panel Report is subject to this officer report and is attached.

Policy analysis

Alignment to Community Vision and Council Plan

- 65. The alignment of a new open space contribution rate to the Community Vision and Council Plan is set out in detail in **Attachment Two**.

Climate emergency and sustainability implications

66. The climate emergency and sustainability implications are set out in detail in **Attachment Two**.

Community and social implications

67. The community and social implications are set out in detail in **Attachment Two**.

Economic development implications

68. The economic development implications are set out in detail in **Attachment Two**.

Human rights and gender equality implications

69. The human rights and gender equity implications are set out in detail in **Attachment Two**.

Operational analysis

Financial and resource impacts

70. A new POSC rate incorporated into the *Yarra Planning Scheme*, would provide an increased revenue stream for Council to deliver the projects listed in the Strategy in order to meet the needs of the population on whose behalf they are collected.
71. Importantly, the Amendment would also allow the levy to be applied to residential and non-residential developments, instead of restricting it to only residential developments.
72. It is also important to note that the projects in the adopted *Yarra Open Space Strategy 2020* would need to be funded from a mix of general rates revenue, grants and the public open space contribution rate. This is due to the '*apportionment*' of the contribution being applied for the new population.

Legal Implications

73. The Amendment process has included a Planning Panel process and that has enabled submitters to be thoroughly heard by an independent body. The Council needs to now consider the Planning Panel Interim Report (see officer report below on the key points).

Conclusion

74. The Panel has recommended a pathway to Council of:
- (a) a new planning scheme amendment seeking a 7.4 % open space contribution rate for the immediate future (and has provided a basis for that), and
 - (b) an option for Council to (separately) undertake a peer review of the apportionment matter, and seek the reconvening of the Panel under Amendment C286yarra, if it chooses to do so, seeking a higher rate than 7.4 %.
75. It is noted that an amended open space contribution rate of 7.4 % rate, via a separate planning scheme amendment, and applying to all subdivision, would still result in a significant increase in open space contributions to Council; but considerably less than the 10.1% originally sought.
76. It is also noted given the Panel's Interim Report recommendations regarding a lower on cost for acquisition (being 10 % as distinct from 30 % as originally proposed by Council), that the maximum contribution rate that Council could now seek to achieve under Amendment C286yara, (*subject to a supporting peer review*), is between 8.4% and 9.0%.
77. In this regard, if following a 'peer review', the Council believes that a higher rate could possibly be achieved via the support of the Panel and the Minister for Planning, then it would be worth seeking the reconvening of the Panel, under Amendment C286yara, to seek the Panels final deliberations and recommendations on that Amendment. Note: That approach could only be determined after a 'peer review' has concluded.

78. This officer report concludes that the Council should now pursue a new planning scheme Amendment (being Amendment C306), and resolve to request the Minister for Planning to approve this under the Section 20(4) of the *Planning and Environment Act* based on the Planning Panel findings and recommendations applying a rate of 7.4 % in that new amendment.
79. Officers also recommend, as a separate exercise, that Council authorise officers to commission a peer review on the methodology of the *apportionment* of the costs to both existing and new population, and report back to Council once that is finalised for further instructions.

RECOMMENDATION

1. That Council:
 - (a) receive and note the Planning Panel's Interim report on Amendment C286yara, and its findings and recommendations to Council for consideration; and
 - (b) note the officer report discussing these matters and the recommended way forward for Council.
2. That Council note Chapter 8 of the Panel Report entitled *Interim open space contribution rate*, and specifically note the Panel's Conclusion on page 81 of the Report that says:

"Council should prepare a new Planning Scheme Amendment which adopts the exhibited Amendment C286yara except for:

 - *The application of an interim open space contribution rate of 7.4 %*
 - *The minor changes as set out in Appendixes D and E*

Council should use an appropriate mechanism to submit this new Planning Scheme Amendment to the Minister for Planning for approval

If the Council wishes to achieve a higher final contribution rate, Council should commission a peer review of the apportionment of costs between existing and new populations and subsequently request the Panel to reconvene the Hearing for Amendment C286 to allow the Amendment to be finalised".
3. That Council also note the Recommendation of the Panel Report on page 82 that says:

"The Panel recommends to:

Prepare and seek Ministerial approval under the Planning and Environment Act 1987 for a new Planning Scheme Amendment which:

 - (a) *Includes an open space contribution rate of 7.4 % in the Schedule to Clause 53-01.*
 - (b) *Includes exemptions in the Schedule to Clause 53-01 as set out in the version of the Schedule at Appendix D*

Commission a peer review of the apportionment of open space Action costs between existing and new resident and worker users of open space for the purpose of justifying a higher contribution rate than the interim rate recommended by the Panel".
4. That in the context of the above, Council now resolve to:
 - (a) pursue a new planning scheme amendment proposing the open space contribution percentage of 7.4 % for all subdivisions, and seek the approval of the Minister for Planning via a Section 20(4) provision under the Planning and Environment Act, and
 - (b) as a separate exercise, undertake a peer review of the apportionment methodology used in Amendment C 286yara, and then Council determine if it wishes to have the Planning Panel reconvened to finally determine that Amendment, with a view of possibly seeking a higher rate than 7.4 % for all subdivisions.

5. That Council note the prepared Amendment C306, as shown in the attachments to this report, to achieve recommendation 4 (a) above, and resolve to request the Minister for Planning to approve Amendment C306yara, under section 20(4) of the Planning and Environment Act 1987 as recommended by the Planning Panel.
6. That the Interim Chief Executive Officer be authorised to make any refinements required to the Attachments of Planning Scheme Amendment C306yara papers, as need be, in order to settle the documents for submission to the Minister for Planning seeking approval.
7. Further, and as a separate process, Council authorise officers to engage a suitable consultant to undertake a 'peer review' of the apportionment of the *Preliminary Opinion of Probable Costs* (POPC) of the Yarra Open Space Strategy (YOSS) Actions, based on the parameters outlined in the Interim Panel report, and that officers then provide further advice to Council on any further steps recommended.
8. That officers confirm with the Department of Environment, Land, Water and Planning whether an extension of time is required to consider the Panel's Interim Report, and if so, authorise officers to apply to the Minister for Planning for an appropriate extension of time.

Attachments

- 1 [↓](#) Attachment 1 - Previous Council Resolutions and Milestones
- 2 [↓](#) Attachment 2 - Policy Analysis
- 3 [↓](#) Attachment 3 - Yarra C306yara - Schedule to Clause 72.08 Authorisation
- 4 [↓](#) Attachment 4 - Yarra C306yara - Schedule to Clause 53.01 Public Open Space Contribution and Subdivision
- 5 [↓](#) Attachment 5 - Yarra C286yara - 22.12 Authorisation
- 6 [↓](#) Attachment 6 - Yarra C306yara - Explanatory Report Exhibition

Attachment 1 - Attachment 1 - Previous Council Resolutions and Milestones

Previous Council Resolutions and Milestones

Council resolution of 15 September 2020

On 15 September 2020 Council resolved the following:

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;*
 - (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. *That Council seek authorisation from the Minister for Planning to prepare and exhibit Amendment C286 to the Yarra Planning Scheme to implement the Yarra public open space contributions rate.*
4. *That upon receipt of authorisation from the Minister for Planning, Amendment C286 be placed on public exhibition for a period of 4 weeks.*
5. *That Council authorise the CEO to make minor changes to the Amendment C286 documents, should any be necessary, prior to exhibition.*
6. *That following the exhibition of Amendment C286 a report be provided to Council on any submissions received.*
7. *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.*

Authorisation of Amendment C286

In line with Council's resolution, 'authorisation' of Amendment C286 was sought from the Minister for Planning in December 2020.

By letter dated 18 June 2021, the Minister's delegate 'authorised' Amendment C286 being placed on public exhibition, subject to the following conditions:

- (a) *The explanatory report must be strengthened to provide further explanation of the basis for calculating the total POS improvement cost of \$569,388,045;*
- (b) *Clause 22.12 – Public Open Space Contribution must form part of this amendment which reflects the new OSS and which updates policy and form and content as appropriate;*
- (c) *The OSS must form a background document for the purpose of Clause 72.08. Council should consider whether to also include any of the other associated documents in Clause 72.08 which provide supporting information to the OSS;*
- (d) *The OSS, the Yarra Open Space Strategy 2020 Technical Report, July 2020 and the Yarra Open Space Strategy 2020 Public Open Contributions Report December 2020 must form part of the exhibition documents; and*

Attachment 1 - Attachment 1 - Previous Council Resolutions and Milestones

- (e) *All amendment documents must be updated, including the amendment description, to reflect the above conditions.*

Council resolution of 20 June 2021

Given Clause 22.12 (the revised policy) was not included in Council endorsement of Amendment C286 for 'authorisation', a further report was prepared and on 20 June 2021, Council; where Council resolved:

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;*
 - (c) *the open space contribution rate proposed is derived from the methodology of the Open Space Strategy adopted by Council on 1 September 2020;*
 - (d) *the changes proposed to Clause 22.12 and the Explanatory Report; and*
 - (e) *the proposed notification process.*
2. *That Council endorses the revised Clause 22.12 and Explanatory Report and includes these documents as part of the exhibited documents for Amendment C286.*
3. *That Council endorses the notification process as outlined in this report.*
4. *That Council reiterates its resolution of 15 September 2020 that Amendment C286 be placed on public exhibition for a period of 4 weeks as outlined in this report.*
5. *That Council authorise the CEO to make minor changes to the Amendment C286 documents, should any be necessary, prior to exhibition.*
6. *That following the exhibition of Amendment C286 a report be provided to Council on any submissions received.*

Exhibition period of Amendment C286

Amendment C286yara was placed on public exhibition on 7 September 2021 to 5 October 2021.

Section 19 of the *Planning and Environment Act* requires Council to give notice to (among others) owners and occupiers of land it believes may be materially affected by the amendment. The Act also requires Council to publish notice of the amendment in a newspaper circulating in the area (The Age) and in the Government Gazette.

Where the affected number of owners and occupiers makes it impractical to notify all of them individually, Sections 19 (1A) and (1B) of the Act allow a Planning Authority to:

take reasonable steps to ensure that public notice of the amendment is given in the area affected by the amendment.

For this amendment, it was impractical to notify all 52,000 ratepayers plus occupiers across the entire municipality. Instead of individual notification, officers have prepared a community engagement strategy that formed the basis of the statutory consultation.

Summary of submission received to Amendment C286

As a result of exhibition, seventy two (72) submissions were received. In summary:

Attachment 1 - Attachment 1 - Previous Council Resolutions and Milestones

- (a) twenty seven (27) submissions supported the Amendment;
- (b) forty three (43) submissions opposed the Amendment; and
- (c) two (2) submissions were unclear.

The key issues raised in submissions opposing the amendment were:

- (d) the size of the rate increase was excessive;
- (e) the amendment lacked strategic justification;
- (f) the rate increase would impact on housing affordability;
- (g) non-residential uses should not be included in the rate;
- (h) strategic development sites should be exempted from the new rate; and
- (i) the amendment does not include transitional provisions.

NB. A detailed response to the specific issues raised in the submissions was provided in the previous report to Council (19 October, 2022) that recommended to Council that a Planning Panel be requested.

Council resolution to refer Amendment C 286 to a Planning Panel

In considering an officer report on the exhibition of the Amendment, Council on 19 October 2021, resolved the following:

1. *That Council:*
 - (a) *note and consider all submissions made on or before the last date of exhibition of Amendment C286yara to the Yarra Planning Scheme, in accordance with section 22(1) of the of the Planning and Environment Act 1987 (Vic);*
 - (b) *note the officer report and Attachments 1-3 in relation to the Amendment;*
 - (c) *in relation to all submissions which were considered by Council, refer those submissions to an independent Planning Panel appointed by the Minister under Part 8 of the Act in accordance with section 23 of the Act;*
 - (d) *authorise officers to consider any further late or modified submissions received prior to a hearing by a Planning Panel appointed by the Minister under Part 8 of the Act and determine whether to refer any late submissions to the independent Planning Panel;*
 - (e) *authorise officers to engage a legal team and appropriate experts to make submissions to the Planning Panel, adopting a position of advocacy for the Amendment, including requesting recommendations from the Planning Panel for any proposed changes or revisions to the exhibited Amendment, generally in accordance with the officer report, officer recommendations and Attachments 1-3;*
 - (f) *authorises officers to write to all submitters to Amendment C286yara to advise of the Council resolution; and*
 - (g) *receive a further report after the Panel Report is received from Planning Panels Victoria to enable further consideration of the Amendment by Council.*

Attachment 1 - Attachment 1 - Previous Council Resolutions and Milestones

The Panel Hearing

The Panel Hearing was conducted by video conference from 6 to 17 December, 2021 and 9, 10 and 23 February, 2022.

Attachment 2 - Attachment 2 - Policy Analysis

Policy Analysis

Alignment of a new open space contribution rate to the Community Vision and Council Plan

1. A new POSC rate would enable and assist in the implementation of the adopted *Open Space Strategy 2020*.
2. The *Open Space Strategy 2020* is a key document linked to the seven priority areas of the Council Plan – this is outlined in the attached table to this report.

Council Plan Objective	How the Strategy will meet the objective
A healthy Yarra <i>1.1 Maintain and enhance Yarra's open space network to meet the diverse range of community uses.</i> <i>1.1.1 Increase the amount and quality of green open space through the strategic acquisition of land, the conversion of urban land to open space and/or the creation of pocket parks in high density areas.</i> <i>1.1.2 Develop an open space strategy to ensure Yarra's public open space is managed as a functional network that encourages shared use and active living.</i> <i>1.1.3 Undertake community education to promote understanding and greater acceptance of multiple use infrastructure including open space.</i>	<p>Upgrade existing open spaces to encourage the community outdoors to exercise and socialise in them.</p> <p>Provide additional public open space so that everyone lives and works within a safe and easy walk to open space.</p> <p>Encourage greening of open space so open space contributes to urban cooling.</p> <p>Protect and improve habitat and biodiversity values of open space including along the waterway corridors and across the network where appropriate.</p>
An inclusive Yarra <i>2.1 Build resilience by providing opportunities and places for people to meet, be involved in and connect with their community</i>	<p>Open space is for everyone in Yarra's diverse community, including all ages, abilities and cultures.</p> <p>Open space is accessible to everyone and requires no membership of an organisation or payment to use it.</p> <p>Everyone lives and works within a safe and easy walk of open space.</p>

Attachment 2 - Attachment 2 - Policy Analysis

Council Plan Objective	How the Strategy will meet the objective
<p>A sustainable Yarra</p> <p><i>3.1 Investigate strategies and initiatives to better manage the long term effects of climate change.</i></p> <p><i>3.5 Promote responsible water usage and practices.</i></p> <p><i>3.7 Investigate strategies and initiatives to improve biodiversity.</i></p>	<p>Encourage use of sustainable materials in open space.</p> <p>Maximise urban greening.</p> <p>Protect and improve habitat and biodiversity values of open space including along the waterway corridors and across the network where appropriate.</p>
<p>A liveable Yarra</p> <p><i>4.3 Plan, promote and provide built form and open space that is accessible to all ages and abilities.</i></p>	<p>Identify the need for and areas where new open space is required in response to the <i>Yarra Housing Strategy 2018</i> and the <i>Yarra Spatial Economic and Employment Strategy 2018</i>.</p> <p>The design guidelines require the inclusion of sustainable water re-use and urban greening including additional large canopy trees to promote the role of open space in mitigating urban heat island effect.</p>
<p>A prosperous Yarra</p> <p><i>5.2 Strengthen and monitor land use change and economic growth including new and emerging economic clusters.</i></p> <p><i>5.4 Develop Innovative Smart City solutions in collaboration with government, industry and community that use technology to embrace a connected, informed and sustainable future.</i></p>	<p>Open space is able to attract employees and visitors to Yarra, increasing visitation and economic activities.</p> <p>The actions in the proposed Strategy are costed and form the basis of the open space contribution rate that is included in the Strategy.</p> <p>Growth projections will be monitored over the life of the Strategy. Recommendations may shift as required depending on changes in projected growth.</p> <p>The Strategy provides certainty for Council, the community and developers regarding the location and type of new open space that is required over the 10 year timeframe of the Strategy.</p> <p>Smart City solutions (use of technology) will be considered and applied to the development of new open space and linear trails where applicable.</p>

Attachment 2 - Attachment 2 - Policy Analysis

Council Plan Objective	How the Strategy will meet the objective
A connected Yarra <i>6.5 Develop and promote pedestrian and bicycle infrastructure that encourages alternate modes of transport, improves safety and connectedness.</i>	<p>Strengthen the linear connections and sustainable transport options to open space sites.</p> <p>Shared trails are safe and able to be used by a range of community members.</p> <p>Open space sites will be easy to walk to through a safe and amenable street network.</p> <p>Provide bike parking facilities at key open space sites.</p> <p>Enhance the biodiversity corridors in Yarra.</p>
A leading Yarra <i>7.4 Ensure Council services are efficient, well-planned, accessible, and meet community needs.</i> <i>7.5 Provide the community with meaningful and genuine opportunities to contribute and participate in Council planning and decision making processes with a focus on young people, hard to reach and traditionally underrepresented communities.</i> <i>7.8 Continue a 'customer centric' approach to all service planning and delivery.</i> <i>7.9 Advocate for the best interests of our community.</i>	<p>The proposed Strategy is based on community engagement feedback and best practice provision of open space and facilities in established areas and high density precincts.</p> <p>The community will be engaged on a project basis during the implementation of the Strategy and their responses and experiences will form the base of future planning and design work.</p> <p>Community satisfaction standards will be measured through the <i>Annual Customer Satisfaction Survey</i>.</p>

Sustainability implications

3. A new POSC rate would support the implementation of the adopted *Open Space Strategy (2020)*.
4. Further, many Council strategies will achieve their sustainability actions through an expanded open space network. This includes:
 - (a) developing biodiversity corridors;
 - (b) creating opportunities for sustainable water management; for example, through passive irrigation or storm water harvesting; and
 - (c) reducing the urban heat island effect by creating more permeable surfaces in parks which also provides the opportunity to plant larger canopy trees that cannot always be achieved through the streetscape network.

Climate Emergency Implications

5. The new POSC rate would support implementation of the Open Space Strategy (2020) and also allow mitigation measures to be built into Yarra's infrastructure and provide long term positive environmental impacts.

Community and social implications

6. Open space provides an opportunity for the diverse population of Yarra to socialise in a free, safe and welcoming environment. It also provides varied opportunities for

Attachment 2 - Attachment 2 - Policy Analysis

childhood development and growth, as being outdoors is an important part of early years learning.

7. Measures to manage perceptions of safety and equity across the open space network needs to be managed through the ongoing implementation of the Strategy and also aligned to the directions of many other relevant Council strategies.
8. There a number of key Council strategies and policies that are important companion documents for the enhancement, safety and recreation in open space areas for the community and the environment - for instance, the Urban Forest Strategy, Climate Action Plan, draft Nature Strategy, strategies under preparation by Council's recreation team and related community wellbeing related strategies.
9. These collective strategies and policies are considered by the organisation when considering various matters including the planning, improvement and provision of new open spaces in the municipality.

Economic development implications

10. A new POSC rate sought for the Yarra Planning Scheme would apply to both residential development and commercial development that are subdivided.
11. It is noted that an increase in the contribution rate would be an additional cost on development.
12. Importantly, the additional open space rate would enable Council to provide for the further open space demands due to both the additional population and also worker population in the municipality.
13. The Planning Panel has recognised the need for an increased contribution rate in order to meet the additional community needs resulting from development that is occurring in the municipality.

Human rights and gender equality implications

14. The upgrade and improvement of the open space network through the application of a new POSC rate would support to the Yarra community and enhance their quality of life and liveability of the City.

Attachment 3 - Attachment 3 - Yarra C306yara - Schedule to Clause 72.08 Authorisation**YARRA PLANNING SCHEME**31/07/2018
VC148**SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS****1.0**---
Proposed C306yar
a**Background documents**

Name of background document	Amendment number - clause reference
<i>Lower Yarra River Study - Recommendations Report</i> (Department of Environment, Land Water and Planning, 2016)	VC197 - Schedule 1 to Clause 42.03 (SLO) and Schedule 1 to Clause 43.02 (DDO)
<i>Yarra Bend Park Strategy Plan</i> (Parks Victoria, 1999)	VC197 - Schedule 1 to Clause 42.03 (SLO)
<i>The Middle Yarra Concept Plan – Dights Falls to Burke Road</i> (Melbourne Parks and Waterways, 1990)	VC197 - Schedule 1 to Clause 42.03 (SLO)
<i>The Lower Yarra Concept Plan – Dights Falls to Punt Road</i> (Melbourne Metropolitan Board of Works, 1986)	VC197 - Schedule 1 to Clause 42.03 (SLO)
<i>Yarra Open Space Strategy 2020</i> Thompson Berrill Landscape Design Pty Ltd in association with Environment & Land Management Pty Ltd	C306 - Schedule to Clause 53.01
<i>Yarra Open Space Strategy 2020 Technical Report</i> Thompson Berrill Landscape Design Pty Ltd in association with Environment & Land Management Pty Ltd	C306 - Schedule to Clause 53.01

Attachment 4 - Attachment 4 - Yarra C306yara - Schedule to Clause 53.01 Public Open Space Contribution and Subdivision

YARRA PLANNING SCHEME

30/07/2018
VC148

SCHEDULE TO CLAUSE 53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

1.0 Subdivision and public open space contribution

Proposed
C306yara

Type or location of subdivision	Amount of contribution for public open space
<u>Land in DPO5 (Channel Nine Site, Bendigo Street, East Richmond)</u>	<u>4.5%, comprising land and/or cash contribution in accordance with an approved development plan, planning permit SP13/007 issued on 12 June 2013 and planning permit SP18/0057 issued on 21 January 2019, as amended from time to time.</u>
<u>Land in DPO11 (Amarcor Site, Heidelberg Road, Alphington)</u>	<u>4.58%, for the whole of the land in DPO11, comprising land in accordance with the development plan approved under DPO11, as amended from time to time, but excluding the 30 metre setback from the Yarra River required by Instrument AN278889H (agreement under section 173 of the Planning and Environment Act 1987 registered 15 November 2016)</u>
<u>Land in DPO16 (111 Queens Parade and 433 Smith Street, Fitzroy North (Former Fitzroy Gasworks))</u>	<u>A minimum of 8%, comprising land and/or cash contribution in accordance with an approved development plan, as amended from time to time.</u>
<u>All other land</u>	<u>7.44-5%</u>

Attachment 5 - Attachment 5 - Yarra C286yara - 22.12 Authorisation

YARRA PLANNING SCHEME

22.12 PUBLIC OPEN SPACE CONTRIBUTION

Proposed C306yara
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This policy applies to all applications for development or subdivision of land.

22.12-1 Policy Basis

Proposed C306yara

As an established inner urban municipality, the City of Yarra is experiencing significant change and growth. The analysis of the distribution of public open space in the Yarra Open Space Strategy 2020 has identified there are areas of the City where the community does not have any adequate open space within easy walking distance of where they live or work. The Strategy has identified and prioritised a series of new open spaces, with priority given to gaps in the network and locations where higher levels of growth is forecast to occur. The need for the proposed additional open spaces is based on a range of factors including:

- . Areas where the public existing open space is experiencing high levels of use or over- use. This includes providing new open space to take the pressure off existing spaces to meet everyone's needs.
- . Where there is a gap in the provision of any public open space.
- . Medium and high density precincts where the substantial change is forecast and the new community will create a need for additional public open space.
- . In medium and high density precincts where the provision of well distributed green public open space will assist to mitigate urban heat island effect.

The forecast development over the next 15 years is significant with a 41 per cent increase in the resident population and a 47 per cent increase in the worker population. This means there will be more people visiting and using open space, thereby increasing demand on the existing space and facilities. The extent of forecast growth changes across different parts of the City. Minimal growth is forecast in Princes Hill-Carlton North and Clifton Hill, compared to high Levels in North Richmond, Collingwood, Fitzroy and Cremorne. The residential population growth figures are based in *id Consulting* forecasts of August 2018 while locations for where forecast residential growth will occur is based on the *Yarra Housing Strategy 2018*. The forecast employment growth and change is based on the *Yarra Spatial Economic and Employment Strategy 2018*.

A total of 85 per cent of Yarra's population live in medium and high density dwellings compared to 33 per cent in Greater Melbourne. This means that residents have less private open space available to them which increases their reliance on public open space. Typically, this adds to the amount of people using public open space and increases the diversity of reasons why they use it.

Many of the areas in the City that are forecast to change are the activity centres and the former industrial and manufacturing areas. These areas are being redeveloped to mixed use precincts with a combination of residential, commercial and business use. Historically, the industrial areas did not have public open space. With the proposed changes, these areas are being redeveloped with increased building heights and a change to a predominantly office-based professional workforce. The Strategy found that more than 80 per cent of workers visit public open space during the day. With increased numbers of people working and living in the former industrial precincts there is a need to provide new areas of public open space.

As urban densities increase in the future this Strategy has identified opportunities to increase the local open space network to support and sustainably meet the open space needs of the existing and future community.

Public open space contributions from developers are one of a number of potential sources of funding towards the acquisition of land for public open space and improvement of existing facilities. Because public open space contributions can only be imposed at the subdivision stage, it is important for developers to ascertain at the site analysis stage of the design process whether any part of the site might be required for public open space purposes where the site:

Attachment 5 - Attachment 5 - Yarra C286yara - 22.12 Authorisation

YARRA PLANNING SCHEME

- is in an area where a land contribution may be required under Strategies in clause 22.12-3 or on Map I.
- fits the selection criteria for public open space in clause 22.12-4.

This will ensure that public open space requirements are identified and allowed for at the earliest possible time.

22.12-2 Objectives

Proposed C306yara

- To fund a fair proportion of the open space projects contained in the Strategy that will meet the needs of the forecast residential commercial and business population.
- To contribute to improvements to existing public open space and provide new public open space on behalf of the forecast population.
- To expand the public open space network to accommodate the growth in population predominantly in medium to high density urban development located across the municipality.

22.12-3 Policy

Proposed C306yara

22.12-4 Policy Guidelines

Proposed C306yara

Consider as relevant:

- The suitability of land to be contributed as public open space at the time of the subdivision of the land or building, should be consistent with the requirements of the Yarra Open Space Strategy 2020 including the following selection criteria:
- Land to be contributed:
 - Should be of a shape and size that will be adequate for the proposed use and its position in the public open space hierarchy having regard to the nature of the public open space being able to meaningfully contribute to the assembly of a parcel of land with these attributes.
 - Should be free of structures and protrusions, such as balconies or other building projections that may encroach into the public open space reserve, except for historic buildings or structures relating to the designated public open space use.
 - Should be located or be capable of being designed to provide a high degree of casual surveillance.
 - Should be physically suitable for use as public open space including that there are no inherent issues such as contamination and significant financial or safety implications, including the land being open to the sky.
 - Should contribute to the connectivity and accessibility of the open space network. This includes consideration of the other strategic planning projects including linear open space corridors, and local links to improve accessibility within the local street network and links and connections to improve accessibility into existing or proposed future open space.
 - Should be free of services and easements that affects or encumbers the development and use of the land as public open space. This includes roadways, overhead structures, underground structures (e.g. underground car parking), water supply, power supply, gas supply, telecommunications, flood mitigation and drainage.
 - Must be accessible to people of all abilities.
 - Should be visible from adjacent thoroughfares with at least two access points, local access streets to at least two sides and be provided on natural ground (not elevated or roofed structures).
 - Must have no additional overshadowing beyond any 9 metre built form height between 10am and 3pm on June 21.

Attachment 5 - Attachment 5 - Yarra C286yara - 22.12 Authorisation

YARRA PLANNING SCHEME

- Should be located away from major or secondary arterial roads.
- Should make a positive contribution to the urban context, character and attractiveness of the precinct.
- Should contribute to the cultural values of the community, protect biodiversity values and contribute to urban cooling and greening.
- Must be capable of being transferred to the City of Yarra and rezoned for public open space.
- Whether any building on land adjacent to public open space set aside under this clause has been designed to accommodate public open space in a manner that meets the majority of the above selection criteria.

Open Space Contribution Plan (Yarra Open Space Strategy 2020 sub-precincts)



Policy references

Yarra Open Space Strategy 2020 Thompson Berrill Landscape Design Pty Ltd in association with Environment & Land Management Pty Ltd

Yarra Open Space Strategy 2020 Technical Report Thompson Berrill Landscape Design Pty Ltd in association with Environment & Land Management Pty Ltd

Yarra Open Space Strategy 2020 Public Open Space Contributions, Thompson Berrill Landscape Design Pty Ltd in association with Environment & Land Management Pty Ltd

Attachment 5 - Attachment 5 - Yarra C286yara - 22.12 Authorisation**YARRA PLANNING SCHEME****22.12-3 Strategies**Proposed
C306yara

Many of the areas in the City that are forecast to change are the former industrial and areas. These areas are being redeveloped to mixed use precincts with a combination of commercial and business use. Historically, the industrial areas did not have public open space. As a result of the proposed changes, these areas are being redeveloped with increased building height change to a predominantly office-based professional workforce.

The Yarra Open Space Strategy 2020 has identified the need for new public open space contributions for public open space may be preferred over cash contributions in the areas shown in the City of Yarra Open Space Sub-precincts plan to this clause.

- Alphington
- Abbotsford C and D
- Carlton North
- Central Richmond A and B
- Collingwood A, B, C and D
- Cremorne
- Fitzroy A, B, C and D
- Fitzroy North A, B and E
- Richmond North A, B and C

In all other areas of the municipality, a cash contribution equal to the amount specified in Clause 53.01 is required.

In locations where a preference for a land contribution has been identified, set aside land for public open space early in the planning of a development or subdivision.

Design buildings adjacent to any public open space set aside under this clause and any existing open space to facilitate high quality and accessible public open space.

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Planning and Environment Act 1987

YARRA PLANNING SCHEME

AMENDMENT C306

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by Yarra City Council, which is the planning authority for this amendment.

The amendment has been made at the request of Yarra City Council

Land affected by the amendment

The amendment applies to the whole municipality.

What the amendment does

The amendment seeks to implement the recommendations of the Yarra Open Space Strategy (2020) and update the public open space contribution rate for all subdivisions.

Specifically, the amendment:

- Amends the Schedule to Clause 53.01 to require that all subdivision provides a public open space contribution at a rate of 7.4%.
- Replaces Clause 22.12 Public Open Space Contribution with a new Clause 22.12.
- Amends Clause 72.08 to insert the following documents into the table at Clause 1.0.
 - *Yarra Open Space Strategy 2020* Thompson Berrill Landscape Design Pty Ltd in association with Environment & Land Management Pty Ltd
 - *Yarra Open Space Strategy 2020 Technical Report* Thompson Berrill Landscape Design Pty Ltd in association with Environment & Land Management Pty Ltd

Why is the amendment required?

The forecast development over the next 15 years is significant with a 40 per cent increase in the resident population and a 47 per cent increase in the worker population visiting and using open space, thereby increasing demand on the existing space and facilities. The extent of forecast growth changes across different parts of the City. Less than 10 per cent growth is forecast in Princes Hill-Carlton North, compared to 106 percent in Cremorne-Richmond South-Burnley and 214 per cent in Fairfield-Alphington.

Over 85 per cent of Yarra's population live in medium and high density dwellings compared to 33 per cent in Greater Melbourne. This means that residents have less private open space available to them which increases their reliance on public open space. Typically, this adds to the amount of people using public open space and increases the diversity of reasons why they use it.

In calculating an appropriate contribution rate the Yarra Open Space Strategy considered several factors including:

- The existing open space reserves, their function, location and qualities, and the improvements to open space that the City of Yarra has undertaken since the adoption of the 2006 Strategy.
- The significant population growth, demographic change and land use change that has occurred in Yarra since the adoption of the 2006 Strategy.
- The increased open space use by the employment population in Yarra.
- The substantial redevelopment that will occur in Yarra in the short and medium term, leading to the forecast increases in both residential and employment populations.
- The need for the City of Yarra to acquire land for new open space and fund capital improvements to open space based on the detailed analysis undertaken for this Strategy.

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- The value of providing an updated set of open space upgrades and new open space to respond to the changes in Yarra for a 15 year period to 2031 and beyond.
- The expectation that contributions should fund a reasonable proportion of the future open space program having regard to population growth and demographic changes, so that the open space contributions levied provide for the open space needs of the population on whose behalf the contributions are collected.
- The value of land purchase for new open space is to be included in the calculation of the new contribution rate.
- The application of the rate to all eligible subdivisions in the City of Yarra irrespective of land use type.

Many of the areas in the City that are forecast to change are the former industrial and manufacturing areas. These areas are being redeveloped to mixed use precincts with a combination of residential, commercial and business use. Historically, the industrial areas did not have public open space. With the proposed changes, these areas are being redeveloped with increased building heights and a change to a predominantly office-based professional workforce. Surveys undertaken as part of the Development of the Yarra Open Space Strategy found that more than 80 per cent of workers visit public open space during the day. With increased numbers of people working and living in the former industrial precincts there is a need to provide new areas of public open space.

The Amendment is required to better meet the public open space needs within the City of Yarra of a growing population. The City of Yarra's Open Space Strategy (YOSS) was adopted in September 2020. The YOSS identifies the public open space needs of existing and future residents of Yarra, gaps in the provision of public open space and opportunities to address those gaps. Currently the amount, quality and accessibility of open space varies considerably across the suburbs of Yarra.

The YOSS uses the Preliminary Opinion of Probable Cost (POPC) as the basis for costing for the individual open space projects included in the Strategy (i.e. the Strategy implementation plan) for the purposes of calculating the open space contribution rate. It does not represent the total cost of providing all open space in the City of Yarra. The method used for the Strategy POPC follows the same method used to develop the 4.5 per cent open space contribution rate that is currently in Clause 53.01 of the Yarra Planning Scheme.

The Strategy POPC only includes projects that would be fully or partially funded by an open space contribution under Clause 53.01 of the Yarra Planning Scheme. These include the provision and establishment or upgrade of neighbourhood, Small neighbourhood, local and small local open space. The Strategy POPC also includes the costs of providing facilities for the local community in higher order open space including the Regional and City-wide open space.

The YOSS addresses all levels of open space provision, design and management, however only the local provision is to be funded by open space contributions using Clause 53.01. Provision of open space and facilities to meet the open space needs of the broader regional catchment of visitors and the structured sport facilities would be funded by other mechanisms such as rate revenue and grants.

The Strategy POPC does not include any costs associated with the ongoing maintenance of open space or the open space asset renewal program.

A contribution rate of 7.4 percent has been recommended by the Panel appointed to hear submissions into Amendment C286yara which proposed similar changes but with a contribution rate of 10.1 percent. The Panel's interim report recommended the following:

Prepare and seek Ministerial approval under the Planning and Environment Act 1987, for a new Planning Scheme Amendment which:

- includes an open space contribution rate of 7.4 per cent in the Schedule to Clause 53.01.*
- includes exemptions in the Schedule to Clause 53.01 as set out in the version of the Schedule at Appendix D.*
- amends the Schedule to Clause 72.08 to insert the following documents into the table at Clause 1.0:*
 - Yarra Open Space Strategy 2020 Thompson Berrill Landscape Design Pty Ltd in association with Environment & Land Management Pty Ltd*
 - Yarra Open Space Strategy 2020 Technical Report Thompson Berrill Landscape Design Pty Ltd in association with Environment & Land Management Pty Ltd (Technical Report).*
- deletes Action 7.5B-4 in Fairfield from the Yarra Open Space Strategy 2020, the Yarra OpenSpace Strategy Technical Report 2020, and from Preliminary Opinion of Probable Costs.*
- replaces the exhibited Clause 22.12 with the version at Appendix E.*

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The Council has adopted the Panel's recommendations to ensure that all residents and workers in the future have contributed to providing an appropriate level of public open space and facilities.

How does the amendment implement the objectives of planning in Victoria?

The Amendment implements the objectives of planning in Victoria contained in Section 4 of the Planning and Environment Act 1987, in the following ways:

- Providing an equitable method to collect contributions for public open space based on the need created by the new development.
- Providing certainty and consistency as to the required public open space contributions.
- Providing public open space to meet the needs of the future resident and worker populations.

How does the amendment address any environmental, social and economic effects?

Environmental Effects

The Amendment provides the opportunity for new public open space and the ability to upgrade existing open space. Open space is aesthetically pleasing, it can minimise the impacts of climate change and increase opportunities for active travel. Open space can also include areas of high value vegetation that can be conserved and provide new open space links to improve habitat corridors.

Social Effects

The Amendment will provide a strong benefit for the community through the provision of new public open space and the upgrade of existing open space. Open space provides for a range of social and community benefits by increasing social interaction, improving physical and mental health and providing for sporting pursuits and recreation.

Economic Effects

The Amendment will result in more accurate financial resources to fund public open space projects. It will also provide certainty to developers allowing improved cost planning and a more equitable means of distributing costs.

Does the amendment address relevant bushfire risk?

The Amendment does not affect any areas of identified bushfire risks and has no implications.

Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The Amendment complies with the requirements of Ministerial Directions on the Form and Content of Planning Schemes.

The Amendment is affected by Ministerial Direction 9 Metropolitan Strategy. The amendment is consistent with this Ministerial Direction as it:

- Provides a greater understanding of public open space needs for the City of Yarra.
- Increases the availability, usability and access to public open space.
- Provides opportunities for social interaction.
- Greens the urban environment.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The Amendment supports the Planning Policy Framework, in particular the following:

- Clause 12: Environmental and Landscape Values, in particular the objective in Clause 12.05-2S for Landscapes which is 'to protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments.' The amendment supports this objective by ensuring natural features are protected and enhanced.
- Clause 15: Built Environment, in particular the objective in Clause 15.01-3S for Subdivision Design, which aims to '*ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods*' and Clause 15.01-04S for Healthy Neighbourhoods,

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which aims to *'achieve neighbourhoods that foster healthy and active living and community wellbeing'*. The amendment supports these objectives by promoting a diversity of public open space to support future subdivision development that foster a healthy lifestyle and achieve community benefit from well-designed neighbourhoods.

- Clause 19: Community Infrastructure, in particular the objective in Clause 19.02-6S for Open Space, which aims to *'establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community.'* The amendment supports this objective by seeking to protect and expand the public open space network to address the current and future gaps of provision.

How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The Amendment supports Clause 22.12 of Yarra's Municipal Strategic Statement which addresses open space contributions. This includes the following objectives:

- To implement the Yarra Open Space Strategy.
- To identify when and where land contributions for public open space are preferred over cash contributions.
- To ensure that where appropriate, land suitable for public open space is set aside as part of the design of a development so that it can be transferred to or vested in Council, in satisfaction of the public open space contribution requirement.

The Amendment supports these objectives by:

- Addressing current and future gaps in the provision of public open space to support the needs of new residents and workers.
- Ensuring that adequate public open space is provided for development, including sites that seek higher residential and employment densities.
- Improving the diversity, functionality and inclusiveness of public open space facilities and landscape settings to meet the needs of the community.

Does the amendment make proper use of the Victoria Planning Provisions?

The Schedule to Clause 53.01 is specifically provided in the Victorian Planning Provisions to allow Councils to establish open space contribution rates appropriate for their local circumstances. It is the most appropriate tool to guide decision making in determining where land and financial contributions should be sought.

How does the amendment address the views of any relevant agency?

The views of any relevant agency has been sought during the exhibition of Amendment C306yara.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

This Amendment does not have any significant impacts on the objectives and decision making principles set out in the Transport Integration Act 2010.

Resource and administrative costs

The Amendment will not have a significant impact on the resource and administrative costs of the responsible authority as there is a process in place to gather public open space contributions under Clause 53.01 of the Yarra Planning Scheme.

Where you may inspect this amendment

The Amendment is available for public inspection, free of charge, during office hours at the following place:

- the office of the planning authority, City of Yarra Richmond Town Hall, Town Planning Counter, 333 Bridge Road, Richmond 3121 VIC

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and Planning website at www.delwp.vic.gov.au/public-inspection or on the City of Yarra website at <https://www.yarracity.vic.gov.au/the-area/planning-for-yarras-future/yarra-planning-scheme-and-amendments/current-amendments>

Submissions

Any person who may be affected by the amendment make a submission to the planning authority. Submissions about the amendment must be received by **xx/xx/2022**.

A submission must be sent to:

Strategic Planning Unit

Yarra City Council

PO Box 168

Richmond VIC 3121

Or via email: info@yarracity.vic.gov.au (please use Amendment C306 in the subject header)

8.6 March 2022 Monthly Finance Report

Reference	D22/109950
Author	Dennis Bastas - Manager Financial Services
Authoriser	Chief Financial Officer

Purpose

1. For Council to note the Finance Report – March 2022.
2. To provide Council with the updated end-of-year forecast position for 2021/22.
3. For Council to note the Capital Works Program adjustments for the 2021/22 budget as of 31 March 2022.
4. For Council to note the change to the expected timing of draw down for the additional borrowing of \$20m. This borrowing in the 2021/22 budget will be deferred to 2022/23 and included in the final 2022/23 budget.

Critical analysis

History and background

5. The Finance report – March 2022 is provided at **Attachment One** for noting and discussion. It provides the financial performance for Yarra City Council for the period ending 31 March 2022 and end-of-year forecast position for 2021/22.
6. The March 2022 Capital Adjustments Running Table is provided at **Attachment Two** for noting.

Discussion

Pandemic COVID-19 Impact on Council Budget

7. Since the inception of the Pandemic COVID-19 to the current date, Council's operating environment and financial position has been, and will continue to be impacted. The impact on Council's financial position, which includes decreased Statutory Fees and Fines, User fees and the COVID-19 Community Relief package, is estimated to be in excess of \$50 million.

Finance Report – March 2022 (Attachment 1)

8. Variance analysis is prepared based on a comparison of YTD actuals and YTD budget.
9. As at 31 March 2022 Council is unfavourable to YTD budget by \$6.7m. This result is predominantly due to the following:
 - (a) Lower YTD Statutory Fees and Fines received by \$9.9m unfavourable to YTD budget, driven by the COVID-19 pandemic. COVID-19 restrictions have reduced parking activity, resulting in decreased revenue from parking meters and infringement notices. Full year forecast has been reassessed and is expected to finish under budget; and
 - (b) Lower YTD User Fees received by \$5.7m unfavourable to YTD budget, driven by the COVID-19 pandemic. COVID-19 restrictions resulted in closure of Leisure & Recreational facilities, reducing user fees significantly. Full year forecast is being reassessed at this moment and is expected to finish under budget.
10. These unfavourable outcomes are offset by favourable variances of:
 - (a) Higher than expected YTD Operating Grants by \$3.6m to YTD budget mainly due to unbudgeted grant, such as Outdoor Activation Plan and Development of the Online Portal;

- (b) Favourable YTD Materials & Services spend of \$2.9m to YTD budget, mainly due to timing differences for Community & Neighbourhood grants, insurance premiums and savings on statutory fees collection cost; and
- (c) Lower than expected provision for doubtful debts \$1.1m YTD, favourable variance to budget driven by the COVID-19 pandemic, reducing the volume of parking infringements issued YTD. This has resulted in a reduction in doubtful debts expense.

2021/22 Full year forecast – March 2022 (Attachment 1)

- 11. Restrictions on operational capacity in the first half of 2021/22 resulted in Council reporting a forecast of \$2m operating loss. This was a \$10.8m reduction from the adopted 2021/22 budget. Details were provided in the December 2021 Finance Report.
- 12. Following on from December 2021, management performed a forecast review for the March quarter 2022. The results revised the forecast 2021/22 year-end position to \$1.6m deficit, unfavourable to the adopted budget by \$10.4m.
- 13. The unfavourable forecast variance to budget of \$10.4m primarily driven in the following key areas:
 - (a) Statutory fees and charges \$11.1m unfavourable to budget, reflecting the unfavourable YTD results and further reduction in the last quarter of the financial year. This is mainly due to decreased revenue from parking meters and infringement notices; and
 - (b) User Fees \$6.2m unfavourable to budget, reflecting the unfavourable YTD results and further reduction in the last quarter of the financial year. This is mainly due to closures to Leisure & Recreational facilities.
- 14. These unfavourable outcomes are offset by favourable variances of:
 - (a) Operating Grants \$6.2m favourable to budget, due to unbudgeted grants as well as the brought forward payment of 2022/23 allocation of Financial Assistance Grant; and
 - (b) Capital Grants \$1.5m favourable to budget, due to unbudgeted grants, such as the Collingwood College Early Childhood Centre.

March 2022 Capital Works Program

- 15. The capital works program is subject to regular adjustments by Executive in response to various issues including variations to current projects, substitution in response to changing priorities and urgent new works being identified, and additional external funding obtained for projects.
- 16. Attachment 2 (Capital Works Program Adjustments– March 2022 Q3) identifies all capital works budget adjustments, with rationale for adjustments YTD 31 March 2022.
- 17. As at 31 March 2022, YTD actuals \$18.3m is significantly less than YTD budget of \$33.2m driven by constraints in operating capacity and some delays in the supply chain of materials as a result of COVID-19 during the first half of 2021/22 with continuing impacts during the second half of 2021/22.

2021/22 \$20m Additional Borrowing

- 18. The 2021/22 budget allowed capacity for Council to borrow up to \$20 million in 2021/22. Following the March 2022 forecast, the cash requirement is assessed and there is no immediate requirement for Council to borrow in this financial year. This borrowing will be deferred to 2022/23 and included in the final 2022/23 budget to enable drawdown from Treasury Corporation of Victoria (“TCV”) if required.

Options

- 19. No options

Community and stakeholder engagement

- 20. No external consultation was required.

Policy analysis

Alignment to Community Vision and Council Plan

21. No implications

Climate emergency and sustainability implications

22. No implications.

Community and social implications

23. No implications.

Economic development implications

24. No implications.

Human rights and gender equality implications

25. No implications.

Operational analysis

Financial and resource impacts

26. As at 31 March 2022, from a forecast year-end position, Council is anticipating a full year operating deficit of \$1.6M.

Legal Implications

27. No implications.

Issues

Conclusion

28. As at 31 March 2022, Council has forecasted a full year operating deficit of \$1.6m, a variance of \$10.4m to the adopted 2021/22 budget of \$8.8m surplus.

29. Based on the March 2022 forecast, there is no immediate cash requirement for the additional \$20m borrowing in 2021/22. This borrowing will be deferred to 2022/23 and included in the final 2022/23 budget to enable drawdown from Treasury Corporation of Victoria ("TCV") if required.

RECOMMENDATION

1. That Council note:
 - (a) the March 2022 Finance Report; and
 - (b) the additional borrowing of \$20m will not take place in 2021/22, as there is no immediate cash requirement for the borrowing in 2021/22.

Attachments

[1](#) Attachment 1 - Finance Report - March 2022

[2](#) Attachment 2 - Capital Adjustments Running Table

Attachment 1 - Attachment 1 - Finance Report - March 2022



Finance Report
for the period
1 July 2021 to 31 March 2022

Attachment 1 - Attachment 1 - Finance Report - March 2022

YARRA CITY COUNCIL FINANCIAL REPORT 1 July 2021 to 31 March 2022 Dashboard									
Income Statement	YTD March 2022					Full Year			
	YTD Actual	YTD Budget	YTD Variance	YTD Variance	YTD Last Yr Actual	Full Year Forecast	Full Year Budget	Variance to the Budget	Variance to the Budget
	\$'000	\$'000	Fav/(Unfav) \$'000	Fav/(Unfav) %	\$'000	\$'000	\$'000	Fav/(Unfav) \$'000	Fav/(Unfav) %
Revenue from ordinary activities									
Rates and charges	120,761	119,904	858	0.7%	116,115	120,750	119,991	758	0.6%
Statutory fees and fines	15,677	25,556	(9,879)	(38.7%)	12,368	23,171	34,240	(11,069)	(32.3%)
User Fees	19,537	25,189	(5,652)	(22.4%)	16,090	26,556	32,786	(6,230)	(19.0%)
Reimbursements	598	820	(221)	(27.0%)	708	1,107	1,066	41	3.8%
Grants - Operating	15,296	11,711	3,585	30.6%	14,334	21,569	15,356	6,213	40.5%
Grants - Capital	1,413	206	1,207	85.4%	2,741	4,550	3,052	1,497	49.1%
Net gain/(loss) on disposal	124	35	89	253.3%	3,080	650	50	600	92.3%
Other Income	633	691	(58)	(8.4%)	601	993	1,079	(87)	(8.0%)
Contributions - OSR	3,125	3,375	(250)	(7.4%)	3,195	5,000	4,500	500	11.1%
Contributions - Other monetary	551	1,449	(897)	(61.9%)	550	660	1,906	(1,246)	(65.4%)
Total Revenue	177,716	188,936	(11,220)	(5.9%)	169,781	205,005	214,027	(9,022)	(4.2%)
Expenses from ordinary activities									
Materials and services	50,660	53,559	2,899	5.4%	46,687	78,326	75,720	(2,606)	(3.4%)
Employee Costs	73,162	73,233	71	0.1%	69,880	96,236	96,635	399	0.4%
Other expenses	454	422	(32)	(7.6%)	342	685	631	(54)	(8.6%)
Borrowing costs	910	1,128	218	19.3%	1,409	1,200	1,387	187	13.5%
Interest Exp - Leases	120	89	(31)	(34.5%)	125	125	119	(6)	(5.0%)
Bad and doubtful debts	2,649	3,712	1,063	28.6%	2,431	4,213	5,000	787	15.7%
Depreciation & Amortisation	17,959	18,388	430	2.3%	17,249	24,550	24,550	-	0.0%
Amortisation - right of use assets	947	830	(117)	(14.2%)	840	1,275	1,145	(130)	(11.4%)
Total Expenses	146,861	151,362	4,500	3.0%	138,963	206,611	205,188	(1,423)	(0.7%)
Net Result	30,854	37,574	(6,720)	(17.9%)	30,818	(1,606)	8,839	(10,445)	(118.2%)

Legend:	
> (100,000) and (5%)	Unfavourable variance
> = 100,000 and 5%	Favourable variance

VAGO Ranges for Liquidity			
Cash Position	Full year Budget Target	End of March Result	Forecast result
Liquidity Ratio	1.9	2.8	1.7
	> 1	0.75 - 1	< 0.75

Greater detail is included in the VAGO Indicators section on page 9

Transfers to/from the Open Space Reserve	Balance as at 30/06/2021 \$'000	March balance \$'000	Movement Inc/(Dec) \$'000	Comments
Open Space Reserve	18,871	21,679	2,808	Movement in contributions received to fund development of specific community assets YTD.

Greater detail is included in the Open Space Reserves section on page 7

Borrowings	Balance as at 30/06/2021 \$m	March balance \$m	Movement Inc/(Dec) \$m	Comments
Total Borrowings	41.2	40.2	(1.0)	\$32.5M borrowings matured and was repaid in full in November 2021. A new loan for \$32.5M from TCV was settled on the 15th February 2022.

Greater detail is included in the Borrowings section on page 8

Debtors	Balance as at 30/06/2021 \$'000	March balance	Movement Inc/(Dec) \$'000	Comments
Total Debtors	18,984	52,787	33,803	Debtors have increased due to the raising of 2021/22 Rates Notice. Balance will progressively reduce throughout the year and convert to cash as rate instalments are paid.

Greater detail is included in the Debtors section on page 4

Attachment 1 - Attachment 1 - Finance Report - March 2022

**YARRA CITY COUNCIL
FINANCIAL REPORT
1 July 2021 to 31 March 2022**

Income Statement by Revenue and Expenditure with Variance Commentary

Income Statement	YTD March 2021					Full Year				Variance Comments (including variance comments for forecast changes)
	YTD Actual	YTD Budget	YTD Variance	YTD Variance	YTD Last Yr Actual	Full Year Forecast	Full Year Budget	Variance to the Budget	Variance to the Budget	
	\$'000	\$'000	Fav/(Unfav) \$'000	Fav/(Unfav) %	\$'000	\$'000	\$'000	Fav/(Unfav) \$'000	Fav/(Unfav) %	
Revenue from ordinary activities										
Rates and charges	120,761	119,904	858	0.7%	116,115	120,750	119,991	758	0.6%	
Statutory fees and fines	15,677	25,556	(9,879)	(38.7%)	12,368	23,171	34,240	(11,069)	(32.3%)	YTD unfavourable variance actual to budget is driven by the COVID-19 pandemic. COVID-19 restrictions reduced parking activity, significantly decreasing revenue from parking meters and infringement notices. Full year forecast have been reassessed, revised and expected to finish under budget.
User Fees	19,537	25,189	(5,652)	(22.4%)	16,090	26,556	32,786	(6,230)	(19.0%)	YTD unfavourable variance actual to budget is driven by the COVID-19 pandemic. COVID-19 restrictions resulted in closure of Leisure & Recreational facilities, reducing user fees significantly. Full year forecast has been reassessed, revised and expected to finish under budget.
Reimbursements	598	820	(221)	(27.0%)	708	1,107	1,066	41	3.8%	YTD unfavourable variance to budget is primarily due to reimbursements for Construction and Development Reinstatements.
Grants - Operating	15,296	11,711	3,585	30.6%	14,334	21,569	15,356	6,213	40.5%	YTD favourable variance to budget is driven by unbudgeted grants, including the Outdoor Activation Fund and System and Online Portal Development, that will be offset directly by employee costs and materials and services. Full year forecast has been adjusted to reflect these unbudgeted grants as well as the brought forward payment of 2022/23 allocation of Financial Assistance Grant.
Grants - Capital	1,413	206	1,207	85.4%	2,741	4,550	3,052	1,497	49.1%	YTD variance is primarily due to the timing of grant receive. Full year variance is due to unbudgeted capital grants, such as Collingwood College Early Childhood Centre, Black Spot Projects, Fitzroy Bowl revitalisation and Alphington Park.
Net gain/(loss) on disposal	124	35	89	253.3%	3,080	650	50	600	92.3%	Variance to full year forecast is due to an expected payment for road discontinuance.
Other Income	633	691	(58)	(8.4%)	601	993	1,079	(87)	(8.0%)	
Contributions - OSR	3,125	3,375	(250)	(7.4%)	3,195	5,000	4,500	500	11.1%	YTD variance is due to Open Space contributions being slightly lower than expected, however it is anticipated that contributions will increase as development levels improve.
Contributions - Other monetary	551	1,449	(897)	(61.9%)	550	660	1,906	(1,246)	(65.4%)	YTD unfavourable variance driven by Developer Contribution being lower than expected. Full year forecast is adjusted accordingly.
Total Revenue	177,716	188,936	(11,220)	(5.9%)	169,781	205,005	214,027	(9,022)	(4.2%)	
Expenses from ordinary activities										
Materials and services	50,660	53,559	2,899	5.4%	46,687	78,326	75,720	(2,606)	(3.4%)	YTD favourable variance is due to a number of factors, including timing differences for insurance premiums and savings on statutory fees collection costs. Full year forecast unfavourable variance is mainly driven by forecasted expenses to deliver programs funded by unbudgeted grant income.
Employee Costs	73,162	73,233	71	0.1%	69,880	96,236	96,635	399	0.4%	
Other expenses	454	422	(32)	(7.6%)	342	685	631	(54)	(8.6%)	
Borrowing costs	910	1,128	218	19.3%	1,409	1,200	1,387	187	13.5%	YTD favourable variance due to timing of refinancing. Full year forecast is adjusted accordingly.
Interest Exp - Leases	120	89	(31)	(34.5%)	125	125	119	(6)	(5.0%)	
Bad and doubtful debts	2,649	3,712	1,063	28.6%	2,431	4,213	5,000	787	15.7%	YTD favourable variance to budget driven by the COVID-19 pandemic reducing the volume of parking infringements issued YTD and the level of doubtful debts expense. Full year forecast is adjusted accordingly.
Depreciation & Amortisation	17,959	18,388	430	2.3%	17,249	24,550	24,550	-	0.0%	
Amortisation - right of use assets	947	830	(117)	(14.2%)	840	1,275	1,145	(130)	(11.4%)	YTD unfavourable variance is mainly due to recognition of equipment lease funded by budget allocated in Materials and Services. Full year forecast is adjusted accordingly.
Total Expenses	146,861	151,362	4,500	3.0%	138,963	206,611	205,188	(1,423)	(0.7%)	
Net Result	30,854	37,574	(6,720)	(17.9%)	30,818	(1,606)	8,839	(10,445)	(118.2%)	

Legend:	
< (-100,000) and (-5%)	Unfavourable variance
>= 100,000 and 5%	Favourable variance

Attachment 1 - Attachment 1 - Finance Report - March 2022

**YARRA CITY COUNCIL
FINANCIAL REPORT
1 July 2021 to 31 March 2022
Debtors**

Rate Debtors Aging (years)	Total \$'000	<1 \$'000	1 \$'000	2 \$'000	3+ \$'000
Residential	30,252	25,151	2,379	1,239	1,483
Commercial	8,111	7,107	679	230	95
Industrial	2,229	1,938	184	80	28
FSL - Residential	2,679	2,266	217	96	101
FSL - Commercial	2,983	2,640	233	79	31
FSL - Industrial	1,065	936	18	79	31
FSL - Public Benefit	42	36	1	4	1
FSL - Vacant	22	18	2	0	1
FSL - Interest	42	-	7	20	16
Legal Fees	57	-	1	26	30
Bridge Road Special Charge	48	43	3	1	0
Garbage & Other	16	10	3	2	1
Prepayments	(1,170)	(987)	-	-	(183)
Refunds	(1)	(1)	-	-	-
Sub Total	46,375	39,157	3,727	1,855	1,636

Parking Debtors	Balance as at 30/06/2021 \$'000	End of March balance \$'000	Movement Inc/(Dec) \$'000	Comments
	1,581	1,057	(523)	Movement in additional parking infringement debtors raised less payments received and debt provision.

Parking Debtors Aging

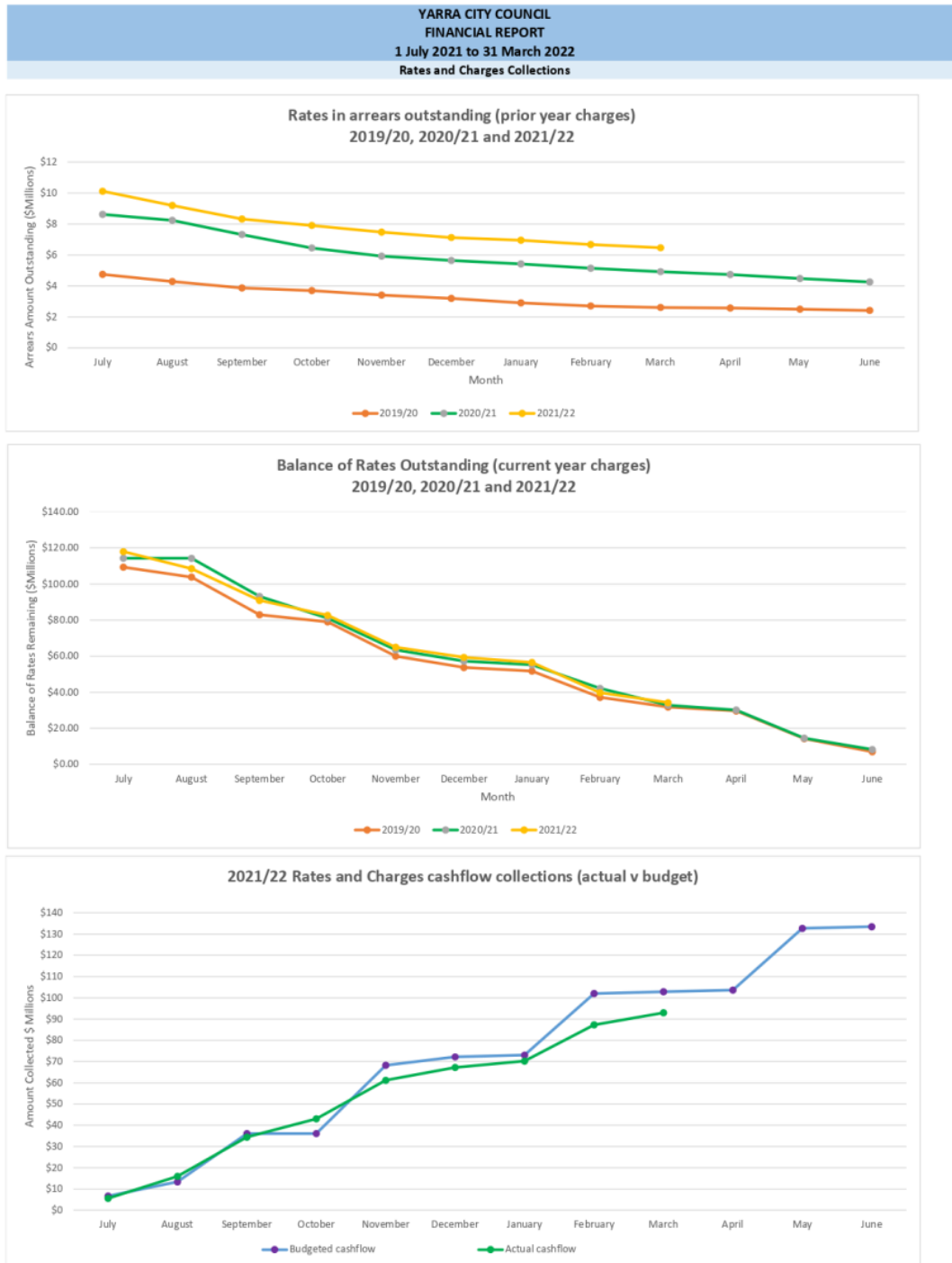
Aging (days)	Total \$'000	Current \$'000	30 \$'000	60 \$'000	90+ \$'000
	1,057	1,054	629	247	(873)

General/Sundry Debtors	Balance as at 30/06/2021 \$'000	End of March balance \$'000	Movement Inc/(Dec) \$'000	Comments
	4,135	5,320	1,185	Movement in additional debtors raised less payments received. No adjustment to debt provision at this time.

General/Sundry Debtors Aging

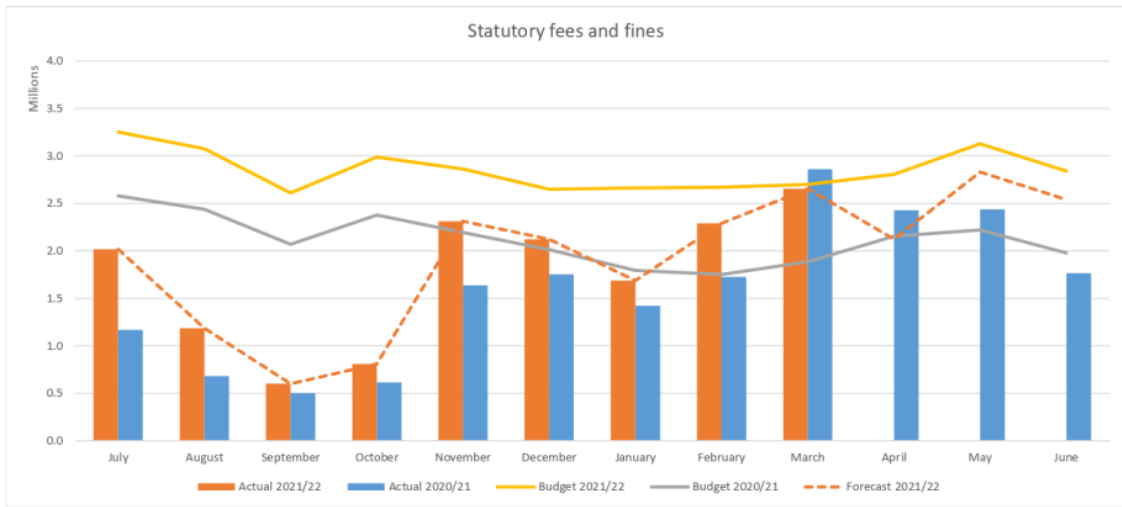
Aging (days)	Total \$'000	Current \$'000	30 \$'000	60 \$'000	90+ \$'000
Sundry Debtors	1,823	1,246	195	65	317
Property development applications	902	67	35	18	782
Animal Debtors	399	398	0	0	(0)
Misc. permits for advertising and footpath occupation	36	8	15	3	10
Local Laws Debtors	12	0	6	0	6
Salary Sacrifice	3	3	0	0	0
Fines and Costs	1,483	1,483	0	0	0
Asset Protection applications	303	12	41	64	185
MCC Superannuation	(0)	(0)	0	0	0
GST Clearing	2,399	2,399	0	0	0
Workcover wages claims	51	51	0	0	0
Fines Victoria Cheques - Parking	427	427	0	0	0
Provision for Doubtful Debt	(2,516)	0	0	0	(2,516)
S/Total	5,320	6,093	292	150	(1,215)

Attachment 1 - Attachment 1 - Finance Report - March 2022

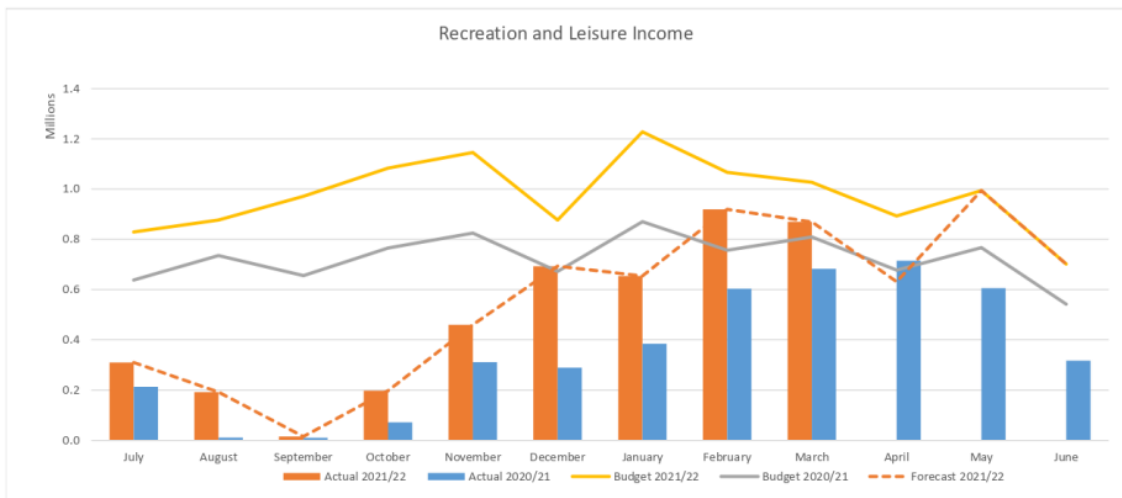


Attachment 1 - Attachment 1 - Finance Report - March 2022

YARRA CITY COUNCIL FINANCIAL REPORT 1 July 2021 to 31 March 2022 Statutory fees and fines and Recreation and Leisure Income Charts



**2020/21 Adopted Budget for parking and infringement income was reduced by 25% or \$8.5 million to reflect anticipated economic impacts of the COVID-19 pandemic. 2021/22 Adopted Budget assumes no COVID-19 pandemic impact*



**2020/21 Adopted Budget for recreation and leisure income was reduced by 25% or \$2.9 million to reflect anticipated economic impacts of the COVID-19 pandemic. 2021/22 Adopted budget assumes no COVID-19 pandemic impact.*

Attachment 1 - Attachment 1 - Finance Report - March 2022

**YARRA CITY COUNCIL
FINANCIAL REPORT
1 July 2021 to 31 March 2022
Open Space Reserve**

Council receives contributions from application of the Yarra Planning Scheme specifically for Open Space through development permits. This reserve is then expended on eligible open space projects. Contributions are received into Council's income statement first, as they are required to be recognised as revenue before being transferred into the reserve.

Open Space Reserve Account	Amount \$'000
Opening Balance as at 30 June 2021	18,871

Funds Received (Transfers to Reserve)	Amount \$'000
8 Hunter St Richmond	74
10 Valiant St Abbotsford	55
32-34 Bedford St Collingwood	182
210 Alexandra Pde Clifton Hill	172
20 Tyson St Richmond	66
245-251 Swan St Richmond	284
6-8 Carroll St Richmond	79
378-390 St Georges Rd North Fitzroy	362
1-57 Wellington St & 71-77 Victoria Pde Collingwood	1,170
37-39 Shelley St & 20 Garfield St Richmond	180
24 Miller St North Fitzroy	87
25 Palmer Street Richmond	72
32 Burnley St Richmond	66
141-143 St Georges Rd North Fitzroy	74
60-64 Glass St Richmond	203
Total	3,125

Projects (transfers from Reserve)	Amount \$'000
Park extension and redevelopment - Stephenson Reserve, Cremorne	12
Cambridge Street Reserve, Collingwood - Park extension and road closure	21
Smith Reserve, Fitzroy - Playground design	44
Smith Reserve, Fitzroy - Renew lighting along paths	1
Batman St Reserve, Fitzroy North - Renew playground	1
Alphington Park - Playground	4
Cairns Reserve - Playground	1
Construction works – new small local park in Reid Street, Fitzroy	100
Merri Creek Parklands Quarries Park - Playground	134
Total	318

Open Space Reserve Account	Amount \$'000
Closing balance as at March	21,679

Attachment 1 - Attachment 1 - Finance Report - March 2022

YARRA CITY COUNCIL FINANCIAL REPORT 1 July 2021 to 31 March 2022 Borrowings								
Amount \$m	Lender	Type	Term years	Maturity Date	Balance as at 30/06/2021 \$m	Current period balance \$m	Movement Inc/(Dec)	Comments
\$32.5M	TCV	Principal and interest	10	2032	-	32.5	32.5	Loan through TCV settled on 15 Feb 2022.
\$32.5M	NAB	Interest only	7	2021	32.5	-	(32.5)	\$32.5M borrowings matured and was repaid in full in Nov 2021.
\$13.5M	CBA	Principal and interest	10	2027	8.7	7.7	(1.0)	
					41.2	40.2	(1.0)	

Attachment 1 - Attachment 1 - Finance Report - March 2022

YARRA CITY COUNCIL FINANCIAL REPORT 1 July 2021 to 31 March 2022 Financial Sustainability Indicators

VAGO Indicators		YTD	VAGO Ranges			Commentary
Indicator/Description	Formula	March Result	Low Risk	Medium Risk	High Risk	
Net Result (%)	Net Result / Total Revenue	17.4%	> 0%	-10% - 0%	< -10%	It should be noted that all Financial sustainability indicators are intended to be measured on an annual basis to ensure an accurate picture is presented.
A positive result indicates a surplus, and the larger the percentage, the stronger the result. A negative result indicates a deficit. Operating deficits cannot be sustained in the long term. The net result and total revenue are obtained from the income statement.						
Liquidity (ratio)	Current assets / Current liabilities	2.8	> 1.0	0.75 - 1.0	< 0.75	YTD result ahead of budget due to the annual rates being raised in August 2021. The forecast final result is expected to be less than zero and fall in the medium risk range.
This measures the ability to pay existing liabilities in the next 12 months. A ratio of one or more means there are more cash and liquid assets than short-term liabilities.						
Internal financing (%)	Net operating cash flow / Net capital expenditure	66%	> 100%	75% - 100%	< 75%	YTD result in the high risk range, reflecting the unfavourable operating result under COVID impact.
This measures the ability of Council to finance capital works from generated cash flow. The higher the percentage, the greater the ability for Council to finance capital works from their own funds. Net operating cash flow and net capital expenditure are obtained from the cash flow statement.						
Indebtedness (%)	Non-current liabilities / own-sourced revenue	24.1%	< 40%	40% - 60%	> 60%	YTD result in the low risk range with the forecast final result expected to stay in the low risk range following the refinancing of Council's borrowings.
Comparison of non-current liabilities (mainly comprising borrowings) to own-sourced revenue. The higher the percentage, the less Council is able to cover non-current liabilities from the revenues Council generates itself. Own-sourced revenue is used, rather than total revenue, because it does not include grants or contributions.						
Capital replacement (ratio)	Cash outflows for property, plant and equipment / Depreciation	1.2	> 1.5	1.0 - 1.5	< 1.0	YTD result under budget. Capital spend is expected to increase to exceed depreciation although COVID-19 restrictions have impacted the level of capital expenditure during the first half of 2021/22.
Comparison of the rate of spending on infrastructure with depreciation. Ratios higher than 1.1 indicate that spending is faster than the depreciation rate. This is a long-term indicator, as capital expenditure can be deferred in the short term if there are insufficient funds available from operations, and borrowing is not an option. Cash outflows for infrastructure are taken from the cash flow statement. Depreciation is taken from the income statement.						
Renewal gap (ratio)	Renewal and upgrade expenditure/ Depreciation	0.9	> 1.0	0.5 - 1.0	< 0.5	YTD result in the medium risk range as renewal and upgrade expenditure under budget due to COVID impact. Forecast full year result expected to improve with capital spend increasing towards the end of 2021/22.
Comparison of the rate of spending on existing assets through renewing, restoring, and replacing existing assets with depreciation. Ratios higher than 1.0 indicate that spending on existing assets is faster than the depreciation rate. Similar to the investment gap, this is a long-term indicator, as capital expenditure can be deferred in the short term if there are insufficient funds available from operations, and borrowing is not an option. Renewal and upgrade expenditure are taken from the statement of capital works. Depreciation is taken from the comprehensive operating statement.						

Local Government Performance Reporting Framework Indicators				
Indicator/Description	Measure	2020-21 Result	Current Period Result	Variance
Liquidity				
L1	Current assets compared to current liabilities	123.4%	276.4%	153.0%
L2	Unrestricted cash compared to current liabilities	13.3%	56.1%	42.8%
Obligations				
O1	Asset renewal as a % of depreciation	107.3%	91.0%	(16.2%)
O2	Loans and borrowings as a % of rates	35.5%	33.3%	(2.1%)
O3	Loans and borrowings repayments as a % of rates	2.7%	2.7%	(0.0%)
O4	Non-current liabilities as a % of own source revenue	7.9%	26.3%	18.4%
Operating Position				
OP1	Adjusted underlying surplus (or deficit) as a % of underlying revenue	(9.0%)	14.9%	23.9%

Commentary
YTD result higher than budget due to rates being raised in August 2021. Forecast full year expected to be less than budget but above the target in the LTFP of 140%.
Cash reserves can meet Councils obligations.
YTD result in the medium risk range as renewal and upgrade expenditure under budget due to COVID impact. Forecast full year result expected to improve with capital spend increasing towards the end of 2021/22.
YTD result in line with prior year's result. Favourable to budget YTD.
YTD result impacted by new borrowings of \$32.5m in February 2022. Result expected to improve towards the end of 2021/22 as fees and charges realign to budgeted levels.
YTD result impacted by total rates recognised in August 2021. Indicator will reduce progressively over the course of the financial year. Forecast full year result expected to be unfavourable to budget as a result of COVID-19 restrictions impact on revenue.

Attachment 1 - Attachment 1 - Finance Report - March 2022

YARRA CITY COUNCIL FINANCIAL REPORT 1 July 2021 to 31 March 2022 Capital Works Program with Variance Commentary											
Adopted Budget Classification	Full Year Adopted Budget	Full year Adjusted Budget	YTD Budget	YTD Actuals	YTD Variance Fav/(Unfav)	YTD Variance Fav/(Unfav)	Full year forecast	Variance to Full Year Adjusted Budget Fav/(Unfav)	Forecast variance Fav/(Unfav)	Carry Over	Variance Analysis/Comments (including explanation of budget movements)
	\$'000	\$'000	\$'000	\$'000	\$'000	%	\$'000	\$'000	%	\$'000	
Property											
Buildings	15,850	16,664	11,869	7,254	4,616	38.9%	16,060	604	3.6%	3,180	The construction industry shutdown from 20 September to 01 October 2021 adding to delays to project delivery. All works stopped during this period. All scoping works requiring on site investigations stopped during this period. Previous supply chain disruption (materials and contractors in short supply) has reduced but continues to occur. At this stage, approximately \$3.18m of the 2021/22 adopted budget is expected to be carried over to 2022/23. In addition, some subcontractors have renegotiated contracts (head contractor claiming increased costs) associated with COVID 19 impacts. Some project cost over-runs, has been offset by redirecting savings from other building projects.
Total buildings	15,850	16,664	11,869	7,254	4,616	38.9%	16,060	604	3.6%	3,180	
Total property	15,850	16,664	11,869	7,254	4,616	38.9%	16,060	604	3.6%	3,180	
Plant and equipment											
Computers and telecommunications	1,906	2,589	1,147	1,188	(41)	(3.5%)	2,603	(14)	(0.5%)	74	
Fixtures, fittings and furniture	532	150	281	61	220	78.4%	150	-	0.0%	-	There has been a reduced demand to replace office furniture/equipment during the pandemic period, hence the favourable result.
Library books	630	640	502	378	124	24.7%	640	-	0.0%	-	Library books and equipment orders have been placed however, previous supply chain issues for supplies continue to occur.
Plant, machinery and equipment	2,204	3,021	578	811	(233)	(40.3%)	2,500	521	17.2%	-	The allocation for passenger cars has been paid earlier than expected (hence the unfavourable variance). Forecast savings of \$500k, is expected to materialise and will fund cost pressures in the building program.
Total plant and equipment	5,272	6,401	2,508	2,438	71	2.8%	5,894	507	7.9%	74	
Infrastructure											
Bridges	110	110	-	2	(2)	0.0%	110	-	0.0%	-	
Drainage	3,190	4,006	1,782	1,513	268	15.1%	4,033	(27)	(0.7%)	-	Refer note for roads
Footpaths and cycleways	3,691	3,252	3,044	1,732	1,313	43.1%	3,062	190	5.9%	-	Refer note for roads
Other infrastructure	4,015	4,464	2,670	608	2,062	77.2%	4,389	75	1.7%	740	LAPM and other transport projects have been delayed due to the industry shutdown from 20 September to October 1st. Shortage of available contractors and materials will translate to procurement delays. The approvals process (from external bodies e.g. VicRoads) in the past normally was two weeks now takes two months. At this stage it is expected that \$740k will be carried over to 2022/23.
Parks, open space and streetscapes	10,129	4,854	7,169	1,169	6,000	83.7%	4,784	69	1.4%	5,332	Program delivery has been delayed due to COVID 19. The shutdown period significantly delayed project delivery. The resulting supply chain issues (on the availability of materials/equipment/resources) has impacted the works program. The expected carry over amount will be \$5.3m (\$2m resulting from the Burnley golf course project).
Roads	6,009	6,555	4,139	3,573	566	13.7%	6,527	27	0.4%	150	The roads program at this point in time is behind projections due to the continuing impact of industry restrictions and shutdowns (in response to the COVID 19). There is also a shortage of materials and contractor availability which will impact project delivery. The delivery times of projects have been pushed out but the expectation at this stage is that the program will be delivered.
Waste management	75	75	-	5	(5)	0.0%	75	-	0.0%	-	
Total infrastructure	27,220	23,316	18,805	8,603	10,202	54.3%	22,980	336	8.7%	6,222	
Total capital works expenditure	48,342	46,381	33,182	18,294	14,888	44.9%	44,934	1,447	3.1%	9,476	

Legend:
>= (100,000) and (5%) Unfavourable variance
>= 100,000 and 5% Favourable variance

Attachment 1 - Attachment 1 - Finance Report - March 2022

YARRA CITY COUNCIL FINANCIAL REPORT 1 July 2021 to 31 March 2022 Income Statement										
Income Statement	Current Month			YTD March				Full Year		
	March Actual	March Budget	March Variance Fav/(Unfav)	YTD Actual	YTD Budget	YTD Variance Fav/(Unfav)	YTD Last Yr	Full Year Forecast	Full Year Budget	Variance to the Budget Fav/(Unfav)
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Revenue from ordinary activities										
Rates and charges	-	(3)	3	120,761	119,904	858	116,115	120,750	119,991	758
Statutory fees and fines	2,655	2,704	(49)	15,677	25,556	(9,879)	12,368	23,171	34,240	(11,069)
User Fees	2,440	2,604	(164)	19,537	25,189	(5,652)	16,090	26,556	32,786	(6,230)
Reimbursements	(19)	179	(198)	598	820	(221)	708	1,107	1,066	41
Grants - Operating	1,713	1,524	190	15,296	11,711	3,585	14,334	21,569	15,356	6,213
Grants - Capital	-	4	(4)	1,413	206	1,207	2,741	4,550	3,052	1,497
Net gain/(loss) on disposal	51	-	51	124	35	89	3,080	650	50	600
Other Income	50	66	(17)	633	691	(58)	601	993	1,079	(87)
Contributions - OSR	203	375	(173)	3,125	3,375	(250)	3,195	5,000	4,500	500
Contributions - Other monetary	138	278	(140)	551	1,449	(897)	550	660	1,906	(1,246)
Total Revenue	7,232	7,731	(500)	177,716	188,936	(11,220)	169,781	205,005	214,027	(9,022)
Expenses from ordinary activities										
Materials and services	6,282	6,448	166	50,660	53,559	2,899	46,687	78,326	75,720	(2,606)
Employee Costs	11,050	10,869	(181)	73,162	73,233	71	69,880	96,236	96,635	399
Other expenses	110	65	(45)	454	422	(32)	342	685	631	(54)
Borrowing costs	99	90	(9)	910	1,128	218	1,409	1,200	1,387	187
Interest Exp - Leases	21	10	(11)	120	89	(31)	125	125	119	(6)
Bad and doubtful debts	491	380	(110)	2,649	3,712	1,063	2,431	4,213	5,000	787
Depreciation & Amortisation	2,031	2,073	42	17,959	18,388	430	17,249	24,550	24,550	-
Amortisation - right of use assets	185	98	(87)	947	830	(117)	840	1,275	1,145	(130)
Total Expenses	20,269	20,032	(236)	146,861	151,362	4,500	138,963	206,611	205,188	(1,423)
Net Result	(13,037)	(12,301)	(736)	30,854	37,574	(6,720)	30,818	(1,606)	8,839	(10,445)

Attachment 1 - Attachment 1 - Finance Report - March 2022

**YARRA CITY COUNCIL
FINANCIAL REPORT
1 July 2021 to 31 March 2022
Cash Flow Statement**

	Balance as at period end \$'000
Cash Flows from Operating Activities	
Rates and charges	92,437
Statutory fees and fines	16,200
User fees	18,613
Grants - operating	13,553
Grants - capital	1,413
Contributions - monetary	3,676
Interest received	164
Trust funds and deposits taken	16,943
Other receipts	911
Net GST refund/(payment)	1,616
Payments to Employees	(74,275)
Payments to Suppliers	(58,154)
Trust funds and deposits repaid	(18,732)
Net Cash Provided by Operating Activities	14,364
Cash Flows from Investing Activities	
Payments for property, infrastructure, plant and equipment	(22,037)
Proceeds from sale of property, infrastructure, plant and equipment	124
Payments for investments	(30,000)
Proceeds from sale of investments	9,991
Net Cash (Used in) Investing Activities	(41,923)
Cash Flows from/(used in) Financing Activities	
Finance costs	(1,188)
Proceeds from borrowings	32,500
Repayment of borrowings	(33,482)
Interest paid - lease liability	(120)
Repayment of lease liabilities	(952)
Net Cash (Used In) Financing Activities	(3,243)
Cash Balances	
Change in Cash Held	(30,802)
Cash at beginning of year	78,930
Cash at the End of the Financial Period*	48,128

* Does not include Other Financial Assets - Term deposits (\$30M)

Council needs to fund the following items from the current cash balance. This may include expenses associated with revenue received in a previous financial year (e.g. grants)

Future items to be funded	\$'000
Capital Carry Forwards	-
Capital Grants	19,318
Other Grant Carry Overs	2,001
Trust Funds and deposits	8,430
Open Space Reserve to be cash backed	21,679
Total	51,428

Attachment 1 - Attachment 1 - Finance Report - March 2022

YARRA CITY COUNCIL FINANCIAL REPORT 1 July 2021 to 31 March 2022 Balance sheet				
	Balance as at 30/06/2021	Balance as at period end	Movement Inc/(Dec)	Comments
	\$'000	\$'000	\$'000	
ASSETS				
Current Assets				
Cash and cash equivalents	78,930	48,128	(30,802)	Cash equivalents, comprise cash on hand and cash at bank, deposits at call and short-term deposits, with original maturities of three months or less, that are held for the purpose of meeting short-term cash commitments rather than for investment purposes.
Other financial assets	10,000	30,009	20,009	Term Deposits with a maturity greater than 90 days.
Receivables - Rates	13,268	46,409	33,141	Rates for 2021/22 were raised in August 2021. Receivable reduces with each payment instalment received. Balance expected to significantly reduce by 30 June 2022.
Receivables - Parking	1,581	1,057	(523)	
Receivables - Other	4,135	5,320	1,186	
Accrued income	14	17	4	
Prepayments	1,389	609	(780)	
Inventories	96	96	-	
Assets Held for Resale	-	-	-	
Total Current Assets	109,412	131,646	22,234	
Non-Current Assets				
Non-current receivables	-	-	-	
Financial assets	5	5	-	
Property, infrastructure ,plant and equipment	2,025,671	2,025,897	226	
Right-of-use assets	2,374	1,595	(779)	
Total Non-Current Assets	2,028,050	2,027,497	(552)	
TOTAL ASSETS	2,137,462	2,159,143	21,682	
LIABILITIES				
Current Liabilities				
Payables	11,240	2,859	(8,381)	
Fire Services Levy	6,026	8,603	2,577	Raised at the same time as Rates for the financial year. Payments made quarterly to the SRO which will reduce the liability.
Trust funds	5,828	6,278	451	
Accrued Expenses	6,752	6,187	(565)	
Income in advance	5,703	3,960	(1,743)	Movement mainly due to a grant income unspent year to date.
Employee benefits	18,139	18,385	246	
Interest-bearing liabilities	33,818	1,050	(32,768)	Reduction in the loan due to the repayment of the \$32.5m NAB loan in November 2021.
Lease liabilities	1,165	312	(853)	
Total Current Liabilities	88,670	47,634	(41,037)	
Non-Current Liabilities				
Non-current employee benefits	1,435	1,439	4	
Non-current interest bearing liabilities	7,385	39,171	31,786	Council has two loans, one with the CBA (\$7.7m) maturing 2027 and the second with Treasury Corporation Victoria (TCV) (\$32.5m) drawn down on the 15th February 2022, maturing 2032.
Non-current lease liabilities	1,347	1,416	69	
Non-current Trust Liability	377	382	5	
Total Non-Current Liabilities	10,544	42,408	31,864	
TOTAL LIABILITIES	99,214	90,042	(9,172)	
NET ASSETS	2,038,247	2,069,101	30,854	
Represented by:				
Accumulated surplus	666,789	653,854	(12,935)	
Asset revaluation reserves	1,362,635	1,362,635	-	
Other reserves	18,950	21,758	2,808	
Retained Earnings	(10,127)	30,854	40,982	Net result for the year YTD.
EQUITY	2,038,247	2,069,101	30,854	

Attachment 2 - Attachment 2 - Capital Adjustments Running Table

Capital Adjustments Running Table - March2022 Q3.xlsx

Project ID	Description	Project Budget Before Change \$	Net Change to Budget \$	Unbudgeted Income \$	Change Request Type	Reason	Approval Date	2021/22 Adjusted Budget Running Total \$	Cumulative Variance Adjusted to Baseline Budget \$
	2021/22 adopted new allocations							39,157,133	
	2021/22 adopted works carried forward from 2020/21		+9,184,965		Adopted Carry Forward	Running total is adopted 2021/22 budget (new allocations plus adopted carry forward)		48,342,098	
	Further works carried forward from 2020/21		+3,215,183		Further Carry Forward	Running total is the baseline capital works budget for the year (and starting adjusted budget for the year), being the adopted 2021/22 budget plus further amounts carried forward from 2020/21		51,557,281	
New	Peel Street Building	0	+100,000	100,000	New Project	Received funding from Victorian Government to do compliance building works to assist creative industries to grow in Victoria	25/08/2021	51,657,281	+100,000
3127	Otter Street, Public toilet	42,000	+25,000		Budget Increase	Increase budget to fund deposit for a toilet unit. The toilet works will be done in conjunction with the Open Space works at this location	25/08/2021	51,682,281	+125,000
3089	Collingwood Library	200,000	+30,000		Budget Consolidation	Annex wall and related works will be completed utilising funds carried forward from 2020/21 (project 2849); budget consolidated from 3118 with scope "further remediation works arising from asset conservation review of facility"	25/08/2021	51,712,281	+155,000
3118	Collingwood Library	30,000	-30,000		Budget Consolidation	All funding and scope transferred to project 3089	25/08/2021	51,682,281	+125,000
3096	Fitzroy Town Hall	800,000	+400,000		Budget Consolidation	Budget consolidated from 3121 with scope "HVAC and structural remediation" as these are being run as an integrated project	25/08/2021	52,082,281	+525,000
3121	Fitzroy Town Hall	400,000	-400,000		Budget Consolidation	All funding and scope transferred to project 3096	25/08/2021	51,682,281	+125,000
3094	Richmond Town Hall	400,000	+700,000		Budget & Scope Transfer	\$700k (for asset remediation including rendering/painting) transferred from project 3131	25/08/2021	52,382,281	+825,000
3131	Richmond Town Hall	1,000,000	-700,000		Budget & Scope Transfer	\$700k (for asset remediation scope) transferred to 3094	25/08/2021	51,682,281	+125,000
3149	Plant & Equipment – Mechanical	165,000	+382,000		Budget & Scope Transfer	\$382k (for electric forklift and golf course mechanical equipment) transferred from project 3137	25/08/2021	52,064,281	+507,000
3137	Plant & Equipment – Miscellaneous Buildings	402,000	-382,000		Budget & Scope Transfer	\$382k (for electric forklift and golf course mechanical equipment) transferred to project 3149	25/08/2021	51,682,281	+125,000
2913	Drainage Improvements - Newry St	850,000	-38,791		Budget Adjustment	Phase 2 LRCIP project - funding adjustment needed to match grant allocation; overspent in 2020/21	25/08/2021	51,643,490	+86,209
2914	Public Toilets Edinburgh Gardens South - near Juniors Pavilion	595,000	+39,956		Budget Adjustment	Phase 2 LRCIP project - funding adjustment needed to match grant allocation; underspent in 2020/21	25/08/2021	51,683,446	+126,165
2915	Gyms Energy Efficiency and Building Envelope Upgrades	390,000	-104,806		Budget Adjustment	Phase 2 LRCIP project - funding adjustment needed to match grant allocation; overspent in 2020/21	25/08/2021	51,578,640	+21,359
2916	Transferring Council Assets from the Use of Natural Gas	315,000	-35,376		Budget Adjustment	Phase 2 LRCIP project - funding adjustment needed to match grant allocation; overspent in 2020/21	25/08/2021	51,543,264	-14,017
2917	Kerb Outstand Upgrades - corner Kerr St & Brunswick St	180,000	+1,015		Budget Adjustment	Phase 2 LRCIP project - funding adjustment needed to match grant allocation; underspent in 2020/21	25/08/2021	51,544,279	-13,002
2913	Newry Street Drainage works	811,209	-		Scope Change	LRCIP (Phase 2) funded - funding agency agreed to replace the Newry St drainage project with Holden St drainage works; Melbourne Water did not consent to works at Newry Street but agreed with Holden Street having priority	29/09/2021	51,544,279	-13,002
2948	Vere Street, Abbotsford - road works	192,000	+303,000		Scope and Budget Increase	Increase budget to fund additional drainage works to mitigate localised flooding issues; funding sourced from deferred Fitzroy Street road works project	29/09/2021	51,847,279	+289,998
2940 2964 2988	Fitzroy Street, Fitzroy - road works	303,000	-303,000		Deferral	Project cannot proceed and deferred due to adjacent developer works. Funding re-allocated to Vere Street roadworks project	29/09/2021	51,544,279	-13,002
New	Edinburgh Gardens Sediment Trap	0	+205,000	205,000	New Project	Greater Western Water will provide funding to install a sediment trap in the Edinburgh Gardens rain garden to improve water quality	29/09/2021	51,749,279	+191,998
New	Permeable Pavement Project	0	+158,524	88,069	New Project	Sourced funding from Sustainable Victoria for a trial to add waste tyres products in pavement asphalt mix	29/09/2021	51,907,803	+350,522
New	Federal Spot Safety Program	0	+673,860	673,860	New Project	Sourced funding from the Department of Transport to fund safety works at Hoddle Street / Roseaneath Street Clifton Hill, Wellington Street / Langridge Street Collingwood and Victoria Street / Nicholson Street / Lennox Street Abbotsford	27/10/2021	52,581,663	+1,024,382
2822	Dights Mill Site	165,000	+111,805		Increase Budget	Received high tenders. Extra funding required to fund works. Sourcing funds from expected overall savings in the capital program	27/10/2021	52,693,468	+1,136,187
2202	Bob Rose Stand	300,000	+228,000		Increase Budget and scope	Extra funding required to fully replace the roof. Audit report indicated the need to fully and not partially replace the roof and make it compliant. Sourcing funding from RRC HVAC budget allocation	27/10/2021	52,921,468	+1,364,187
2832	Richmond Recreation Centre - HVAC works	1,755,212	-228,000		Decrease Budget	Project needs to be re-forecasted to be delivered over multiple financial years. Current budget allocation is not sufficient to deliver the project in 2021/22. Re-allocating budget to fund urgent works at the Bob Rose Stand	27/10/2021	52,693,468	+1,136,187
2913	Holden St Drainage works	811,209	+50,000		Scope and Budget increase	Scope and budget increased to relocate CitiPower services to facilitate drainage works. Sourcing funds from expected overall savings in the capital program	24/11/2021	52,743,468	+1,186,187
New	Brunswick Street North between Park St and Scotchmer St, Fitzroy - Kerb and channel works	0	+40,000		New Project	Works required (surface level changes) to eliminate localised ponding/drainage issues and to complement planned LAPM works in this area. Sourcing funds from expected overall savings in the capital program	24/11/2021	52,783,468	+1,226,187
New	Brunswick Street North between Park St and Scotchmer St, Fitzroy - Footpath works	0	+150,000		New Project	Works required (surface level changes) to eliminate localised ponding/drainage issues and to complement planned LAPM works in this area. Sourcing funds from expected overall savings in the capital program	24/11/2021	52,933,468	+1,376,187
New	Brunswick Street North between Park St and Scotchmer St, Fitzroy - Road pavement works	0	+141,000		New Project	Works required (surface level changes) to eliminate localised ponding/drainage issues and to complement planned LAPM works in this area. Sourcing funds from expected overall savings in the capital program	24/11/2021	53,074,468	+1,517,187
New	Brunswick Street North between Holden St and Park St, Fitzroy - Road pavement works	0	+135,000		New Project	Works required (surface level changes) to eliminate localised ponding/drainage issues and to complement planned LAPM works in this area. Sourcing funds from expected overall savings in the capital program	24/11/2021	53,209,468	+1,652,187
2974	Victoria Parade between Nicholson St and Fitzroy St, Fitzroy - Footpath works	398,000	-398,000		Deferral	Project cannot proceed and deferred due to adjacent developer works	24/11/2021	52,811,468	+1,254,187
3039	LAPM 2 - Amess road humps	150,000	-90,000		Savings	Project savings. Project completed underbudget. Funding re-allocated to fund other projects	24/11/2021	52,721,468	+1,164,187
2941	Groom St between Noone St and Alexandra Pde, Clifton Hill - Kerb & channel works	59,000	-12,000		Savings	Project savings. Project completed underbudget. Funding re-allocated to fund other projects	24/11/2021	52,709,468	+1,152,187
2965	Groom St between Noone St and Alexandra Pde, Clifton Hill - Footpath works	61,000	-16,000		Savings	Project savings. Project completed underbudget. Funding re-allocated to fund other projects	24/11/2021	52,693,468	+1,136,187
2539	Jack Dyer Pavilion redevelopment	1,988,404	+619,608		Increase Budget and scope	Scope and budget increased to cover extra costs associated with soil contamination works, other latent conditions, structural wall / floor issues and extra design costs. Sourcing funds from Carlton Library and expected overall savings in the capital program	12/01/2022	53,313,076	+1,755,795
3100	Carlton Library - Toilet works	150,000	-140,000		Savings	The condition review found that the toilet facilities were deemed acceptable and therefore an upgrade is not required	12/01/2022	53,173,076	+1,615,795
3128	Nicholson St Public Toilet	33,500	-33,000		Deferral	The proposed toilet location is impacted by current master planning work for the Linear Park reserve. It is preferable for the Linear Park master planning be completed before the detail design for the toilet is undertaken	12/01/2022	53,140,076	+1,582,795
3154	Library Digital Collection	231,000	+10,321	10,321	Increase Budget	A grant from the Premier's Reading Challenge (State Government grant program) has been awarded to Council	12/01/2022	53,150,397	+1,593,116
New	Collingwood College Early Childhood Centre	0	+200,000	200,000	New Project	Council was awarded a State grant of \$3,640,000 via the Building Blocks program to refurbish and repurpose a set of dis-used buildings on the grounds of Collingwood College. \$200k will be needed in 2021/22	25/01/2022	53,350,397	+1,793,116
New	John Street Children's Centre Refurbishment	0	+100,000	100,000	New Project	A State grant of \$500,000 has been awarded through the Early Childhood Refurbishment and Minor Works program to do various improvements (pram storage area, laundry/kitchen works, HVAC works, toilet works, asbestos removal, deck works, shed and fencing works). \$100k will be needed in 2021/22	25/01/2022	53,450,397	+1,893,116
New	North Carlton Children's Centre and Yarralea Planning	0	+103,000	103,000	New Project	State grant has been awarded through the Building Blocks program to prepare reports to redevelop the North Carlton Children's site into an Integrated Hub and explore options to add a second story at Yarralea	25/01/2022	53,553,397	+1,996,116

Attachment 2 - Attachment 2 - Capital Adjustments Running Table

Capital Adjustments Running Table - March2022Q3.xlsx

Project ID	Description	Project Budget Before Change \$	Net Change to Budget \$	Unbudgeted Income \$	Change Request Type	Reason	Approval Date	2021/22 Adjusted Budget Running Total \$	Cumulative Variance Adjusted to Baseline Budget \$
New	North Carlton Children's Centre kinder rooms & yard upgrade	0	+100,000	100,000	New Project	A State grant of \$438,897 has been awarded through the Early Childhood Refurbishment and Minor Works program to refurbish parts of this facility. \$100k will be needed in 2021/22.	25/01/2022	53,653,397	+2,096,116
2825	Fitzroy Town Hall - Ceiling Works	497,000	+660,513		Increase Budget	Additional budget is required for remediation of the main hall ceiling (along with other Stage 1 and 2 works) to address the risk issue and allow future events/functions in the main hall area.	25/01/2022	54,313,910	+2,756,629
2297	Pavilion - Ryan's Reserve	949,179	+865,167	865,167	Increase Budget	Project will be completed in 2021/22 (previously anticipated to run into 2022/23) due to planning scheme changes exempting the project from the town planning process; additional budget is fully State funded and will be received in full before end of financial year.	20/3/2022	55,179,077	+3,621,796
3038	LAPM 19	220,000	+230,000	230,000	Increase Budget	Received additional grant from Department Of Transport to construct a wombat crossing in Bendigo street	23/03/2022	55,409,077	+3,851,796
2465	LAPM 13	934,000	+448,000	448,000	Increase Budget	Received additional grant from Department Of Transport and TAC to fund various LAPM projects at Langridge Street, Park Street, Charles Street, Albert Street and Murray St Abbotsford	23/03/2022	55,857,077	+4,299,796
2982	Bosisto St, Richmond (Bridge Rd To Cameron St)	200,000	-150,000		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	55,707,077	+4,149,796
2472	Alphington Park, Fairfield	215,000	-115,000		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	55,592,077	+4,034,796
2489	Burnley Golf Course, Richmond	202,000	-195,000		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	55,397,077	+3,839,796
2496	Burnley Golf Course, Richmond	166,700	-166,700		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	55,230,377	+3,673,096
2772	Edinburgh Gardens, Fitzroy North	347,626	-317,626		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	54,912,751	+3,355,470
2775	Burnley Golf Course, Richmond	115,000	-115,000		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	54,797,751	+3,240,470
2803	Burnley Golf Course, Richmond	1,500,000	-1,500,000		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	53,297,751	+1,740,470
2812	Coate Park, Fairfield	20,000	-20,000		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	53,277,751	+1,720,470
2819	Otter Street Pocket Park	1,118,692	-900,000		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	52,377,751	+820,470
2908	Cambridge Street Reserve, Collingwood	1,743,600	-1,553,600		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	50,824,151	-733,130
3050	Curtain Square, Carlton Nth	50,000	-50,000		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	50,774,151	-783,130
3051	Golden Square, Richmond	50,000	-44,500		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	50,729,651	-827,630
3052	Langdon Reserve, Fitzroy North	30,000	-30,000		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	50,699,651	-857,630
3055	Smith Reserve, Fitzroy	50,000	-30,000		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	50,669,651	-887,630
3056	Atherton Reserve, Fitzroy	80,000	-70,000		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	50,599,651	-957,630
3070	Edinburgh Gardens, Fitzroy North	120,000	-115,000		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	50,484,651	-1,072,630
3073	Burnley Golf Course, Richmond	110,000	-110,000		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	50,374,651	-1,182,630
2465	LATM 13	934,000	-335,000		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	50,039,651	-1,517,630
3040	LATM 3	763,000	-320,000		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	49,719,651	-1,837,630
3042	LATM 9	90,000	-84,673		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	49,634,978	-1,922,303
2233	Panther Pavilion - Fairfield Park	494,000	-340,000		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	49,294,978	-2,262,303
2621	Brunswick Street Oval Precinct Redevelopment	800,000	-70,000		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	49,224,978	-2,332,303
2825	Fitzroy Town Hall	1,157,513	-150,000		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	49,074,978	-2,482,303
2847	Carlton Hall	450,000	-334,000		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	48,740,978	-2,816,303
3091	Collingwood Town Hall	400,000	-150,000		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	48,590,978	-2,966,303
3094	Richmond Town Hall	1,100,000	-800,000		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	47,790,978	-3,766,303
3096	Fitzroy Town Hall	1,200,000	-986,000		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	46,804,978	-4,752,303
3107	Workshop and Administration - Clifton Hill Depot	205,000	-100,000		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	46,704,978	-4,852,303
3117	Collingwood Leisure Centre	200,000	-100,000		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	46,604,978	-4,952,303
3131	Richmond Town Hall	300,000	-150,000		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	46,454,978	-5,102,303
3140	Inter/intranet software - Sharepoint	100,000	-74,400		Carry Over	Included in the draft 2022/23 advertised budget document	23/03/2022	46,380,578	-5,176,703
			3,123,417			adjusted 2021/22 capital works budget		46,380,578	-5,176,703

This amount indicates an adjusted budget cumulative variance of -\$5,176,703 to the baseline budget (adopted budget plus further carry forwards from 2020/21) of \$51,557,281 (noting the inclusion of a total \$3,123,417 of net additional external funding not in the adopted budget)

8.7 2021/22 Annual Plan Quarterly Progress Report - March

Executive Summary

Purpose

To present the 2021/22 Annual Plan Quarterly Progress Report for March to Council for noting.

To propose amendments to the 2021/22 Annual Plan for Council to consider and endorse where the action has been impacted on by factors outside of Council's control.

Key Issues

The 2021/22 Annual Plan contains 50 Actions and the result at 31 March is 35 Actions (70%) are Completed/On track.

The result is measured against the annual performance target of 75%.

The COVID-19 restrictions continued to impact Council's ability to deliver on a significant number of the Actions in the current Annual Plan. Impacts have included community lockdowns, restrictions on services, reductions in staffing capacity and more recently significant disruption to commercial and industrial capacity, workforce and product shortages.

The report proposes amendments to the 2021/22 Annual Plan for Council consideration and endorsement, where an action's progress has been impacted on by factors outside of Council's control.

While year to date progress is behind the annual target of 75% complete or on track, Council is forecasting it will meet the target by the end of the financial year.

Financial Implications

There are no financial implications considered in this report.

PROPOSAL

Council note the 2021/22 Annual Plan Progress Report for March.

That Council consider and endorse the proposed amendments to the 2021/22 Annual Plan.

8.7 2021/22 Annual Plan Quarterly Progress Report - March

Reference	D22/115020
Author	Julie Wyndham - Manager Corporate Planning and Performance
Authoriser	Director Corporate, Business and Finance

Purpose

1. To present the 2021/22 Annual Plan Quarterly Progress Report – March to Council for noting.
2. To propose amendments to the 2021/22 Annual Plan for actions that have been impacted on by factors outside of Council's control for consideration and endorsement.

Critical analysis

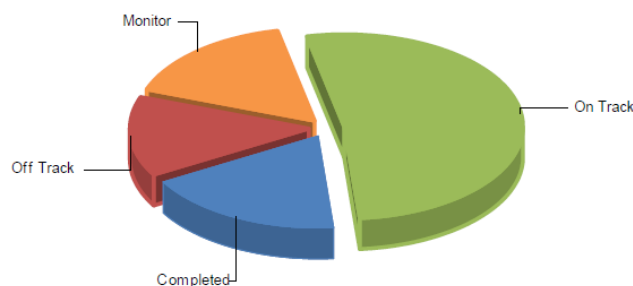
History and background

3. The Annual Plan is the organisation's annual response to Initiatives contained in the four-year Council Plan. Council Plan Initiatives are significant projects and activities that are proposed to be worked on over the term of the Council Plan.
4. The Annual Plan and Annual Plan Quarterly Progress Reports are two of Council's key accountability documents to the community.
5. The Annual Plan Quarterly Progress Report notes the year-to-date progress of the Annual Plan Actions and Milestones providing a performance rating and supporting commentary.
6. The 2021/22 Annual Plan was endorsed by Council on 24 June 2021 and is fully funded in the 2021/22 Budget.

Discussion

7. The 2021/22 Annual Plan contains 50 Actions and the result at 31 March is 35 Actions (70%) are Completed/On track.
8. The result of 70% is measured against the performance target of 75%.
9. The following thresholds are used to determine the status of an action:
 - (a) On track $\geq 90\%$
 - (b) Monitor 75-89%
 - (c) Off track $< 75\%$.
10. The COVID-19 restrictions continued to impact Council's ability to deliver on a significant number of the Actions in the current Annual Plan. Impacts have included community lockdowns, restrictions on services, reductions in staffing capacity and more recently significant disruption to commercial and industrial capacity, workforce and product shortages.
11. While 15 actions are currently either Off Track or Monitor, 8 of these actions are forecast to be On Track by 30 June 2022 and the performance target of 75% should be achieved. These are listed in paragraph 14 below.
12. Of the remaining 7 off track/monitor actions, officers are proposing to amend or defer milestones to 4 actions due to factors that are outside the control of Council. These are listed in paragraph 15 below.

13. Annual Plan Action progress summary as of 31 March 2022:



Strategic Objective	No. of Actions Reported	Complete	On track (>=90%)	Monitor (75-90%)	Off track (<75%)	Not Started
Climate and environment	8	2	5	1	0	0
Social equity and health	15	3	7	2	3	0
Local economy	4	0	3	1	0	0
Place and nature	13	1	7	2	3	0
Transport and movement	5	1	1	2	1	0
Democracy and governance	5	2	3	0	0	0
	50 (100%)	9 (18.00%)	26 (52.00%)	8 (16.00%)	7 (14.00%)	0 (0.00%)

14. The 15 actions where progress was rated monitor (75-89%) or off-track (< 75%) are:

Action #	Title	Current Status
1.04	Transitioning Council Assets from the use of Natural Gas	Monitor
2.06	Yana Ngargna Plan	Off track
2.07	Active and Healthy Ageing Strategy and Action Plan	Monitor
2.10	National Aged Care and Disability Reforms	Off track
2.11	Restorative Care Project	Off track
2.14	Collingwood Senior Citizen Centre Including Willowview	Monitor
3.04	Revitalisation of North Richmond State Government Project	Monitor
4.02	Progress the translation of interim controls into permanent controls for Activity Centres	Monitor
4.04	State Government suburban parks program	Off track
4.05	New open space planning and design, Cremorne	Off track
4.06	Brunswick Street Activity Centre Urban Design – Kerr Street outstand	Off track
4.09	Edinburgh Gardens Public Toilet	Monitor
5.03	Improved Bicycle Networks	Monitor
5.04	Gipps Street Intersection Safety Improvements	Monitor
5.05	Road safety studies and implementation program	Off track

15. Officers are proposing the following amendments to the following Actions and Milestones where progress has been impacted by external factors.

2.10 National Aged Care Reforms

While work is progressing on finalising Council's position in relation to community programs and support options, completion is dependent on the Federal Government finalising its design for the program. This program has been in transition for over 2 years awaiting the Federal Government's final decision.

Current milestones proposed to be removed:

December	Finalise Council's vision and position on its role in best supporting older people to live well in Yarra and Council's position by 31 December 2021.
March	Initiate implementation of new arrangements and directions.

Proposed milestones to be added:

June	Progress service reviews to inform Council's decisions on its future in aged care. Continue to inform Council of Federal Government decisions as they detail the final design of the Support at Home program.
------	--

2.11 Restorative Care Project

This project was impacted by the COVID-19 pandemic and legislated responses early in its timeline. It required our own staff working in the disability support area to connect and bring together a range of support services to work together and engage with individuals in our community with disabilities to explore in home service provisions. While at the same time, our staff and other service providers were busy responding and providing emergency assistance and support under the constraints of COVID and lockdowns. While Council is committed to the project, we are only now reaching the point where we, and others, can re-engage and review the project stages.

Current milestones proposed to be deferred:

December	Engage with services across Council and with local agency partners to explore and develop recommended service options that increase access and participation by younger people with disability.
March	Undertake consultations with residents / service users to test proposed changes, identify other options.
June	Implement new service options with internal Branches and/or local agencies and promote availability for younger people with disability.

2.14 Collingwood Senior Citizens Centre (Willowview)

Works were delayed enabling the centre to remain open to provide emergency food relief services to those impacted by COVID. Community demand for this support continued until the end of April. The centre closed in early May in preparation for the commencement of works.

Current milestones proposed to be removed:

December	Complete facility improvements including: an upgrade of the audio-visual equipment, installation of sound baffling in the centre's hall to improve the acoustics for users and replace fluorescent lighting in the hall to improve the amenity of the facility.
June	Ensure key stakeholders are engaged in the Collingwood Town Hall precinct planning community engagement process.

Proposed milestone to be added:

June	Continue planning for facility improvements including an accessible ramp, an upgrade of the audio-visual equipment, installation of sound baffling in the centre's hall to improve the acoustics for users and replace fluorescent lighting in the hall to improve the amenity of the facility.
------	---

5.05 Road safety studies implementation program

The Richmond Study is proposed to be deferred to Financial Year 2022/23 to allow for further progression of Homes Victoria North Richmond Framework/Development Masterplan which encompasses a substantial area of community housing and facilities in Richmond.

Current milestones proposed to be deferred:

March	Commence Richmond study
June	Complete Richmond study

Options

16. There are no options for consideration in the report.

Community and stakeholder engagement

17. Significant community engagement and consultation was undertaken during the development of the 2021/22 Budget, Community Vision and Council Plan 2021-25. The 2021/22 Annual Plan reflects the community priorities identified during these processes.
18. Projects contained in the 2021/22 Annual Plan are subject to external consultation and engagement on a case-by-case basis.

Policy analysis

Alignment to Community Vision and Council Plan

19. The 2021/22 Annual Plan represents Year 1 of the Council Plan 2021-25 adopted on 19 October 2021.
20. The Council Plan 2021-25 addresses Yarra 2036 Community Vision with alignment and connection between the Vision themes and priorities and the Council Plan's Strategic Objectives, Strategies and Initiatives.

Climate emergency and sustainability implications

21. The Council Plan 2021-25 includes a Strategic Objective 'Climate and environment' that addresses climate emergency and sustainability implications. The 2021/22 Annual Plan includes 8 actions that respond to initiatives under this Strategic Objective.

Community and social implications

22. The Council Plan 2021-25 includes a Strategic Objective Social Equity and Health that addresses community and social implications. The 2021/22 Annual Plan includes 15 actions that respond to initiatives under this Strategic Objective.
23. The Council Plan 2021-25 incorporates the Municipal Health and Wellbeing Plan that guides how Council will promote health and wellbeing across the municipality.

Economic development implications

24. The Council Plan 2021-25 includes a Strategic Objective Local Economy that addresses economic development implications. The 2021/22 Annual Plan includes 4 actions that responds to initiatives under this Strategic Objective.

Human rights and gender equality implications

25. The Council Plan 2021-25 includes a Strategic Objective Social equity and health that addresses human rights and gender equality implications. The 2021/22 Annual Plan includes 3 actions that respond to initiatives under this Strategic Objective.

Operational analysis

Financial and resource impacts

26. Actions in the 2021/22 Annual Plan are resourced within the 2021/22 Budget.

Legal Implications

27. There are no legal implications.

Conclusion

28. The 2021/22 Annual Plan Quarterly Progress Report - March (Attachment 1) is presented to Council for noting.
29. Amendments to the 2021/22 Annual Plan are presented to Council for consideration and endorsement.

RECOMMENDATION

1. That Council:
- (a) note the 2021/22 Annual Plan Progress Report for March; and
 - (b) endorse the following amendments to the actions listed below in the 2021/22 Annual Plan:

2.10 National Aged Care Reforms

Current milestones to be removed:

December	Finalise Council's vision and position on its role in best supporting older people to live well in Yarra and Council's position by 31 December 2021.
----------	--

March	Initiate implementation of new arrangements and directions.
-------	---

Milestones to be added:

June	Progress service reviews to inform Council's decisions on its future in aged care.
------	--

Continue to inform Council of Federal Government decisions as they detail the final design of the Support at Home program.

2.11 Restorative Care Project

Current milestones to be deferred:

December	Engage with services across Council and with local agency partners to explore and develop recommended service options that increase access and participation by younger people with disability.
----------	---

March	Undertake consultations with residents / service users to test proposed changes, identify other options.
-------	--

June	Implement new service options with internal Branches and/or local agencies and promote availability for younger people with disability.
------	---

2.14 Collingwood Senior Citizens Centre (Willowview)

Current milestones to be removed:

- | | |
|----------|---|
| December | Complete facility improvements including: an upgrade of the audio-visual equipment, installation of sound baffling in the centre's hall to improve the acoustics for users and replace fluorescent lighting in the hall to improve the amenity of the facility. |
| June | Ensure key stakeholders are engaged in the Collingwood Town Hall precinct planning community engagement process. |

Milestone to be added:

- | | |
|------|---|
| June | Continue planning for facility improvements including an accessible ramp, an upgrade of the audio-visual equipment, installation of sound baffling in the centre's hall to improve the acoustics for users and replace fluorescent lighting in the hall to improve the amenity of the facility. |
|------|---|

5.05 Road safety studies implementation program

Current milestones to be deferred:

- | | |
|-------|-------------------------|
| March | Commence Richmond study |
| June | Complete Richmond study |

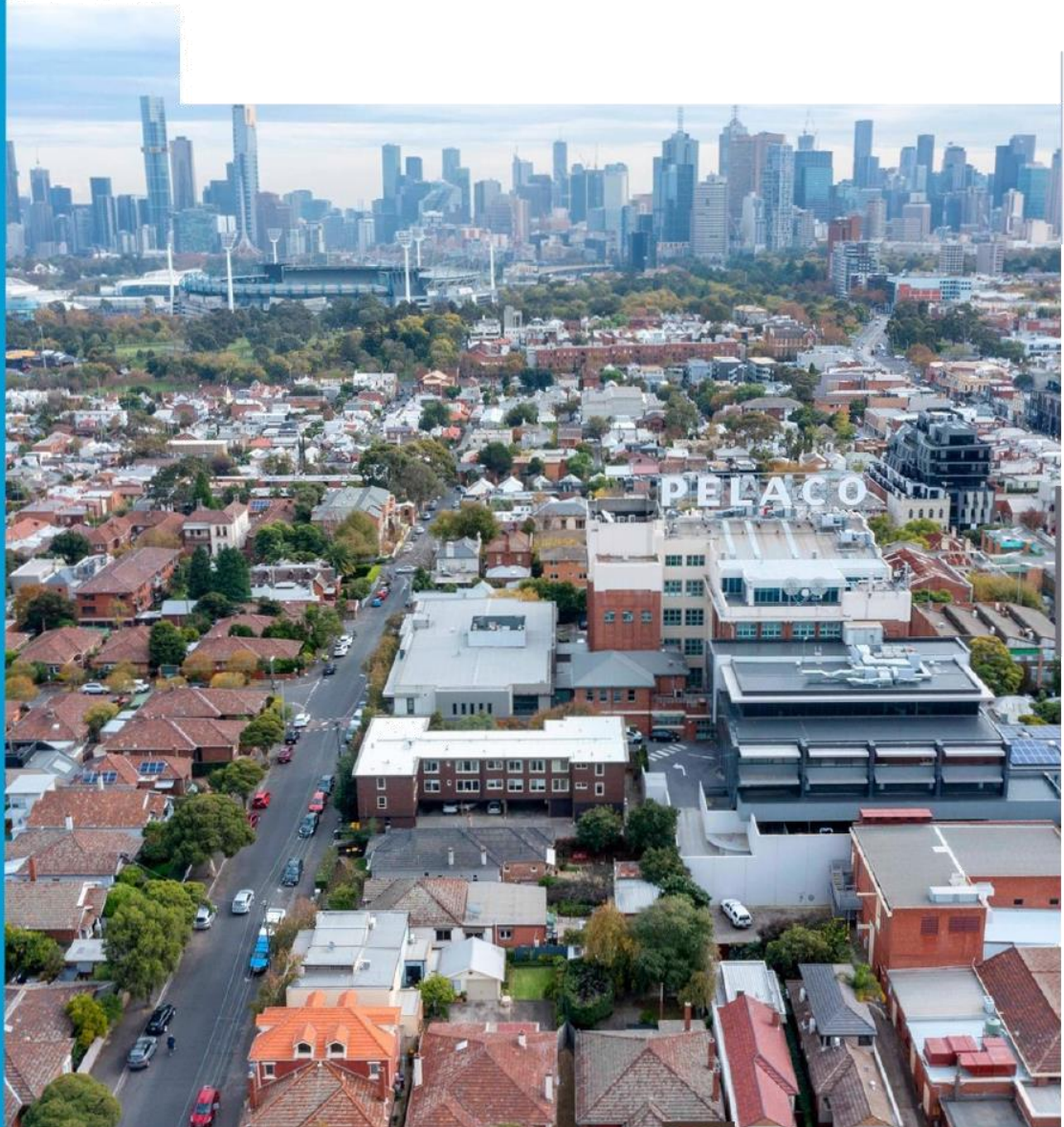
Attachments

- 1 [↓](#) Attachment 1 - 2021/22 Annual Plan Quarterly Progress Report - March



Annual Plan 2021/22

Progress Report March 2022



Attachment 1 - Attachment 1 - 2021/22 Annual Plan Quarterly Progress Report - March

Council Plan 2021-25 : Year 1

Annual Plan Quarterly Progress Report - March

Introduction

Yarra City Council adopted its Council Plan 2021-25 on 19 October 2022. The Council Plan 2021-25 sets out the medium-term direction of Council and the outcomes sought by Councillors for their term. The Council Plan incorporates the Municipal Health and Wellbeing Plan. This financial year, 2021/22 is Year 1 of the Council Plan 2021-25.

Under the Local Government Act 2020 (the Act) each council is required to produce a four-year Council Plan by 31 October in the year following a general election. The Council Plan must include Strategic Objectives, Strategies, Strategic Indicators and Initiatives. The Act requires that the Council Plan must be developed in accordance with the Strategic Planning Principles. One of these principles is that the Council Plan must address the Community Vision.

The Annual Plan and Budget operationalise the Council Plan. The Annual Plan identifies several initiatives under each Strategic Objective which are significant projects that Council will undertake towards achieving the Strategic Objectives. The Annual Budget and Annual Plan includes some, but not all initiatives from the Council Plan.

The Council Plan 2021-25 has six Strategic Objectives that respond to the Community Vision, which represent the Strategic Direction of Council for their four year term, these are:

Climate and environment: Yarra urgently mitigates climate change while also adapting to its impacts and developing resilience in everything we do. The community, business and industry are supported and encouraged to do the same.

Social equity and health: Yarra's people have equitable access and opportunities to participate in community life. They are empowered, safe and included.

Local economy: Yarra's neighbourhoods and major activity centres, nightlife and employment precincts are thriving, accessible and connected. They support and inspire diverse creative communities, cultural activities, businesses, and local employment.

Place and nature: Yarra's public places, streets and green open spaces bring our community together. They are planned to manage growth, protect our unique character and focus on people and nature.

Transport and movement: Yarra's transport network is sustainable and recognises that streets are important shared public spaces. Transport and movement is accessible, safe and well connected.

Democracy and governance: Yarra is smart, innovative and sustainable. Our decisions and advocacy are built on evidence and meaningful engagement. Good governance is at the heart of our processes and decision-making.

Progress of these projects and actions will be reported in the 2021/22 Annual Plan Quarterly Progress Reports. Further information can be found in the published version of the Council Plan 2021-25 on the City of Yarra's website (<https://www.yarracity.vic.gov.au/about-us/council-information/council-plan>).

Attachment 1 - Attachment 1 - 2021/22 Annual Plan Quarterly Progress Report - March

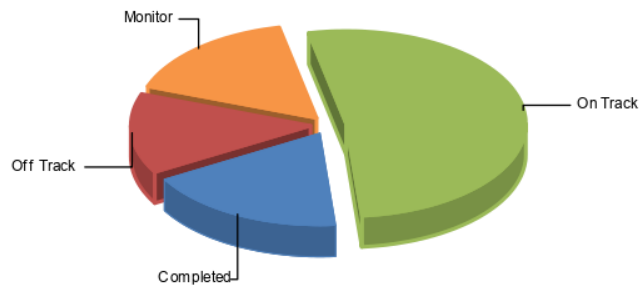
Council Plan 2021-25 : Year 1

Annual Plan Quarterly Progress Report - March

Quarter Summary

Council has committed to 50 actions across a range of services. Any variations to the Annual Plan are made openly and transparently in the context of priorities that arise over the course of the year.

The status of actions is classified based on the percentage of targets achieved as assessed by the responsible officer (forecast milestones compared to actual work completed).



Strategic Objective	No. of Actions Reported	Complete	On track (>=90%)	Monitor (75-90%)	Off track (<75%)	Not Started
Climate and environment	8	2	5	1	0	0
Social equity and health	15	3	7	2	3	0
Local economy	4	0	3	1	0	0
Place and nature	13	1	7	2	3	0
Transport and movement	5	1	1	2	1	0
Democracy and governance	5	2	3	0	0	0
	50 (100%)	9 (18.00%)	26 (52.00%)	8 (16.00%)	7 (14.00%)	0 (0.00%)

Attachment 1 - Attachment 1 - 2021/22 Annual Plan Quarterly Progress Report - March

Council Plan 2021-25 : Year 1

Annual Plan Quarterly Progress Report - March

1 . Climate and environment

Yarra urgently mitigates climate change while also adapting to its impacts and developing resilience in everything we do. The community, business and industry are supported and encouraged to do the same.

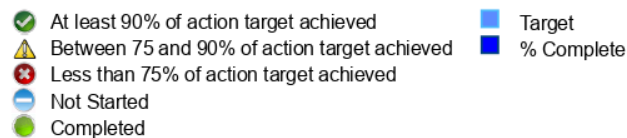
Strategies

Council's work to achieve this Strategic Objective includes the following strategies:

1. Take urgent action to respond to the climate emergency and extend our impact through advocacy and partnerships
2. Lead and support the community, business and industry to take urgent climate action and transition towards net zero emissions and a circular economy
3. Enhance the resilience of our community to prepare for health-related and other impacts of climate change (MPHWP)
4. Lead, embed and promote the transition towards net zero carbon and a circular economy and extend our impact through advocacy and partnerships

The following actions are being undertaken in 2021/22 to work toward achieving Council's Strategic Objective ; Climate and environment.

Action Progress Summary



Action	Start Date / End Date		
1.01 Climate Emergency Plan	01/07/21 30/06/22		
1.02 Roadmap to zero	01/07/21 30/06/22		
1.03 Zero Carbon Development Planning Scheme Amendment	01/07/21 30/06/22		
1.04 Energy Efficiency Upgrades at gyms	01/07/21 30/06/22		
1.05 Transitioning Council Assets from the use of Natural Gas	01/07/21 30/06/22		
1.06 Food Organics and Green Organics (FOGO) service	01/07/21 30/06/22		
1.07 Food waste avoidance program	01/07/21 30/06/22		
1.08 Proud to be Plastic Free Program	01/07/21 30/06/22		

Attachment 1 - Attachment 1 - 2021/22 Annual Plan Quarterly Progress Report - March

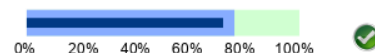
Council Plan 2021-25 : Year 1

Annual Plan Quarterly Progress Report - March

1.01 Climate Emergency Plan

Council will continue to implement the actions in the adopted Climate Emergency Plan, including:

- Reduce Council's carbon emissions (before offsets) and retain carbon neutral status
- Mobilise and enable the community to take action on climate emergency
- Embed sustainability across key strategies, policies and decision making processes



Branch Sustainability

Quarterly Milestones

September	Promote Community Grants for Climate Action Rollout an enhanced community climate action campaign Shortlist sites for installation of solar panels on Council buildings
December	Provide status report on progress against the adopted Climate Emergency Plan actions Submit documentation against milestones for Global Covenant of Mayors for Climate and Energy Submit documentation for Council to remain a certified carbon neutral Council
March	Deliver new training to key council staff around understanding climate risks and learning to adapt Engage Yarra businesses seeking to go 100% renewable through a group Power Purchase Arrangement process Update Councils ESD Buildings Policy to include strengthened guidance for going off gas and climate resilience Update processes for embedding sustainability and adaptation at Council following adoption of new Council Plan
June	Complete installation of solar panels on Council owned buildings Implement the Healthy Homes project, through carrying out energy retrofits to support vulnerable and low-income households to improve energy efficiency and thermal comfort Update Council on the status of implementation of the Climate Emergency Plan actions
Quarterly Progress Comments	Year to date work to implement the Climate Emergency Plan includes shortlisting sites for installation of solar panels on Council buildings, promotion of Community Grants for Climate Action and rolling out a community climate action campaign.

A status report on progress against the adopted Climate Emergency Plan actions was provided to Councillors in December.

Council has submitted documentation to the Global Covenant of Mayors for Climate and Energy and ICLEI – Local Governments for Sustainability. Both are global groups assessing organisations for their climate initiatives, awarding badges for significant achievements, ICLEI is a global network of more than 1,750 local and regional governments committed to sustainable urban development. Council is hopeful it will receive awards in multiple categories. Councillors have been updated on the progress of our submission.

Documentation for Council to remain a certified carbon neutral Council has been submitted to the Climate Active group and we are awaiting confirmation and endorsement.

In March Council officers received climate change training materials and a 'train the trainer' course from DELWP, which can be adapted to engage staff. These will be used to deliver climate risk workshops with key staff next quarter.

Council launched the Business Renewables Buyers Group. Yarra Council is leading this cross-council project which includes the cities of Darebin, Moreland, and Melbourne, as well as the Northern and Eastern Alliances for Greenhouse Action. Expressions of Interest from businesses close 30 June 2022.

The ESD Building Policy has been updated, and includes strengthened guidance for going off gas and climate resilience. The Draft Policy update is undergoing final internal review prior to seeking Executive sign off.

Investigation of embedding sustainability and adaptation in Council strategic document processes commenced. Sustainability and adaptation impacts are embedded in annual discretionary project planning processes via application of the QBL tool in all project bids.

May 24, 2022

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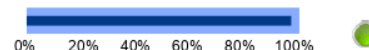
Attachment 1 - Attachment 1 - 2021/22 Annual Plan Quarterly Progress Report - March

Council Plan 2021-25 : Year 1

Annual Plan Quarterly Progress Report - March

1.02 Roadmap to zero

Council will develop a 'road map to zero' report, to inform Council of the actions needed to drive significant carbon emissions reductions towards meeting a zero net emissions target for the whole municipality of Yarra by 2030.



Branch Sustainability

Quarterly Milestones

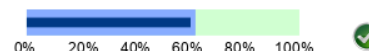
September Engage with consultants to develop a Roadmap to Zero for Council

March Provide Roadmap to Zero to Council

Quarterly Progress Comments The Roadmap to Zero Advisory Report is complete. Ironbark Sustainability produced this Advisory Report which was presented to Council in February 2022, and released publicly in March. Recommendations in the report were considered in the development of the Draft 2022/23 Council Budget.

1.03 Zero Carbon Development Planning Scheme Amendment

A key action in the Climate Emergency Plan, Council is allocating funding to develop and implement a zero carbon development planning scheme amendment and develop further environmentally sustainable development guidelines.



Branch Office of the Director Planning and Place Making

Quarterly Milestones

September Brief Councillors on progress

Continue to work with the Council Alliance for a Sustainable Built Environment (CASBE) Councils in the preparation of a draft planning scheme amendment considerations into all new budget bids (discretionary projects and strategies)

December Develop draft guidance and case studies of local zero carbon developments

Report to Council on draft planning scheme amendment progress

March Advocate to Minister for Planning for approval of planning scheme amendment

June Continue to advocate to the Minister for Planning

Develop key documents to support planning scheme amendment including evidence base and strategic justification

Update Councillors on progress toward a joint planning scheme amendment being approved by the Minister of Planning

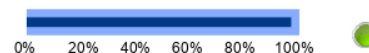
Quarterly Progress Comments Following work with Council Alliance for a Sustainable Built Environment, and working with our consultant, a final report and draft planning scheme controls have been completed and distributed to officers for feedback.

Councillors were provided with an update on the project in December 2021.

Council continues to advocate to the Minister to support a planning scheme amendment. A letter is currently being drafted to be sent from the Mayor to the Minister, the same letter is being sent by 30 other Victorian Councils.

1.04 Energy Efficiency Upgrades at gyms

Energy efficiency upgrades will be undertaken at Richmond Recreation Centre and Collingwood Leisure Centre gyms (following earlier similar works at Fitzroy Swimming Pool gym) to deliver significant energy saving costs and improve gym users' thermal comfort and experience. These works include secondary glazing of panels and frames, insulated false ceilings, smart LED lights, draft proofing and insulation.



Branch Building and Asset Management

Quarterly Milestones

December Complete various energy efficiency and thermal envelop upgrades at Richmond Recreation Centre and Collingwood Leisure Centre gyms

Attachment 1 - Attachment 1 - 2021/22 Annual Plan Quarterly Progress Report - March

Council Plan 2021-25 : Year 1

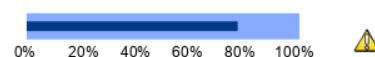
Annual Plan Quarterly Progress Report - March

Quarterly Progress Comments	All upgrade works at both gyms have been completed. Richmond Recreation Centre gym works include thermal insulation to ceiling and walls, secondary glazing for all windows and efficient lighting upgrades. Collingwood Leisure Centre gym works include air conditioning efficiency improvements, secondary glazing for all windows and efficient lighting upgrades.
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1.05 Transitioning Council Assets from the use of Natural Gas

Commence the transition from natural gas usage in council owned and operated buildings to electricity from renewable sources as part of Council's commitment to urgent action to respond to the global climate emergency. The current project scope is limited to 20 of 30 Council owned and operated smaller sites that use gas.

The project will fully remove gas equipment from 12 of the 20 sites currently using gas, and partially remove gas equipment from the remaining 8 of those sites.



Branch Building and Asset Management

Quarterly Milestones

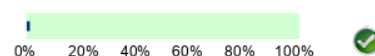
September Complete 13 of 20 sites within project scope

December Complete all 20 sites within project scope

Quarterly Progress Comments 13 sites have been completed and 2 sites are in progress, these 2 sites are the most complex in the project. Timelines have been affected by COVID-19 impacts including supply chain issues. Design work for the remaining sites was progressed in Quarter 3.

The original project scope was to fully removed gas usage at 12 sites and partially at 8 sites; this scope has been adjusted to achieve full gas removal at 18 sites in 2021/22 achieving a greater overall benefit than originally planned this budget year; two sites are deferred to dovetail with planned capital works in future budget years.

1.06 Food Organics and Green Organics (FOGO) service



Branch City Works

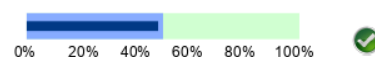
Quarterly Milestones

March Milestones have not been confirmed while Council explores service delivery models

Quarterly Progress Comments Research on service model options was presented to Council in February, a feasibility study is currently being undertaken with the outcome to be included in a report to Council in early 2022/23.

1.07 Food waste avoidance program

In partnership with other areas of Council, as well as community groups and organisations, we will deliver a broad education and engagement program to empower the Yarra community to reduce food waste over the next twelve months, and into the future.



Branch City Works

Quarterly Milestones

March Develop plan, website, tools and collateral to support the Yarra community to reduce food waste

June Implement the plan to support the Yarra community to reduce food waste

Quarterly Progress Comments The food waste avoidance program is launching in April with a communications campaign. All tools and website pages have been developed.

Over the coming months this campaign will be supported by events and workshops that will encourage

Attachment 1 - Attachment 1 - 2021/22 Annual Plan Quarterly Progress Report - March

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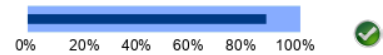
Annual Plan Quarterly Progress Report - March

positive food consumption habits, focused on three main areas:

- meal planning
- writing a shopping list
- promotion of positive food storage habits.

1.08 Proud to be Plastic Free Program

The Proudly Plastic Free program is a behaviour change campaign aimed at reducing the use of single use plastic packaging in food traders and educating the community on plastic waste avoidance. The whole of community approach aims to reduce the use of single-use plastic packaging and reduce our plastic waste footprint.



Branch City Works

Quarterly Milestones

December	Build on past actions and experience promoting waste reduction to develop a behaviour change program to reduce the use of single use plastic packaging throughout Yarra
March	Commence delivery of the behaviour change program
Quarterly Progress	The development of the behaviour change program is well progressed however the roll out of the program has been delayed due to COVID-19. Work is progressing on development of website content, tools and collateral to be rolled out mid-2022. This will have a focus on the phasing out of single use plastics within business operations as well as a community engagement campaign.
Comments	

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2 . Social equity and health

Yarra's people have equitable access and opportunities to participate in community life . They are empowered, safe and included.

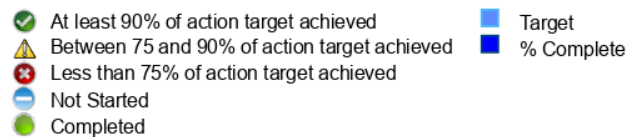
Strategies

Council's work to achieve this Strategic Objective includes the following strategies:

1. Celebrate, respect and embrace Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander people and heritage, and reflect this in our decision-making, services and activities
2. Build a more resilient, inclusive, safe and connected community, which promotes social, physical and mental wellbeing (MPHWP)
3. Support vulnerable communities and residents of public housing to thrive in the community
4. Work to reduce the harms associated with the use of alcohol, illicit drugs, gambling and tobacco (MPHWP)
5. Celebrate and respect culturally vibrant and socially diverse communities
6. Leverage opportunities and advocate for increased access to public, social and affordable housing stock in new and significant developments
7. Work actively to prevent and respond to gendered violence and all forms of violence by addressing known contributors to violence and promoting a gender equitable, safe and respectful community (MPHWP)

The following actions are being undertaken in 2021/22 to work toward achieving Council's Strategic Objective ; Social equity and health.

Action Progress Summary



Action	Start Date / End Date		
2.01 Gender Equity Action Plan (2021-2025)	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	
2.02 Population Health Planning	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	
2.03 LGBTIQ+ Strategy (2021-2024)	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	
2.04 Safeguarding Children and Young People Action Plan (2021-2025)	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	
2.05 Community Grants	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	
2.06 Yana Ngargna Plan 2020-2023	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	
2.07 Active and Healthy Ageing Strategy and Action Plan	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	
2.08 Access and Inclusion Plan	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	
2.09 3-year old Kindergarten Reform	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	
2.10 National Aged Care Reforms	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	







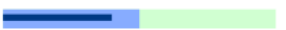



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Action	Start Date / End Date			
2.11 Restorative Care Project	01/07/21 30/06/22			
2.12 Establish Community Transport as a service option available to older residents under the CHSP program	01/07/21 30/06/22			
2.13 Open Libraries Project	01/07/21 30/06/22			
2.14 Collingwood Senior Citizens Centre (including Willowview)	01/07/21 30/06/22			
2.15 Chas Farquhar Children's Services complex	01/07/21 30/06/22			

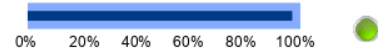
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2.01 Gender Equity Action Plan (2021-2025)

Underpinned by the new Gender Equality Statement of Commitment, Council will develop and implement its Gender Equality Action Plan (GEAP) and other related obligations under the Gender Equality Act 2020. This will ensure compliance with the Act, improve workplace gender equality and contribute to a safe and equal society where the Yarra community have access to equal power, resources and opportunities.



Branch *Culture, Capability and Diversity*

Quarterly Milestones

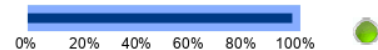
- September** Consult on new Gender Equality Action Plan 2021-2025
Continue implementation of the Gender Equality Act organisational readiness plan
Finalise implementation of current Year 2 Workplace Action Plan
Report to Council on GE Strategy review and GEAP
- December** Commence implementation of GEAP Year 1 actions
Submit GEAP to Commission for Gender Equality
- Quarterly Progress Comments** Report on the high-level findings of the Gender Equity Strategy (2016-2021) and corresponding action plans was presented to Council in August 2021. Councillors were also briefed on the Workforce Gender Audit findings in September 2021, and recently received notification of compliance of our Workplace Gender Audit from the Commission for Gender Equality in the Public Sector.

The Gender Equality Institute was been engaged to review Council's tools and to conduct Gender Impact Assessment Training for Executive, Gender in Leadership Group, Gender Equality Action Group and the Organisational Culture, Capability & Diversity Team, this took place in November. A half-day forum for people leaders and policy owners took place in February 2022.

The GEAP was endorsed by Executive in early March 2022 and submitted to the Commissioner. The GEAP will be made available internally and externally once approved by the Commissioner.

2.02 Population Health Planning

Council will undertake research and produce reports to inform the next Health Plan which will be incorporated into the development of the Council Plan 2021-25.



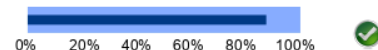
Branch *Social Strategy and Community Development*

Quarterly Milestones

- September** Lodge exemption request with DFFH to allow the MPHWP to be incorporated in the Council Plan
- December** Finalise and adopt Council Plan incorporating the MPHWP
- Quarterly Progress Comments** Yarra's Council Plan 2021-25, with the MPHWP embedded, was adopted by Council on Tuesday 19 October 2021.

2.03 LGBTIQ+ Strategy (2021-2024)

Council will continue implementation of its first LGBTIQ+ Strategy which sets out clear priorities and actions which if implemented properly will contribute to the LGBTIQ+ community being welcomed, engaged and included equally.



Branch *Social Strategy and Community Development*

Quarterly Milestones

- December** Report to Council on Year 1 Action Plan
Seek endorsement of Year 2 Action Plan
- March** Commence implementation of Year 2 Action Plan

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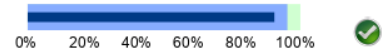
Council Plan 2021-25 : Year 1

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Quarterly	The draft Year 2 Action Plan is being prepared and is scheduled to go to Council for endorsement in April.
Progress	Ongoing activities in the Plan have commenced including, facilitation of the Rainbow Advisory Committee
Comments	and planning for an IDAHOBIT event.

2.04 Safeguarding Children and Young People Action Plan (2021-2025)

Underpinned by the Child Safe Statement of Commitment, Council will develop and implement its Safeguarding Children and Young People Action Plan. This will ensure compliance with proposed amendments to the Child Wellbeing and Safety Act 2005 which will bring the Victorian Child Safe Standards into alignment with the National Child Safe Principles, improve our organisational safeguarding systems and practices, and contribute to a community where children and young people in Yarra are protected from abuse and have what they need to be safe, healthy and thrive.



Branch *Culture, Capability and Diversity*

Quarterly Milestones

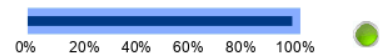
September	Conduct review of previous Child Safe Action Plan (2019 - 2021)
December	Continue implementation of actions carried over from previous plan and organisational readiness activities in preparation for introduction of new Victorian Child Safe Standards (effective 01 July 2021) Seek endorsement of Year 1 Action Plan (2021/22) Commence implementation of Year 1 actions
March	Continue to implement Year 1 actions
June	Report to Executive on progress and outcomes
Quarterly Progress Comments	The draft Framework and Action Plan is 70% complete and anticipate the final framework will be presented to Executive for endorsement in mid-late April. Although the Plan has not been formally endorsed, we continue to work on carry-over actions from the previous plan and Year 1 actions included in the draft Plan which respond directly to new legislative requirements coming into effect 01 July 2022.

Several additional actions from the previous Plan have been completed, including the Contract Audit (Procurement), Corporate Child Safe Risk Assessment, policy development and review. Several other activities are being undertaken in parallel to assess organisational readiness for the new Standards. Activities that had no corresponding Standard within the current Scheme are being reviewed including: end of year evaluations of Child Safe Programs, mapping of services and programs that promote Aboriginal cultural safety, review of eLearning module and other child safe training.

Since the last progress report, in finalising the draft Plan, it has been decided to extend the scope of the Plan to four years as we do not anticipate any other major reform in this time, and to align with the scope of the Council and other Plans.

2.05 Community Grants

Yarra provides a range of community grants to support local groups and community initiatives. Each year we distribute more than \$2 million to strengthen our community and promote health and wellbeing. The grant program ranges across several areas including community development, arts and culture, climate action, sport and recreation, youth and families.



Branch *Social Strategy and Community Development*

Quarterly Milestones

September	Receive grant applications
December	Grants assessed
March	Grants awarded
Quarterly Progress Comments	A total of 158 Annual Grants were awarded in 2022, all have now been distributed. These included twelve small grant applications awarded in this quarter making 71 small grants in total for the 2021/22 period from 129 applications. Six Room to Create Responsive Grants were awarded and four Youth-Led Grants.

2.06 Yana Ngargna Plan 2020-2023

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The Yana Ngargna Plan 2020-2023, developed through extensive consultation, lays the foundation for Council's partnerships and collaborative projects with the local Woi Wurrung, Aboriginal and Torres Strait Islander community.



Branch *CEO Office*

Quarterly Milestones

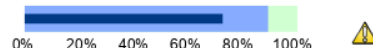
September	Continue implementation of Yana Ngargna 2021 Year 2 Action
December	Finalise implementation of Yana Ngargna 2021 Year 2 Action Plan Develop Yana Ngargna 2022 Year 3 Action Plan
March	Present Yana Ngargna 2021 Year 2 Action Plan implementation report to Council Present Yana Ngargna 2022 Year 3 Action Plan to Council for adoption
June	Commence implementation of the Yana Ngargna 2022 Year 3 Action Plan
Quarterly Progress	Council recognised two days of significance and mourning for Aboriginal and Torres Strait Islanders on January 26 and February 15, Aboriginal and Torres Strait Islander flag were flown at half-mast.
Comments	A draft Year 3 Action Plan has been developed and is currently under review by the Yana Ngargna Advisory Group. Once the review is completed the final plan will be presented to Council.

This action is off-track due to resourcing constraints.

2.07 Active and Healthy Ageing Strategy and Action Plan

The Active and Healthy Ageing 2020-2022 Action Plan provides strategic actions to ensure our residents aged 50+ remain engaged, active and independent. The actions for 2021-2022 will be revised, to align with new and emerging priorities and needs as we emerge from COVID-19, with a specific focus on our most vulnerable community members (Seniors groups, including CALD; supporting people with dementia and their carers, working with the community to implement initiatives that leverages resources and engages community to address social isolation).

Council received funding from the Department of Health to deliver the Seniors Health and Wellbeing Project. The aim of this project is to build on the strengths of residents, acting locally in selected neighbourhoods.



Branch *Aged and Disability Services*

Quarterly Milestones

September	Re-establish Yarra Dementia Alliance and commence work on their annual actions Review and finalise Action Plan 2021 - 2022 Support senior groups to successfully return to venues and re-engage their members
December	Commence action planning for projects identified by the community Deliver Seniors Christmas Celebration (CHSP clients) and Seniors Week activities Engage residents 50+ and other stakeholders to identify and map community assets (skills, knowledge and areas of interest) as part of the Seniors Health and Wellbeing Project Establish a CALD dementia support group as part of the Yarra Dementia Alliance
March	Identify and secure resources to ensure the sustainability of our seniors' groups
June	Deliver two projects as part of the Seniors Health and Wellbeing Project
Quarterly Progress	Council reached out to all existing members of Council's seniors groups providing remote meetings to engage members during centre closures. Seniors groups were supported to re-engage commencing physical meetings in late December. This will continue to be monitored as the COVID-19 situation develops.
Comments	

Christmas Celebration for CHSP clients took place with 926 christmas boxes individually delivered to clients living in Yarra, with the support of staff from across the organisation.

A Consultant has been engaged to deliver Asset Based Community Development training for Yarra staff, which will commence in April. Training for Seniors clubs committees and members, Advisory Committee members, U3A and the Commonwealth Home Support Program client list will take place as part of the Seniors Health and Wellbeing Project looking at skills, knowledge and areas of interest.

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Council Plan 2021-25 : Year 1

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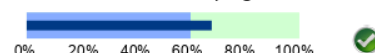
A research project using University students engaging senior groups to identify gaps, resources and support needs was completed and an Action plan developed. The focus for the past 3 months has been supporting senior groups to return and members to access COVID-19 vaccination certificates and checking in procedures.

Formation of the CALD dementia support group held over due to COVID-19 social restrictions, Council has amended the action plan for Dementia Australia and did approach two cultural ageing organisations but has not received a response. Aim to progress in the next quarter.

While this action is currently off track it is forecast that end of year targets will be met.

2.08 Access and Inclusion Plan

The Access and Inclusion 2020-2022 Action Plan provides strategic actions to ensure people with disability remain engaged, active and empowered. Actions will be aligned with new and emerging priorities and needs as we emerge from COVID-19, with a specific focus on eliminating barriers to participation, and establishing a cross Council working group to identify and implement opportunities for people with disability to have access to Council programs.



Branch Aged and Disability Services

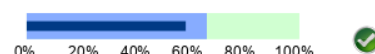
Quarterly Milestones

September	Finalise Action Plan 2021/22
December	Establish a cross Council working group to identify, scope and develop access projects
March	Continue advocacy to improve the accessibility of public transport and housing and provide update to Council
June	Implement accessibility assets on City of Yarra digital platforms and Victorian Government QR code Initiate cross-Council projects and measure and report an assessment of increased participation
Quarterly Progress	Action plan 2021-2023 finalised (extended by a year due to impact of COVID-19).
Comments	Recruitment of the cross Council working group members completed, work on development of projects continuing.

Advocacy and consultation taking place on accessibility considerations for the Collingwood and North Richmond projects with Homes Victoria.

2.09 3-year old Kindergarten Reform

Implement the Kindergarten Infrastructure and Service Plan to support the provision of universal kindergarten access for all children in the two years before school. Council is seeking funding to increase the provision of 3-year old kindergarten places in priority areas in Yarra.



Branch Family, Youth and Children's Services

Quarterly Milestones

September	Prepare and submit funding applications for Atherton Gardens Kindergarten and Collingwood College
December	Complete Central Enrolment Expansion project
June	Progress communication of infrastructure and workforce plan to the community via a marketing campaign
Quarterly Progress	The project is progressing in accordance with the project plan. State Government had provided additional funding to engage a project officer to support the undertaking which has now ended.
Comments	There have been several rounds of community and stakeholder consultation focused on reviewing the current process and opportunities to make recommendations for improvement. Policy review and recommendations for the Priority of Access policy are planned for next year to cater for the changes in legislation and support additional service providers to join the program which will meet their individual needs. Drafting of templates for service agreements for various provider types are in progress.

Attachment 1 - Attachment 1 - 2021/22 Annual Plan Quarterly Progress Report - March

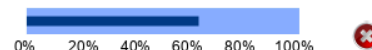
Council Plan 2021-25 : Year 1

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The first stage of the central system upgrade project has been completed as far as possible with the existing system, to support the enrolment expansion project. Cost estimates for the next stage of system upgrade have been obtained to support a budget submission.

2.10 National Aged Care Reforms

The National Aged Care Reforms have been on-going since 2016. In May 2021, the Federal Government is scheduled to announce its policy and program position in response to the Royal Commission into Aged Care and Safety. This will enable Council to review its role in direct service delivery under the Commonwealth Home Support Program (CHSP), and its broader role in supporting older residents will into the future. The CHSP will not remain the same and externally driven change is occurring.



Branch Aged and Disability Services

Quarterly Milestones

September	Complete revision of community engagement and deliberative outcomes, aged care market analysis, service options, vision and strategic directions
December	Complete analysis of the range of options available under the new Aged Care program and alternative approaches available Finalise Council's vision and position on its role in best supporting older people to live well in Yarra and Council's position by 31 December 2021
March	Initiate implementation of new arrangements and directions
Quarterly Progress Comments	While work has continued on analysis of options delays continue to occur due to Federal Government undertaking an on-going program of consultation and delaying final program design. The Advisory Committee provided feedback on the vision and key principles to support decision making which were presented to Councillors at a Briefing in December.

While work is progressing, completion is dependent on the federal government finalising its design for the program, end of year targets may not be met.

2.11 Restorative Care Project

The restorative care project focusses on increasing participation of younger people, eligible under the Home and Community Care Program (HACCPYP), within services and support options that are tailored to individual needs. The project will also support the capacity within the Home Care Services to work more collaboratively with residents towards person centered care and independence.



Branch Aged and Disability Services

Quarterly Milestones

September	Review the Stage 1 report identifying opportunities for service improvement within the existing service offering and initiate changes (adjustments within existing services)
December	Engage with services across Council and with local agency partners to explore and develop recommended service options that increase access and participation by younger people with disability Undertake consultations with residents / service users to test proposed changes, identify other options
June	Implement new service options with internal Branches and/or local agencies and promote availability for younger people with disability
Quarterly Progress Comments	This project has been on hold due to the demands of COVID-19 and needing to focus on the safety of service delivery as a priority. Subject to COVID-19 operational demands, it is planned to commence in April 2022.

While work is progressing to complete this action, end of year targets may not be met.

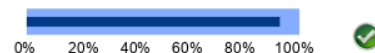
2.12 Establish Community Transport as a service option available to older residents under the CHSP program

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Council Plan 2021-25 : Year 1

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The community transport service provided by Council assists older people and people with a disability to lead active and independent lives and to participate in social activities in the community. The service has received new funding under the Commonwealth Home Support Program (CHSP). This initiative will support the integration of CHSP transport within the overall service and includes working with advisory groups, service users and other stakeholders to achieve change.



Branch Aged and Disability Services

Quarterly Milestones

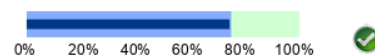
September	Present findings and recommendations to Council on final service proposal and implementation Undertake consultations with service user's and Active Ageing Advisory and Disability Advisory Committees outlining the changes and seek feedback, including on service eligibility and fees
December	Support residents' transition from existing arrangements to CHSP (where required)
March	Increase promotion of CHSP and general community transport service to support older residents and people with disability in accessing local community facilities and events
Quarterly Progress Comments	Consultations took place with service users, the Active Ageing Advisory and Disability Advisory Committees seeking feedback on proposed changes. Overall response was in support of a community transport service option.

All clients from Willowview, Art and Craft and Exercise groups have transitioned to CHSP community transport. Consultations and promotion of the service on offer has also taken place with other community groups.

Officers updated the My Aged Care portal and the Yarra website with relevant promotional information, and completed consultations and promotion of the service on offer to community groups and other agencies such as the Aged Care Assessment Services, Regional Assessment Services, and local health centres.

2.13 Open Libraries Project

Council's Richmond and Bargoonga Nganjin North Fitzroy Libraries will take part in a project to increase access by extending their opening hours. The Libraries will be open 7am to 10pm seven days a week, normal operating hours will continue, the extra hours will be un-serviced providing greater accessibility to the public while at the same time seeking not to increase operating costs.



Branch Library Services

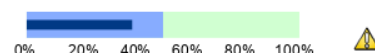
Quarterly Milestones

December	Commence and promote the extended opening hours Review patronage and patron feedback
March	Monitor satisfaction of Library users with the extended opening hours
June	Review the first year with satisfaction survey (update will be included in our annual report)
Quarterly Progress Comments	The Open Libraries project has commenced at Richmond Library, registered users are able to access the Library outside of normal business hours. Details, conditions and registrations are available on Council's Library website.

In December 10 community members had Open Library memberships, this has increased to 88 as of 31 March, memberships will be open for North Fitzroy Library in April. Satisfaction surveys will be conducted in June once members have taken time to use the service.

2.14 Collingwood Senior Citizens Centre (including Willowview)

Responding to the outcomes of a Community Needs Analysis, Council will commence planning to establish the Collingwood Senior Citizens Centre as a modern centre to meet the needs of people 50+ including people with specific needs and provide a space that is more welcoming of the general community for a range of functions and activities.



May 24, 2022

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Branch *Aged and Disability Services*

Quarterly Milestones

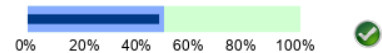
September	Undertake a stakeholder consultation process for the re-naming of the centre
December	Complete a new initiative bid for the 2022-2023 budget for a future concept design project for the centre in line with precinct planning recommend Complete facility improvements including: an upgrade of the audio-visual equipment, installation of sound baffling in the centre's hall to improve the acoustics for users and replace fluorescent lighting in the hall to improve the amenity of the facility
June	Ensure key stakeholders are engaged in the Collingwood Town Hall precinct planning community engagement process
Quarterly Progress	The works to upgrade the Centre have been delayed due to priority use for COVID-19 emergency food relief services. Works currently being assessed with Building Services to align with structural changes to building to address accessibility improvements to the entrance on south side.
Comments	

The centre's immediate priority is providing emergency food relief services to those in need, this demand is expected to continue beyond March. Delaying the closing of the centre for renovations, allows the kitchen to remain open to continue food services support.

While work is progressing to complete this action including engagement with community stakeholders, end of year targets may not be met due to the on-going need for emergency food relief.

2.15 Chas Farquhar Children's Services complex

Construction of a Community Hub will commence in May 2021, with the redevelopment of the site to extend and improve the facilities for children's preschool and other children's services.



Branch *Building and Asset Management*

Quarterly Milestones

September	Commence construction
June	Complete project
Quarterly Progress	The project will complete the transition of the Chas Farquhar complex to an integrated community hub by creating a community room and outdoor area and extending and upgrading the Richmond Preschool. The construction program has been delayed due to unforeseen latent conditions on-site requiring modifications to the building footings, and associated additional contaminated soil management. This has been more extensive than originally anticipated, which means that completion is now expected in September 2022.
Comments	

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3 . Local economy

Yarra's neighbourhoods and major activity centres, nightlife and employment precincts are thriving, accessible and connected. They support and inspire diverse creative communities, cultural activities, businesses, and local employment.






Strategies









Council's work to achieve this Strategic Objective includes the following strategies:

1. Support Yarra's employment precincts and drive economic development opportunities
2. Revitalise local retail, arts and culture and night-time economy to enhance Yarra as an economic destination and extend our reach through partnerships and advocacy
3. Support and encourage innovative and entrepreneurial activities across Yarra's employment precincts
4. Facilitate local partnerships which create and promote a range of learning, employment and other pathway opportunities for businesses, workers, and residents
5. Manage access, safety and amenity to enhance people's experience when visiting Yarra (MPHWP)

The following actions are being undertaken in 2021/22 to work toward achieving Council's Strategic Objective; Local economy.

Action Progress Summary

-  At least 90% of action target achieved
 -  Between 75 and 90% of action target achieved
 -  Less than 75% of action target achieved
 -  Not Started
 -  Completed
- Target % Complete

Action	Start Date / End Date		
3.01 Precinct/Business Grants to facilitate local activation	01/07/21 30/06/22		
3.02 Outdoor Activation	01/07/21 30/06/22		
3.03 Yarra's Business Application Support program	01/07/21 30/06/22		
3.04 Revitalisation of North Richmond State Government Project	01/07/21 30/06/22		

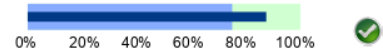
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3.01 Precinct/Business Grants to facilitate local activation

Building on the success of the COVID-19 precinct activation grant program, Council will investigate the potential of establishing a Precinct Activation Grant program that supports local retail businesses undertake collaborative activation initiatives.



Branch City Strategy

Quarterly Milestones

September Assess the COVID-19 precinct activation grant program including consultation with community and Business Advisory Group

December Undertake feasibility assessment, draft guidelines and governance structure produced

March Submit Budget bid, guidelines completed, communication plan drafted

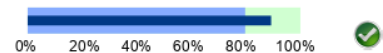
June Adoption of proposal, EOI process to commence July

Quarterly Progress All precinct activation grants have been completed, the Business Advisory Group has been involved throughout and has provided positive feedback.

Comments The feasibility assessment, draft guidelines and governance structure have been completed. A budget bid has been developed and submitted for approval.

3.02 Outdoor Activation

In response to COVID-19, Yarra implemented an outdoor dining program to support hospitality businesses to trade safely outdoors. In October 2021 the Victorian Government granted Yarra with \$1.5 million to support outdoor activation across all industry and business types.



Branch City Strategy

Quarterly Milestones

September Commence identification and planning of outdoor activation projects

December Commence first phase of outdoor activation projects

Open parklet program

Present permanent Parklet Policy to Council

March Commence second phase of outdoor activation

June Complete all outdoor activation activities and acquit funds

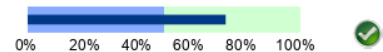
Quarterly Progress The Parklet Policy and Guidelines were adopted by Council in October 2021.

Comments The first phase of the Outdoor Activation program commenced with the 'Rediscover Yarra' campaign, supported by a series of Night Time Economy videos promoting and marketing Yarra. Half of the program has already occurred with 2 of 4 campaigns under way.

The second phase of the Outdoor Activation Fund program of works has commenced with funding approved for the hire of parklet safety infrastructure.

3.03 Yarra's Business Application Support program

The Yarra Business Application Support (YBAS) program is in its second year and continues to offer new businesses a 'concierge style' process where they deal with one point of contact for all of their permit requirements.



Branch City Strategy

Quarterly Milestones

December Complete review of year including trend analysis

June Complete midyear trend analysis (ongoing)

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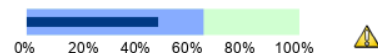
Council Plan 2021-25 : Year 1

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Quarterly Progress	Review of Yarra's Business Application Support program including trend analysis and key metrics was completed and a information provided to executive and Councillors.
Comments	

3.04 Revitalisation of North Richmond State Government Project

State government funding has enabled a dedicated Council Economic Development officer to work directly with Department of Families, Fairness and Housing and the North Richmond community to develop and commence delivery of a North Richmond Precinct Action Plan (NRPAP).



Branch City Strategy

Quarterly Milestones

September Complete action planning workshops with reference groups and translated into draft North Richmond Precinct Action Plan (NRPAP)

December Launch of NRPAP and year one projects selected

March Commence or implement Year 1 projects
Year 2 projects in planning stage

June Complete and launch Year 1 projects (funded FY21/22)
Year 2 plans finalised

Quarterly Progress Action planning workshops with reference groups successfully concluded after multiple engagements.

Comments The following year 1 projects have been identified: a community space on Victoria Street, a roof top garden on the estate carpark, and some works to the open space on the estate. A community space in Victoria Street has been leased and is currently being fitted out.

Initial scoping of Year 2 projects is being undertaken in preparation for the commencement of the planning stage.

While work is progressing to complete this action, end of year targets may not be met.

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4 . Place and nature

Yarra's public places, streets and green open spaces bring our community together. They are planned to manage growth, protect our unique character and focus on people and nature.

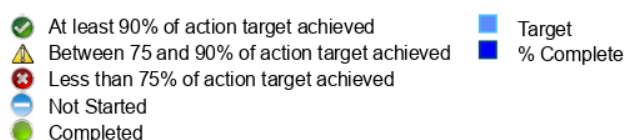
Strategies

Council's work to achieve this Strategic Objective includes the following strategies:

1. Create safe, accessible active spaces that provide diverse physical activity opportunities for the whole community (MPHWP)
2. Plan and manage community infrastructure that responds to growth and changing needs
3. Protect and enhance the biodiversity values, connectivity and resilience of Yarra's natural environment
4. Protect, promote and maintain our unique heritage and ensure development is sustainable
5. Encourage people to connect with Yarra's natural and cultural heritage and prioritise the voices of traditional owners

The following actions are being undertaken in 2021/22 to work toward achieving Council's Strategic Objective ; Place and nature.

Action Progress Summary






Action	Start Date / End Date		
4.01 Progress the Yarra Planning Scheme rewrite	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	
4.02 Progress the translation of interim controls into permanent controls for Activity Centres	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	
4.03 Planning Scheme Amendment to the Open Space Contribution	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	
4.04 State Government suburban parks program	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	
4.05 New open space planning and design, Cremorne	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	
4.06 Brunswick Street Activity Centre Urban Design - Kerr Street outstand	01/06/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	
4.07 Ryan's Reserve Pavilion redevelopment	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	
4.08 Brunswick Street Oval Precinct Redevelopment	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	
4.09 Edinburgh Gardens Public Toilet	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	
4.10 Urban Agriculture Strategy	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	

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Action	Start Date / End Date								
4.11 Delivery of Nature Strategy	01/07/21 30/06/22	<div><div></div></div>	0%	20%	40%	60%	80%	100%	
4.12 Integrated Water Management Community Awareness	01/07/21 30/06/22	<div><div></div></div>	0%	20%	40%	60%	80%	100%	
4.13 Drainage and Stormwater Management Guidelines	01/07/21 30/06/22	<div><div></div></div>	0%	20%	40%	60%	80%	100%	

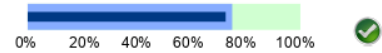
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4.01 Progress the Yarra Planning Scheme rewrite

The Planning Scheme sets out how land can be used, developed and protected. Council has been working on a major rewrite of the Planning Scheme to update areas of local policy that needed to be strengthened. This year Council will finalise the draft Planning Scheme.



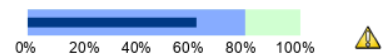
Branch City Strategy

Quarterly Milestones

September	Present report to Council summarising and responding to submissions received during the exhibition period
December	Brief Council on the progress of the independent Panel hearing
March	Brief Council on the release of the independent Panel report and its findings
June	Present report to Council seeking adoption of amendment and seeking Ministerial approval
Quarterly Progress	Councillors were briefed on the outcomes of the independent Panel's report and findings in March. A report is scheduled for the Council Meeting in April 2022 recommending, adoption of Amendment C269 and lodgement with the Minister for Planning for approval.
Comments	

4.02 Progress the translation of interim controls into permanent controls for Activity Centres

Council will prepare proposed amendments to support the introduction of Design and Development Overlays in the Yarra Planning Scheme for the following activity centres: Victoria Street, Bridge Road, Fitzroy/Collingwood Stages 1 and 2, and Collingwood South.



Branch City Strategy

Quarterly Milestones

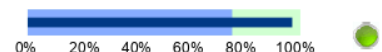
September	Brief Councillors on processes regarding the requested Standing Advisory Committee approach for permanent planning scheme provision for Victoria Street, Bridge Road, Fitzroy/Collingwood Stages 1 and 2 and Collingwood South Continue to advocate to the Minister for Planning for approval of Council's request for interim planning scheme provisions for Heidelberg Road
December	Present a report to Council reviewing the processes and progression of these initial referrals to the Standing Advisory Committee
June	Brief Council on the release of the Standing Advisory Committee report and its findings for Victoria Street, Bridge Road, and Collingwood South Brief Council on the progress of the proposed amendment for Fitzroy/Collingwood Stages 1 and 2
Quarterly Progress	Two reports were presented to Council in December 2021 recommending that Amendment C291yara (Bridge Road and Victoria St) and C293yara (Collingwood South) be referred to a Standing Advisory Committee.
Comments	Council resolved to progress the two draft amendments through this process.

Committee Hearings for Collingwood South are complete while hearings for Bridge Road/Victoria Street should be completed by the end of April. A first Council report for Collingwood South and to provide an update on future permanent Design Development Overlay amendments is likely to be scheduled for May or June.

While the action is currently not on track it is expected to be completed by 30 June,

4.03 Planning Scheme Amendment to the Open Space Contribution

Council will pursue an amendment to the Yarra Planning Scheme to increase the open space contribution provided to Council when a new development is subdivided. An increased provision will assist Council to pursue new open space provision in the municipality. Council has sought 'authorisation' from the Minister for Planning to exhibit this Amendment as part of the planning amendment processes.



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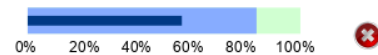
Branch City Strategy

Quarterly Milestones

September	Exhibit planning scheme amendment if 'authorised' to do so by the Minister for Planning
December	Update Councillors on submissions received to the exhibition stage
March	Provide a report to Council with analysis of submissions and officer recommendations
June	Prepare for independent Panel hearing regarding amendment and submissions received
Quarterly Progress	The Amendment was placed on public exhibition during September/October 2021. There were 70 submissions of which 27 were in favour, 41 were opposed and 2 were unknown.
Comments	<p>The Amendment, in accordance with Council's resolution in October 2021 was referred to an independent Panel. Panel hearings commenced early December 2021.</p> <p>The Panel Hearings for C286 concluded in February and the Panel's report to Council is expected in May/June.</p>

4.04 State Government suburban parks program

Council will continue the planning and design of two new open spaces (Cambridge Street extension and Otter Street Park) in Collingwood. This project is part of the State Government's Suburban Parks Program.



Branch City Strategy

Quarterly Milestones

September	Commence detailed design development Inform community of Final Concept Design Prepare for the commencement of Road Discontinuance Process
December	Complete Contract Documentation and Specification for Tender and Construction
March	Commence construction
June	Substantially complete construction for both open spaces
Quarterly Progress	Both projects have experienced delays in early phases; this relates to key prerequisite requirements for the road discontinuance process under the Local Government Act provisions to be able to begin (service authority consents), and also some design aspect changes responding to comments received during the engagement stage.
Comments	<p>The exploration of an expanded park boundary in the Otter St project to potentially increase the extent of 'green' space has also caused some delays, as well as the need to assess the relocation of underground services.</p> <p>Officers are continuing to prepare for the Road Discontinuance Process for both projects to commence as soon as possible.</p> <p>Preliminary Concept Designs for both projects have been completed, and development of detailed specifications and contract documentation for both projects are in progress.</p> <p>While work is progressing to complete these actions, end of year targets will not be met; these are being outlined with the funding agency.</p>

4.05 New open space planning and design, Cremorne

Council will prepare design documentation for park extension and redevelopment of the following sites:

- Gwynne Street, Cremorne – small public space on the corner of Gwynne and Stephenson Street
- Stephenson Reserve, Cremorne – small public space on the corner of Dover and Stephenson Street



Branch City Strategy

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Quarterly Milestones

September	Undertake tender process for construction of both public spaces
December	Commence construction for Gwynne Street, pending contractor availability
March	Progress construction for both public spaces
June	Substantially complete construction for both open spaces
Quarterly Progress	Council received a high level of community feedback which has taken additional time to process and incorporate into the final design documentation package, this delayed the Tender process.
Comments	The contract was advertised and a contractor has been appointed. Construction of both open space projects will commence in May 2022.

4.06 Brunswick Street Activity Centre Urban Design - Kerr Street outstand

Council will undertake detailed design and implement works to upgrade an existing kerb outstand on the south east corner of Kerr Street and Brunswick Street, as part of the endorsed Brunswick Street Streetscape Masterplan. The project will increase public space and improve the public realm with places to sit and new trees and greenery.



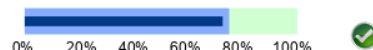
Branch City Strategy

Quarterly Milestones

September	Finalise detail design and commence contract documentation and specification for tender and construction
December	Commence construction works
March	Complete construction
Quarterly Progress	The tender closed and a preferred contractor has been chosen but the contract hasn't been awarded due to cost overrun relating to the original quantity survey estimates. The contract fee for construction is currently higher than the budget allocation and design changes are currently in progress to ensure that the project can be delivered within budget.

4.07 Ryan's Reserve Pavilion redevelopment

Redevelopment of the Ryan's Reserve netball and tennis centre pavilion including public toilet facilities.



Branch Building and Asset Management

Quarterly Milestones

September	Complete detailed design
December	Commence offsite modular fabrication work
March	Commence site works
June	Complete project
Quarterly Progress	The off-site fabrication of the pavilion modules is complete. The existing pavilion has been demolished, new footings installed, power upgraded and construction of access ramps commenced.
Comments	There has been a delay in obtaining the heavy vehicle permit required for the transport of modules to the site, however the installation of the modules is anticipated in April with the project on track for completion in 2021/22.

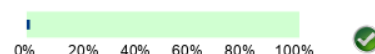
4.08 Brunswick Street Oval Precinct Redevelopment

Council will undertake a major redevelopment that addresses the grandstand, tennis club and courts (being the original and continuously operated sporting facilities in Edinburgh Gardens) along with the community rooms. Advocacy by the Edinburgh Gardens Sporting Community (EGSC) has resulted in \$6.5 million announced funding from the State government for the redevelopment of the buildings in this precinct, to be administered through Sport and Recreation Victoria (SRV). The EGSC comprises the Edinburgh Cricket Club, Fitzroy Football Club, Fitzroy Junior Football Club, and Fitzroy Tennis Club.

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Branch *Building and Asset Management*

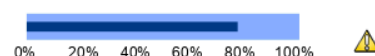
Quarterly Milestones

September Milestones to be confirmed

Quarterly Progress A revised design has been completed and is supported by the Edinburgh Gardens Sports Community . A staged approach to project delivery has also been developed based upon the announced State funding of \$6.5 million being applied to stage 1 (sports pavilion) and further State funding of \$6.315 million being sought for Stage 2 (tennis/community pavilion, tennis courts upgrade and heritage grandstand works). The intention is to seek planning and heritage approvals for the project in 2022, subject to Council approval of the revised design and staging approach and provision of a State funding agreement for Stage 1. Broad-based community engagement on the revised design will be undertaken during April 2022.

4.09 Edinburgh Gardens Public Toilet

New public toilets will be constructed in Edinburgh Gardens.



Branch *Building and Asset Management*

Quarterly Milestones

September Finalise design and engage contractor

December Complete project

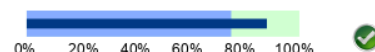
Quarterly Progress The northern toilet module (providing an expanded toilet block near St Georges Road) has been fabricated, and installation on-site is currently in progress.

Comments The program of works for the southern toilet module (expanding the public toilet facilities at the Alfred Crescent pavilion) is at a preliminary stage, with fabrication and installation planned for the final quarter of the budget year.

The project has been delayed as a result of COVID-19 impacts but expected to be completed by 30 June.

4.10 Urban Agriculture Strategy

Deliver actions outlined in the Urban Agriculture Action Strategy



Branch *City Works*

Quarterly Milestones

September Finalise Yarra's Urban Agriculture Guidelines and implement the streamlined pathways for applying for Urban Agriculture projects through the Community Growing Spaces Program during 2021/22

December Implement a female Narrap Ranger Traineeship in a partnership with Council , Collingwood Children's Farm and the Wurundjeri Woi Wurrung Corporation to work on urban agriculture projects during 2021/22

March Deliver three My Smart Garden Workshops that informs a holistic approach to 'smarter' and more sustainable home gardening across five elements, including food, shelter, waste, water, and habitat

June Deliver a further three My Smart Garden Workshops that informs a holistic approach to 'smarter' and more sustainable home gardening across five elements, including food, shelter, waste, water, and habitat

Quarterly Progress Council's Urban Agriculture Guidelines are available on Council's website. The revised guidelines merging the previous 'Let's grow together' and How to apply for a pop-up laneway and How to apply for a Community Growing Space guides.

A successful applicant commenced in the traineeship role of female Narrap Ranger.

Three My Smart Garden Workshops were delivered by officers in February , supporting a holistic approach to

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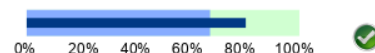
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'smarter' and more sustainable home gardening. The workshops were:

- Small space big harvest – 127 registrations.
- Bee a Pollinator – 69 registrations.
- Composting 101 – 30 registrations (face-to-face).

4.11 Delivery of Nature Strategy

Deliver Year 1 actions outlined in the Nature Strategy Action Plan.



Branch City Works

Quarterly Milestones

September	Establish a working group of bushland management experts to increase integrity and innovation in biodiversity management within Council's on-ground management programs
December	Establish a 'local legends' community working group with a network focus to Conserve locally rare or threatened flora and fauna
March	Establish a 'nature in the neighbourhood' reference group to plan initiatives that focus on increasing nature in the private and streetscape realm at the neighbourhood scale Establish working partnerships with academic institutions and actively collaborate with an educational institution on one new biodiversity monitoring project within Yarra
June	Consolidate and grow areas of high quality and diverse habitat by increasing indigenous vegetation understorey extent (at >25% cover) within Open Space by 0.5 ha Develop a Gardens for Wildlife Program in Yarra Increase flora and fauna diversity by initiating re-introductions, particularly for flora in key locations. Aim for a 5% increase in indigenous flora diversity within bushland reserves at appropriate locations
Quarterly Progress Comments	Yarra joined the Victorian Branch of the Australian Association of Bush Regenerators with the aim to achieve best practice in innovative biodiversity management as it relates to Yarra's bushland management program.

Development of the terms of reference for a 'nature in the neighbourhood' reference group and 'local legends' community working group have commenced with a network focus to conserve locally rare or threatened flora and fauna. Liaison underway with Victorian Indigenous Nurseries Co-op, Felix Botanica, Friends of Labyrinth. Yarra's Gardens 4 Wildlife Program will be used as the model for the reference group.

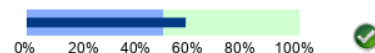
Council has engaged with the Victorian Gardens for wildlife (G4W) program and is currently investigating additional resources to deliver Yarra's G4W program.

Working partnerships have been established with Dr. Scarlett Howard (Deakin University) Native bee pollinators. Associate Professor Raylene Cook Powerful Owl Pellet collection (Deakin University) and Merri Creek Platypus monitoring project with Friend of Merri Creek and EnviroDNA to support Council's biodiversity monitoring projects.

Council's autumn 2022 reinstatement planting in selected Ecological Vegetation Classes EVCs is underway, the Habitat Hectares audit undertaken in November 2021 provided data on changes in Species, flora and fauna diversity over the past 12 months.

4.12 Integrated Water Management Community Awareness

Undertake two community awareness campaigns; one to enhance the community's understanding of the value and function of Water Sensitive Urban Design (WSUD) and another focussing on the community's impact on the water cycle.



Branch Infrastructure Traffic and Civil Engineering

Quarterly Milestones

December	Complete WSUD community awareness campaign
June	Complete Water Cycle community awareness campaign

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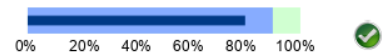
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Quarterly Progress Comments	<p>We have re-scoped this project to include a significant amount of background and strategic planning work, ensuring we maximise our community value for the projects we deliver and better define the messaging and engagement channels to achieve the highest possible return on investment. This has resulted in the community awareness campaigns being transferred to the second half of 2021/22. Based on the background work completed for the community engagement portfolio we are committing to the following priority actions – both actions raising awareness about WSUD, Integrate Water Management (IWM) and the urban water cycle:</p> <ul style="list-style-type: none"> • The Ramsden Oval IWM Project community engagement project which will include a sign and webpage highlighting the value of the project. This action is due to be completed by March 2022. • An engaging short video that demonstrates the connection of drain to waterway to bay.
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4.13 Drainage and Stormwater Management Guidelines

Developing a range of technical guidelines detailing the best practice for stormwater management and discharge for new developments. These guidelines will aim to minimise the impact of infill development on the capacity of Yarra's drainage network and promote sustainable practices. This project will also deliver an updated Water Sensitive Urban Design (WSUD) policy to manage Yarra's WSUD existing assets and guide the effective introduction of future elements.



Branch *Infrastructure Traffic and Civil Engineering*

Quarterly Milestones

December	Undertake a comprehensive benchmarking and gap analysis to define the project's scope
March	Finalise the draft guidelines for stakeholder consultation
June	Release the final version of guidelines and publish on Council's website
Quarterly Progress Comments	<p>A gap analysis and benchmarking report was completed, outlining the key opportunities for development and improvement with input from internal stakeholders (Statutory Planning, Strategic Planning, Open Space etc) and engagement/benchmarking with other Council's known for their excellence in the stormwater management space.</p> <p>The draft guidelines are being finalised with consultation and input from internal stakeholders.</p>

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5 . Transport and movement

Yarra's transport network is sustainable and recognises that streets are important shared public spaces . Transport and movement is accessible, safe and well connected.






Strategies






Council's work to achieve this Strategic Objective includes the following strategies:

1. Lead, promote and facilitate the transition to active transport modes for people living and working in Yarra , as well as people moving through Yarra (MPHWP)
2. Advance the transition towards zero-carbon transport by 2030 throughout the municipality
3. Foster strategic partnerships and advocate to improve sustainable and active transport options, integration and accessibility
4. Create a safe, well-connected and accessible local transport network including pedestrian and bike routes through Yarra (MPHWP)

The following actions are being undertaken in 2021/22 to work toward achieving Council's Strategic Objective ; Transport and movement.

Action Progress Summary

-  At least 90% of action target achieved
 -  Between 75 and 90% of action target achieved
 -  Less than 75% of action target achieved
 -  Not Started
 -  Completed
- Target % Complete

Action	Start Date / End Date		
5.01 Public Transport Advocacy	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	
5.02 Transport Action Plan	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	
5.03 Improve Bicycle Networks	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	
5.04 Gipps Street Intersection Safety Improvements	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	
5.05 Road safety studies and implementation program	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	

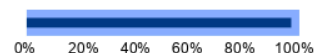
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5.01 Public Transport Advocacy

Advocate to the State Government for improved accessibility to public transport services to meet the needs of all ages and abilities and to cope with significant population growth in Yarra.



Branch Strategic Transport

Quarterly Milestones

September Continue to advocate to Department of Transport for accessible tram stops in Bridge Road (eastern end), Swan Street and the Queens Parade bus-tram interchange
Continue to work with Development Victoria for DDA tram stop abutting 433 Smith Street as part of the site redevelopment

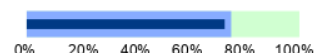
December Continue to seek Department of Transport support for improved tram facilities in Brunswick Street

Quarterly Progress Comments Officers have continued to advocate with Department of Transport for DDA compliant tram stops in key locations across the city including tram stops in Bridge Road, Swan Street and the Queens Parade bus-tram interchange.

A meeting occurred in November to discuss tram facilities in Brunswick Street however there has been no budget allocation for this project by the State Government to enable the project to be progressed.

5.02 Transport Action Plan

Improved public transport and active transport are important for an increased population in Yarra and the eastern suburbs. A Transport Action Plan will be formulated that outlines how these aspects can be improved and the key projects that need to be advocated for and delivered.



Branch Strategic Transport

Quarterly Milestones

September Hold Briefings with Councillors regarding a draft Transport Action Plan

December Present report to Council recommending a Transport Action Plan

March Commence actions from adopted Transport Action Plan

June Continue actions prepared and readied for implementation via agreed processes by Council resolutions

Quarterly Progress Comments A program has been issued to councillors detailing the way forward to establish a Transport Action Plan (TAP). Establishing the right approach is the key to a successful plan and has been the focus of work with councillors.

Development of the draft TAP has progressed and it is currently out for consultation. Work is continuing in terms of advocacy and bids for grants which align with the draft TAP.

5.03 Improve Bicycle Networks

Funding for Bicycle Infrastructure projects including bicycle lanes, signage, racks and corrals and signal changes.



Branch Strategic Transport

Quarterly Milestones

September Progress bike parking installations and report statistics to Councillors

December Develop officer report seeking a Council determination on the Elizabeth Street separated bike lane trial
Explore opportunities for improved and safer bicycle lanes on key cycling routes with Department of Transport

March Provide report to Councillors regarding progression of the opportunities with Department of Transport

June Provide report to Councillors on cycling improvements achieved since July 2021

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Quarterly Progress Comments Designs to deliver bike corrals at Wellington and Peel Streets intersection and the Easey and Smith Streets intersection in Collingwood were completed and installations commenced.

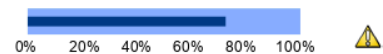
A report on the Elizabeth Street separated bike lane trial was presented to Council in December 2021.

Meetings have taken place with Department of Transport staff to explore opportunities for improved and safer bicycle lanes on key cycling routes within Yarra. A report on this topic was not produced, instead available resources were focused on the preparation of the Draft Transport Strategy.

Council's Draft Transport Strategy was endorsed by Council and placed on public exhibition in March. The draft strategy details a very ambitious program of potential cycling upgrades and opportunities, a copy of the draft transport strategy has been supplied to the relevant directors in State Government and other cycling groups as part of that process.

5.04 Gipps Street Intersection Safety Improvements

Deliver improvement of traffic signals and construction of small sections of protected bike lanes at the Hoddle Street and Wellington Street intersections to significantly improve cyclists' safety and comfort



Branch Strategic Transport

Quarterly Milestones

September Finalise design aspects

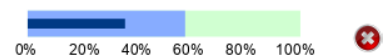
March Install bike lane improvements and provide advice to Councillors

Quarterly Progress Comments All planning and design work has been completed and works are scheduled with the contractor. Contractors and Council are currently facing a number of practical challenges due to COVID and difficulties with supplies delaying the commencement of works. While currently off track this project is being progressed as quickly as possible and expected to be completed by 30 June.

5.05 Road safety studies and implementation program

Road safety/place making treatments and road safety studies will be delivered in the following precincts to improve safety and amenity.

- Carlton North (LAPM 2 design)
- Scotchmer (LAPM 3 implementation)
- Abbotsford (LAPM 13 implementation)
- Princes Hill (LAPM 1 implementation)
- Rose (LAPM 9 implementation)
- Richmond (study)
- Bendigo (LAPM 19 implementation)
- East Clifton Hill/North Abbotsford (Study)



Branch Infrastructure Traffic and Civil Engineering

Quarterly Milestones

September Commence East Clifton Hill/North Abbotsford study

December Commence Abbotsford (LAPM 13) physical works

Commence Scotchmer (LAPM 3) physical works

Complete East Clifton Hill/North Abbotsford study

March Commence and complete Bendigo (LAPM 19) physical works

Commence and complete Princes Hill (LAPM 1) physical works

Commence Richmond study

June Commence and complete Rose (LAPM 9)

Complete Abbotsford (LAPM 13) physical works

Complete Carlton North (LAPM 2) design phase

Complete Richmond study

Complete Scotchmer (LAPM 3) physical works

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Quarterly Progress Comments Consultation was undertaken with the community to understand safety concerns within the study precinct East Clifton Hill/North Abbotsford. Due to earlier COVID-19 restrictions traffic volume data collection was delayed until February. Investigation of treatments is progressing with an internal workshop programmed in April and a Community Workshop programmed for May. This has delayed the commencement of physical works on LAPM13 Abbotsford and LAPM3 Scotchmer Street.

Some works will be deferred until next Financial Year as Department of Transport are requesting further modelling and analysis in relation to proposed road closures at:

- York Place Rae ST Closure
- ROW west of Rae ST
- Rae St & Alexandra Parade Partial Road Closure

All other works are on target for completion by 30 June 2022

Works on Bendigo (LAPM 19) commenced and are on target for completion by 30 June 2022

Works on Princess Hill (LAPM 1) are complete.

The Richmond Study will be deferred to Financial Year 2022/23 to allow for further progression of Homes Victoria North Richmond Framework/Development Masterplan which encompasses a substantial area of community housing and facilities in Richmond. Progress of the Richmond Study will be reported on as part of the 2022/23 Annual Plan.

Works on Rose (LAPM 9) commenced and on target for completion by 30 June 2022

Work on Carlton North (LAPM 2) design is progressing.

Works on Abbotsford (LAPM 13) commenced and on target for completion by 30 June 2022

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6 . Democracy and governance

Yarra is smart, innovative and sustainable. Our decisions and advocacy are built on evidence and meaningful engagement. Good governance is at the heart of our processes and decision-making.

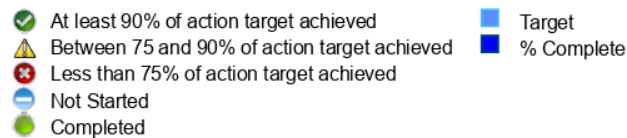
Strategies

Council's work to achieve this Strategic Objective includes the following strategies:

1. Provide opportunities for meaningful, informed and representative community engagement to inform Council's decision-making
2. Manage our finances responsibly and improve long-term financial management planning
3. Maximise value for our community through efficient service delivery , innovation, strategic partnerships and advocacy
4. Practice good governance, transparency and accountable planning and decision-making
5. Progress and embed our culture of organisational continuous improvement and build resilience to adapt to changing requirements in the future

The following actions are being undertaken in 2021/22 to work toward achieving Council's Strategic Objective; Democracy and governance.

Action Progress Summary



Action	Start Date / End Date		
6.01 Community Vision and Council Plan	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	⬢
6.02 Our Voice, Our Actions, Our Customer Experience (CX): CX Program 2020-2022	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	⬢
6.03 Business Improvement	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	✓
6.04 Asset Management Framework and Plan	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	✓
6.05 Develop Yarra as a Smart City; using technology to enhance liveability	01/07/21 30/06/22	<div><div></div></div> 0% 20% 40% 60% 80% 100%	✓

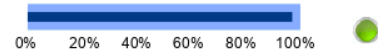
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6.01 Community Vision and Council Plan

For the first time, Council will adopt a long-term Community Vision that will guide Council's strategic planning. We have engaged with the community extensively, including a deliberative panel of representative Yarra community members. The Council Plan 2021-2025 will reflect the community's aspirations as set out in the Community Vision. The Council Plan is the major strategic document that outlines the goals of Council and guides the delivery of services over the next four years.



Branch Corporate Planning and Performance

Quarterly Milestones

September Adopt Community Vision

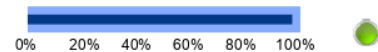
Present proposed Council Plan to Council for public exhibition

December Adopt Council Plan incorporating the Municipal Public Health and Wellbeing Plan

Quarterly Progress The Council Plan 2021-25 incorporating the Municipal Public Health and Wellbeing Plan was adopted unanimously by Council on 19 October 2021. The Council Plan 2021-25 was informed by one of Council's most comprehensive community engagement processes including deliberative engagement and addresses Yarra 2036 Community Vision.

6.02 Our Voice, Our Actions, Our Customer Experience (CX): CX Program 2020-2022

Our CX Program frames a three year program of internal and external service experience improvements to build our vision of 'working together to build a better experience for all' into a reality.



Branch Customer Service

Quarterly Milestones

September Design an evidenced based empathy project that supports service experience outcomes, workforce development and empathy metrics

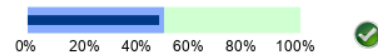
Quarterly Progress A priority focus of the CX Program for 2021 has been centred on the strategic objective of Empathy. A 'In Your Shoes' – Active Empathy project has been developed to support an organisational wide approach that will deeply connect Yarra's care for community, our values and workplace culture.

The purpose of the project is to establish empathy as a professional practice. To date, the project has developed an organisational wide learning program in readiness for implementation phase.

6.03 Business Improvement

Council's Business Improvement Framework identifies the operating context, goals, key activities, outputs and outcomes to be delivered. It incorporates a stronger and more consistent approach to continuous quality improvement.

Implementation of the framework and staff training in continuous improvement methodologies will ensure that Yarra's business improvement priorities are driven by a stronger customer-focused approach.



Branch Corporate Planning and Performance

Quarterly Milestones

December Define, prioritise and action business improvement projects and activities
Deliver the Business Improvement Program

June Define, prioritise and action business improvement projects and activities
Deliver the Business Improvement Program

Quarterly Progress The Business Improvement Program (BIP) is focused on building key business improvement capabilities, skills and competencies across the organisation. The program aligns with the Council Plan Strategy to build a culture of organisational continuous improvement.

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The BIP consists of:

1. Business Improvement Foundation Course

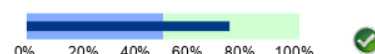
In-house program has been designed by the BIU. Engaging and interactive half day introduction to key improvement concepts, methods and tools based on workplace examples.

2. Introduction to Process Mapping

The aim of these on line sessions is to build capacity and skills in process mapping as the basis for process improvement.

6.04 Asset Management Framework and Plan

Development of Council's Asset Management Framework and Asset Plan in line with the ISO55000 Asset Management standard and Council's asset management obligations under the Victorian Local Government Act 2020 to ensure that Council's infrastructure assets are managed sustainably to agreed levels of service and risk.



Branch Building and Asset Management

Quarterly Milestones

September Present Asset Management Policy to Council for adoption

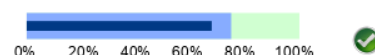
June Present Asset Plan to Council for adoption

Quarterly Progress The Asset Management Policy has been prepared; adoption will occur with the Asset Plan in June 2022.

Comments Asset Plan drafting in progress, with adoption by Council in June 2022.

6.05 Develop Yarra as a Smart City; using technology to enhance liveability

Collaborate with the local community and relevant stakeholders to ensure Yarra becomes a Smart City which delivers a connected, informed and sustainable future.



Branch Office of the Director City Works and Assets

Quarterly Milestones

September Facilitate the Yarra Science Technology Engineering and Maths (STEM) Fest Expo with Yarra libraries featuring schools, local training providers, suppliers and community groups, to build public interest and knowledge around innovation and smart technology

December Establish the Smart Public Housing Working Group with the intent to develop the project plan to support Yarra's public housing community through the provision of WiFi, devices and training

March Commence installation of smart poles at key sites across the city to provide Council with integrated smart city services and data to inform evidence-based public space planning

June Report on data and utilisation from the Yarra Smart Bench Pilot

Quarterly Progress The Smart Public Housing Working Group has been established as part of the Smart Public Housing Project. Representatives from the City of Yarra, NBN Co., the Department of Families, Fairness and Housing (DFFH), Belgium Avenue Neighbourhood House and Carringbush Adult Education are all directly working to address digital access barriers with the aim to improve digital outcomes for Yarra's public housing communities.

The working group have met bi-weekly across 2021, activity to date including:

- Participation in university and industry based digital equity panels and presentations to socialise the project and expected outcomes
- Participation in state-based roundtables to inform policy, funding, strategy and program decision making

The group has also:

- Enabled the Fitzroy, Collingwood and Richmond Housing Estates to access free wifi through smart benches
- Developed the Public Housing Digital Access Survey to enable comprehensive data to inform and progress digital support, services and tools for Yarra's public housing communities.

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8.8 Governance Rules Review 2022

Reference	D22/117813
Author	Rhys Thomas - Senior Governance Advisor
Authoriser	Group Manager Chief Executive's Office

Purpose

1. To present the Governance Rules Review Directions Papers to Council for endorsement for the purposes of community engagement.

Critical analysis

History and background

2. On 24 March 2020, the *Local Government Act 2020* received Royal Assent, marking the end of a reform process that has taken place over the previous three years. The reforms in that Act took effect in stages over the following two years.
3. On 1 May 2020, Stage 2 took effect, and required, among other things, the adoption of Governance Rules by Council on or before 1 September 2020.
4. On 18 August 2020, Council adopted the City of Yarra Governance Rules (including the election period policy) as required under the Act, after a period of public exhibition.
5. On 30 November 2011, the *Regulatory Legislation Amendment (Reform) Bill 2021* was introduced into Parliament, foreshadowing a change to the Local Government Act 2020 that would require all Councils to alter their Governance Rules by the end of August 2022 to accommodate processes for the conduct of Council meetings by electronic means of communication.
6. On 14 December 2021, the Minister for Local Government appointed a Municipal Monitor to Council under section 179(1) of the Local Government Act 2020. The Municipal Monitor was appointed, among other things, to “*advise, and provide any relevant assistance and support, to the Council in relation to the improvement of the Council’s governance processes and practices, with specific regard to ... the Council’s meeting procedures and decision making, including Councillor attendance at Council briefings, the adequacy of the Council’s Governance Rules and Councillor adherence to the Governance Rules.*”
7. In recognition of the requirement to amend Council’s Governance Rules (including the requirement to undertake a community engagement process as part of the process), together with the opportunity to reflect on the first 18 months of operation of the rules, a decision was taken in early 2022 to conduct a thorough review of the Governance Rules.
8. In early 2022, Council commenced the Governance Rules Review 2022 – a process designed to draw on the experience and views of management, Councillors, the Municipal Monitor and the community to identify any opportunities to improve the rules and further Council’s commitment to good governance.

Discussion

9. The Governance Rules review has been informed by the experience of Council meetings since the adoption of the current rules in 2020, and feedback from meeting participants during that time (Councillors, staff and members of the community). Benchmarking has been undertaken with Councils from the M9 group of Councils, as well as with selected other Councils on a number of key issues.
10. Firstly, this process has identified a number of existing meeting rules that warrant review. They are listed here in their order of appearance in the rules:

- (a) Mayoral Election - PART A;
 - (b) Urgent Business - PART B, Division 3, Rule 17;
 - (c) Notices of Motion - PART B, Division 4, Rule 18 and 19;
 - (d) Motions and Debate - PART B, Division 4, Rules 22, 23 and 33;
 - (e) Notices of Rescission - PART B, Division 6;
 - (f) Points of Order - PART B, Division 7;
 - (g) Public Question Time - PART B, Division 8, Rule 47.1;
 - (h) Public Submissions - PART B, Division 8, Rule 47.2; and
 - (i) Petitions and Joint Letters - PART B, Division 9.
11. Secondly, the following two provisions were identified in the Council Meetings Operations Policy as being suitable for transfer into the Governance Rules:
- (a) General Business; and
 - (b) Delegates Reports.
12. Thirdly, there are two issues which are currently not provided for, but have been assessed for inclusion in the Governance Rules:
- (a) Electronic Meetings; and
 - (b) Councillor Forums.
13. An assessment of each of these matters was developed as a discussion paper for internal consideration, and following that process, a series of Directions Papers have been developed for Council's consideration.
14. Councillors have had the opportunity to participate in this review process, as have senior Council staff and the Municipal Monitor.
15. While the details of the proposed changes are set out in the Directions Papers that can be found at **Attachment One** to this report, a summary of the possible reforms follows in the table below.

Rule	Proposal
Mayoral Election	Make clearer the process to be followed where there are two candidates and neither receives an absolute majority and investigate alternative steps.
Urgent Business	Consider mechanisms for the introduction of urgent business and clarify them in the Governance Rules.
Notices of Motion	Considering what limitations, if any, should be placed on the matters that can be considered as a Notice of Motion.
Motions and Debate	Improve the structure of debates to ensure all Councillors have a right to speak, without imposing an obligation on them to do so. Removing some unnecessary bureaucracy from the process.
Notices of Rescission	Exploring the risks associated with Notices of Motion, as well as the operational impact of the uncertainty created, while preserving Council's right to review and reconsider its decisions. Considering any processes that can be improved.
Points of Order	Provide better guidance to Councillors and the Mayor about the process for raising a Point of Order, and the matters on which a Point of Order can be raised.

Rule	Proposal
Public Question Time	Placing the focus of Public Question Time on enabling questions to be put directly to the Council and receiving a considered response. Considering the best mechanism to deal with matters of clarification of responses. Balancing the need for transparent interrogation of Council with the efficient operation of Council meetings themselves.
Public Submissions	Bringing provisions relating to public submissions out of the Council Meetings Operations Policy and into the Governance Rules. Ensuring the receipt and consideration of public submissions does not undermine Council's community engagement processes and placing Councillors at the front and centre of debate in the Council Chamber.
Petitions and Joint Letters	Provide greater guidance in the form and purpose of petitions, and consider how electronic petitions might be treated. Investigate the provisions of more options as to the course of action that Council can take.
General Business	Bringing provisions relating to General Business out of the Council Meetings Operations Policy and into the Governance Rules. Considering whether the current restrictions on General Business are appropriate and clearly understood.
Delegates Reports	Bringing provisions relating to Delegates Reports out of the Council Meetings Operations Policy and into the Governance Rules.
Electronic Meetings	To respond to the making of the Regulatory Legislation Amendment (Reform) Act 2022 which will provide for attendance and participation in Council meetings and delegated committees by electronic means of communication.
Councillor Forums	Introduce a new chapter to explore the role of Councillor Briefings, PDC briefings and other meetings conducted under the auspices of Council and provide rules about expectations at those forums.

16. The attached Discussion Papers have been prepared to present an indication to the community as to the proposed direction of the reforms. In endorsing these Discussion Papers, Council is not being asked to signal a final decision on the matter, but is instead indicating the general direction of the proposed changes so that the community can provide targeted feedback.
17. While the Discussion Papers do include proposed 'mark ups' or amendments to the rules themselves, these changes have not yet been subject to legal review and it can be expected that there may need to be wording changes at a later stage of the process that may arise from such a review. These wording changes would be made to give effect to the intent of the proposed reforms, not to alter or otherwise redirect the proposals.
18. The proposed community engagement process is set out later in this report.
19. Following the community engagement process, a final proposal will be developed, and brought to Council together with the results of the community engagement process itself. It is at that time that Council will be asked to make a formal decision on the changes.

Options

20. There are no alternative options formally set out in this report, although there are a number of courses of action available to Council at this meeting. Council could resolve, by alternate resolution, to:
 - (a) remove one or more of the Directions Papers from the community engagement process, thus determining not to proceed with that reform;

- (b) signal an alternate position in relation to one of more of the specific details in a Directions Paper by amending the wording, or by authorising officers to make necessary alterations to give effect to a particular directive; and
 - (c) determine not to proceed with any reform, other than what is necessary to comply with the change to the Local Government Act that requires the rules to include rules relating to requesting and approval of attendance at electronic meetings.
21. Alternatively, given the preliminary stage of this project, Council may prefer to receive community feedback before signalling any intended policy direction, and may therefore choose to rename one or more of the Directions Papers as a 'Discussion Paper' instead.
22. If there are specific alternative options that the Council wishes to put to the community for feedback, it would also be possible to direct the officer to re-write the Directions Paper to include clear alternative options on a specific matter.

Community and stakeholder engagement

23. This report is recommending that Council endorse 13 Directions Papers for the purposes of community engagement. While this is to give an indication of the direction of the proposed reforms, it is not intended to signal a final position of the Council. The Directions Papers are intended to form the basis of a community engagement process that will involve the following:
- (a) establishment of a community engagement platform online at Your Say Yarra which will include:
 - (i) details of the community engagement process and the opportunities to be involved;
 - (ii) publication of the Directions Papers and Governance Rules;
 - (iii) an opportunity to submit questions online for a direct response from Council officers;
 - (iv) a mechanism to submit detailed feedback on one or more of the Directions Papers proposals; and
 - (v) contact details of officers responsible for the project;
 - (b) publication of the contact details of the relevant project officer with an invitation to participate in a one on one discussion, or a group discussion on any or all of the matters canvassed; and
 - (c) the development of a Community Engagement Outcomes Report for presentation to Council along with the final report.

Policy analysis

Alignment to Community Vision and Council Plan

24. The Yarra 2036 Community Vision was developed by the Council and community in partnership, and articulates a vision for shared governance where the community *"is informed and empowered to contribute to the shared governance of Yarra. Decision-making is transparent through access, inclusion, consultations and advocacy."*
25. Among the articulated priorities in this community vision is a commitment to:
- (a) ensure the Council actively engages with Yarra's diverse community at all stages of the decision-making process in an open, honest way and that aligns with the values and needs of the community;
 - (b) actively remove barriers to participation, support and empower everyone to get involved; and
 - (c) promote the role of Council more actively so people understand the decision-making process and how they can be involved.

26. Strategic Objective 6 of the City of Yarra Council Plan 2021-2025 is “Democracy and governance.” This strategic objective sets out a number of specific strategies designed with the continuous improvement of Council’s governance processes in mind.
27. The key Council Plan strategies relevant to this review are:
- (a) provide opportunities for meaningful, informed and representative community engagement to inform Council’s decision-making;
 - (b) practice good governance, transparency and accountable planning and decision-making; and
 - (c) explore ways to amplify lesser-heard and underrepresented voices so that engagement is representative of all people and inclusive.
28. The review of the Governance Rules provides an opportunity to give effect to the objectives of both the Community Vision and the Council Plan by improving the operation of council and delegated committee meetings.

Climate emergency and sustainability implications

29. There are no climate emergency or sustainability implications set out in this report.

Community and social implications

30. While Council meetings are primarily designed for Councillor debate and decision-making, they are also a key opportunity for community involvement and fostering transparency and accountability. Any changes to Council meeting rules need to be considered in light of the role of members of the community in the decision-making process.

Economic development implications

31. There are no economic development implications set out in this report.

Human rights and gender equality implications

32. There are a number of human rights that are potentially engaged by a review of Council’s Governance Rules. These are:
- (a) the right to privacy and reputation;
 - (b) the right to freedom of thought, conscience, religion and belief;
 - (c) the right to freedom of expression;
 - (d) the right to peaceful assembly and freedom of association;
 - (e) the right to take part in public life; and
 - (f) the right to a fair hearing.
33. The development of the Directions Papers has sought to ensure that any limitation on these rights is necessary and reasonable and that there are clear reasons for it. When proposed Governance Rules are presented to Council for adoption, the human rights implications of any recommended changes will be set out in detail for the Council’s consideration.

Operational analysis

Financial and resource impacts

34. There are no financial impacts of this report, with
35. The impact on staff resourcing consists largely of officer time associated with undertaking the community engagement program and preparing the subsequent report for Council. These impacts are allowed for within the relevant staff workplans.

Legal Implications

36. The Local Government Act 2020 requires that Council develop, adopt and keep in force Governance Rules that provide for a series of matters set out at section 60(1). The City of Yarra's Governance Rules currently comply with all of these matters.
37. On 1 August 2022, a new section 60(1)(ba) will be inserted which requires that the Governance Rules include rules with respect to *"requesting and approval of attendance at Council meetings and meetings of delegated committees by electronic means of communication."* The City of Yarra Governance Rules currently do not satisfy this requirement, and a change is required.
38. The Local Government Act 2020 further requires that a process of community engagement is followed in developing or amending a Council's Governance Rules. The community engagement process set out in this report will satisfy this obligation.

Conclusion

39. This report presents 13 Discussion Papers for Council's consideration and recommends that Council endorse them for the purposes of the community engagement process set out in this report.

RECOMMENDATION

1. That Council endorse the following Directions Papers for the purposes of community engagement:
 - (a) Directions Paper 1 – Mayoral Election;
 - (b) Directions Paper 2 – Urgent Business;
 - (c) Directions Paper 3 – Notices of Motion;
 - (d) Directions Paper 4 – Motions and Debate;
 - (e) Directions Paper 5 – Notices of Rescission;
 - (f) Directions Paper 6 – Points of Order;
 - (g) Directions Paper 7 – Public Question Time;
 - (h) Directions Paper 8 – Public Submissions;
 - (i) Directions Paper 9 – Petitions and Joint Letters;
 - (j) Directions Paper 10 – General Business;
 - (k) Directions Paper 11 – Delegates Reports;
 - (l) Directions Paper 12 – Electronic Meetings; and
 - (m) Directions Paper 13 – Councillor Forums.
2. That officers commence community consultation as set out in this report and provide a further report to Council including the outcomes of the community engagement process and any recommended amendments to the Governance Rules.

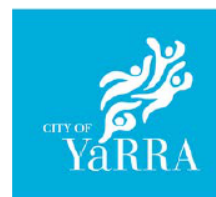
Attachments

- 1 [1](#) Attachment 1 - Governance Rules Review 2022 - Directions Papers

Attachment 1 - Attachment 1 - Governance Rules Review 2022 - Directions Papers

Mayoral Election

Directions Paper 1 Governance Rules Review 2022



Background

The 2021 experience of electing a Mayor revealed a shortcoming in the Governance Rules regarding the process to be followed in the event of a tied vote between two Mayoral candidates. While the legal advice confirmed that the rules were not deficient in this regard, the specific provisions were not immediately clear to the reader.

What can be improved?

There are two identified opportunities for improvement in the way the Governance Rules set out the process for electing a Mayor (and Deputy Mayor). They are:

- Greater clarity regarding the process when there is a tied vote and only two candidates remain.
- Recording of votes in a Mayoral election in the meeting minutes.

What do other Councils do?

A benchmarking exercise has been conducted to determine the approach taken among the M9 group of Councils.

Council	Governance Rules Summary
Yarra	<ul style="list-style-type: none"> • Nomination does not require a seconder • Silent on ability to speak to nomination (practice is to allow it) • Elimination process requires CEO to draw a name
Darebin	<ul style="list-style-type: none"> • Nomination must be seconded • Speaking to nomination is forbidden • Different elimination process (Councillors draw their own ballots in surname order) • Rules state that only a 'majority' is required, not an 'absolute majority'
Hobsons Bay	<ul style="list-style-type: none"> • Nomination does not require a seconder • No provision to eliminate candidates if an absolute majority cannot be achieved
Maribyrnong	<ul style="list-style-type: none"> • Nomination does not require a seconder • Different elimination process (Councillors draw their own ballots in surname order)
Melbourne	<i>Not applicable</i>
Moonee Valley	<ul style="list-style-type: none"> • Nomination must be seconded • Different elimination process (Councillors draw their own ballots in surname order)
Moreland	<ul style="list-style-type: none"> • Nomination must be seconded • Specific statement that a candidate cannot be elected without an absolute majority • In the event of a tied vote without absolute majority, a second vote is immediately conducted. If a tie remains, an automatic deferral to 6pm the next day is triggered. • Different elimination process (Councillors draw their own ballots in surname order)

Attachment 1 - Attachment 1 - Governance Rules Review 2022 - Directions Papers

Mayoral Election

Council	Governance Rules Summary
Yarra	<ul style="list-style-type: none"> Nomination does not require a seconder Silent on ability to speak to nomination (practice is to allow it) Elimination process requires CEO to draw a name
Port Phillip	<ul style="list-style-type: none"> Nomination must be seconded Different elimination process (Councillors draw their own ballots in surname order)
Stonnington	<ul style="list-style-type: none"> Nomination must be seconded Right to speak to nomination is provided Different elimination process (Councillors draw their own ballots in surname order)

What approach could we take?

While the election process is largely the same across the M9 Councils, there are some minor differences between them. It is recommended that the following elements of Yarra's rules remain unchanged from the current arrangement:

- Nominations do not require a seconder (giving every Councillor a right to be considered for the role)
- Where required, elimination takes place by the CEO drawing a name from a hat (a straightforward and easily understood process)

It is recommended that the process be adjusted, with the inclusion of the following additions:

- Specific statement that the election of Mayor requires an absolute majority (as is the case at Moreland)
- Inclusion of the entitlement for all candidates to address the meeting before the election is conducted.
- A prescribed process for what to do if two candidates remains and an absolute majority cannot be obtained (modelled on Moonee Valley, with a further vote taken immediately and then, if the deadlock remains, a further election scheduled for the following day).
- A specific statement that candidature cannot be withdrawn once accepted (which is implied but not currently expressly stated).
- A specific provision describing how the process is recorded in the meeting minutes (reflecting current practice).

How would we give effect to these changes?

The amendments required to the Governance Rules to give effect to the proposed changes to the Mayoral election process shown overleaf.

Attachment 1 - Attachment 1 - Governance Rules Review 2022 - Directions Papers

Mayoral Election

Proposed changes to Chapter Two, Part A – Election of Mayor

1. Election of the Mayor

- 1.1 The *Chief Executive Officer* must facilitate the election of the *Mayor* in accordance with the provisions of the *Act*.

2. Method of Voting

- 2.1 The election of the *Mayor* must be carried out by a show of hands.

3. Determining the election of the Mayor

- 3.1 The *Chief Executive Officer* must open the meeting at which the *Mayor* is to be elected, and invite nominations for the office of *Mayor*.
- 3.2 Any nominations for the office of *Mayor* must be:
- 3.2.9 moved by a Councillor, and
- 3.2.10 accepted by the nominee, either in person at the meeting or in writing.
- 3.3 Once nominations for the office of *Mayor* have been received, the *Chief Executive Officer* shall confirm that no further nominations shall be accepted. At that point, nominees become candidates for election and their candidature cannot be withdrawn.
- 3.4 Each nominee shall then be provided up to five minutes to address the Council, in the order in which their nominations were received.

4. When there are three or more candidates

- 4.1 If there are three or more candidates (or three or more remaining candidates after the completion of the process in this Rule), the following provisions will govern the election of the *Mayor*:
- 4.1.1 The Councillors present at the meeting must vote for one of the candidates;
- 4.1.2 In the event of a candidate receiving an *absolute majority* of the votes, that candidate is declared to have been elected;
- 4.1.3 If no candidate receives an *absolute majority* of the votes, and it is not resolved to conduct a new election at a later date and time, the a candidate with the fewest number of votes must be declared to be a defeated candidate in accordance with the following provisions:
- (a) The candidate with the fewest number of votes ~~must be~~ is declared to be a defeated candidate.
- (b) ~~In the event of~~ If two or more candidates having have an equality equal lowest number of votes and one of them having to be declared a the defeated candidate ~~is the declaration will be determined by lot in accordance with the following provisions:~~
- 4.1.4 ~~If a lot is conducted, the Chief Executive Officer will have the conduct of the lot and the following provisions will apply:~~
- (i) the name of each candidate ~~shall be~~ is placed in a receptacle.
- (ii) the Chief Executive Officer ~~shall draw~~ draws one name from the receptacle.
- (iii) the candidate whose name is drawn ~~shall be~~ is declared a defeated candidate.
- 4.2 Following the declaration of a candidate as a defeated candidate under sub-rule 6.1.3, all previous votes are declared invalid, and the process returns to Rule 4 or Rule 5 (as applicable) with all remaining candidates.
- 4.2.1 ~~if one of the remaining candidates receives an absolute majority of the votes, they are duly elected. If none of the remaining candidates receives an absolute majority of the votes, the process of declaring the candidates with the fewest number of votes a~~

Attachment 1 - Attachment 1 - Governance Rules Review 2022 - Directions Papers

Mayoral Election

~~defeated candidate and voting for the remaining candidates must be repeated until one of the candidates receives an absolute majority of the votes. That candidate must then be declared to have been duly elected;~~

5. When there are two candidates

- 5.1 ~~If there is more than one~~ are two candidates (or two remaining candidates after the completion of the process in Rule 4) nomination, the following provisions will govern the election of the Mayor:
 - 5.1.1 The Councillors present at the meeting must vote for one of the candidates;
 - 5.1.2 In the event of a candidate receiving an *absolute majority* of the votes, that candidate is declared to have been elected;
 - 5.1.3 ~~If there are two candidates remaining and neither of them~~ candidate receives an *absolute majority* of votes, the ~~election is~~ votes are declared invalid and a further round of voting is conducted immediately.
 - 5.1.4 If, after a second round of voting, neither candidate receives an absolute majority of votes, the election is declared invalid and the Council may must resolve to:
 - (a) conduct a further election immediately; or
 - (b) ~~conduct the a further election at a later time or date~~ as soon as practicable but no later than seven days after the current meeting.

When there is one candidate

- 5.1 If there is only one candidate nomination, that candidate ~~nominated~~ must be declared to be duly elected;

Proposed changes to Chapter Two, Part B – Meeting Procedure

59. Form and Availability of Minutes

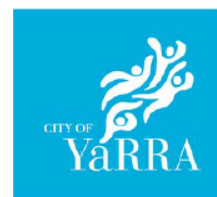
- 59.1 The Chief Executive Officer (or other person authorised by the Chief Executive Officer to attend the meeting and to take the minutes of such meeting) must keep minutes of each Council meeting, and those minutes must record:

...

- 59.1.13 the proceedings of any vote for Mayor or Deputy Mayor:
 - (a) the name of each Councillor nominated as a candidate and the name of the Councillor nominating them
 - (b) the name of each candidate eligible for election in each round of voting
 - (c) the vote of each Councillor in each round of voting
 - (d) the outcome of any drawing of lots conducted during the election
 - (e) the outcome of the election

Urgent Business

Directions Paper 2 Governance Rules Review 2022



Background

Urgent Business provides an opportunity for the Chief Executive Officer (who is responsible for setting the agenda of Council Meetings under section 46(2)(d) of the Local Government Act 2020) to add items of business that have arisen after the production of the agenda and cannot be safely deferred to a subsequent meeting.

What can be improved?

The existing provisions relating to the admission of Urgent Business are working well, but partly appear in both the Governance Rules and the Council Meetings Operations Policy. This arrangement is unclear to many readers.

What do other Councils do?

A benchmarking exercise has been conducted to determine the approach taken among the M9 group of Councils. In all cases, for an item to be considered as urgent business, it must be a matter that has arisen after the production of the agenda and cannot be safely deferred to a subsequent meeting.

Council	Governance Rules Summary
Yarra	<ul style="list-style-type: none"> Must be submitted by the Chief Executive Officer after consulting the Mayor Mayor's approval required for admission
Darebin	<p><i>Urgent Business proposed by a Councillor</i></p> <ul style="list-style-type: none"> Council resolution required for admission Must: <ul style="list-style-type: none"> be submitted by 12pm on meeting day be circulated to all Councillors only call for a report Cannot: <ul style="list-style-type: none"> commit the Council to any direct expenditure alter the Council Plan or Budget directly and significantly affect the exercise of a person's rights have been rejected as a Notice of Motion <p><i>Urgent Business proposed by the Chief Executive Officer</i></p> <ul style="list-style-type: none"> Not subject to restriction

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Urgent Business

Council	Governance Rules Summary
Yarra	<ul style="list-style-type: none"> Must be submitted by the Chief Executive Officer after consulting the Mayor Mayor's approval required for admission
Hobsons Bay	<ul style="list-style-type: none"> Councillor may propose Council resolution required for admission Must be submitted by 12pm on meeting day Chief Executive Officer must determine the matter is urgent Cannot: <ul style="list-style-type: none"> substantially affect the levels of Council service commit Council to significant expenditure not included in the adopted budget establish or amend Council Policy commit Council to any contractual arrangement
Maribyrnong	<ul style="list-style-type: none"> Council resolution required for admission
Melbourne	<ul style="list-style-type: none"> Council resolution required for admission
Moonee Valley	<ul style="list-style-type: none"> Council resolution required for admission Cannot: <ul style="list-style-type: none"> substantially affect the levels of Council service commit Council to significant expenditure not included in the adopted budget establish or amend Council Policy commit Council to any contractual arrangement
Moreland	<ul style="list-style-type: none"> Council resolution required for admission Must be submitted by 3pm on meeting day Chief Executive Officer must determine the matter is urgent
Port Phillip	<ul style="list-style-type: none"> Council resolution required for admission
Stonnington	<ul style="list-style-type: none"> Councillor may propose Council resolution required for admission

What approach could we take?

Yarra's process for the admission of Urgent Business does not require the consent of the meeting by resolution. This process streamlines the admission of Urgent Business, and has not been an issue to date.

While a number of Councils provide a mechanism for a Councillor to present items of urgent business for consideration, it is Yarra's interpretation that section 46(2)(d) of the Local Government Act 2020 (which states that the CEO is responsible for "setting the agenda for Council meetings after consulting the Mayor"), together with section 28(3) (which states "the role of a Councillor does not include the performance of any responsibilities or functions of the Chief Executive Officer") means that Councillors do not have a role in establishing the agenda for Council meetings and thus should not have the power to directly add items of Urgent Business. The Notice of Motion process is suitable for this purpose.

This review provides an opportunity to bring all provisions from the Council Meetings Operations Policy and include them in the existing section of the Governance Rules to consolidate all measures in one place. It also provides an opportunity to explain that any Councillor has a right to request the admission of an item of Urgent Business. The only other change is a minor one, providing that items are admissible if they arise after the agenda has been produced but before it has been distributed.

How would we give effect to these changes?

The amendments required to the Governance Rules to give effect to this proposal are shown overleaf.

Attachment 1 - Attachment 1 - Governance Rules Review 2022 - Directions Papers

Urgent Business

17. Urgent Business

- 17.1 If the agenda for a Council meeting makes provision for urgent business, business can only be admitted as urgent business if:
- 17.1.1 it is proposed for admission by the *Chief Executive Officer* after consulting with the *Mayor*; and
 - 17.1.2 the *Chair* has been given written notice and portent of the proposed matter to be raised and has approved the admittance of the item; and ~~only then if it~~
 - 17.1.3 it relates to or arises out of a matter which has arisen since ~~distribution~~ production of the agenda; and
 - 17.1.4 it cannot safely or conveniently be deferred until the next Council meeting.
- 17.2 A Councillor may submit an item intended for inclusion as an item of urgent business to the *Chief Executive Officer* for consideration in accordance with this rule.

Notices of Motion

Directions Paper 3 Governance Rules Review 2022



Background

Notices of Motion provide an opportunity for a Councillor to bring a matter directly to Council for consideration.

What can be improved?

Currently, there are few limits on what a Notice of Motion can seek Council to resolve. It is possible for a Council to commit significant resources following a Notice of Motion, absent management advice on the matter. Further, it is possible to commit expenditure without being subject to the annual budget process or to materially change service levels.

What do other Councils do?

A benchmarking exercise has been conducted to determine the approach taken among the M9 group of Councils. Where the process differs from Yarra's current rules, the differences are described in the table below.

Council	Governance Rules Summary
Yarra	<ul style="list-style-type: none"> • Must be submitted in writing by one Councillor • Must be submitted by midnight Tuesday night (for a meeting the following Tuesday).
Darebin	<ul style="list-style-type: none"> • Must be submitted in writing by one Councillor • Must be submitted by midday, 14 days before the meeting at which it will be considered • Must include a rationale • Must be circulated to other Councillors before lodgement • May only call for a report if it is proposed to: <ul style="list-style-type: none"> ▪ affect levels of Council service; ▪ be inconsistent with the strategic objectives of the Council ▪ commits to expenditure greater than \$5,000 outside the Budget; ▪ proposes to establish, amend or extend an adopted Council policy or position; ▪ commit Council to any contractual arrangement; ▪ concern litigation in respect of which Council is a party; or ▪ impacts on perceived procedural fairness to a person or entity • Must not be similar to a Notice of Motion considered in previous six months

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Notices of Motion

Council	Governance Rules Summary
Yarra	<ul style="list-style-type: none"> • Must be submitted in writing by one Councillor • Must be submitted by midnight Tuesday night (for a meeting the following Tuesday).
Hobsons Bay	<ul style="list-style-type: none"> • Must be submitted in writing by one Councillor • Must first be considered at a Councillor Briefing (unless urgent) • May only call for a report if it is proposed to: <ul style="list-style-type: none"> ▪ affect levels of Council service; ▪ be inconsistent with the strategic objectives of the Council ▪ commits to expenditure greater than \$ 1 Million or not included in the Budget ▪ proposes to establish, amend or extend an adopted Council policy or position; ▪ interfere with workforce matters ▪ commit Council to any contractual arrangement; ▪ concern litigation in respect of which Council is a party; or ▪ impacts on perceived procedural fairness to a person or entity
Maribyrnong	<ul style="list-style-type: none"> • Must be submitted in writing by one Councillor • Must be submitted by 5pm, 6 business days before the meeting at which it will be considered • Must be circulated to other Councillors
Melbourne	<ul style="list-style-type: none"> • Must be submitted in writing by two Councillors • Must be submitted by 10am on the Thursday prior to the meeting (usually Tuesdays)
Moonee Valley	<ul style="list-style-type: none"> • Must be submitted in writing by one Councillor • Must have been foreshadowed at a Councillor Briefing at least seven days before the meeting • Must be submitted by 12pm on the Thursday prior to the meeting (usually Tuesdays) • May only call for a report if it is proposed to: <ul style="list-style-type: none"> ▪ affect levels of Council service; ▪ commits to expenditure not included in the Budget ▪ proposes to establish, amend or extend an adopted Council policy or position; ▪ interfere with workforce matters ▪ commit Council to any contractual arrangement; ▪ concern litigation in respect of which Council is a party; or ▪ impacts on perceived procedural fairness to a person or entity • Must not be similar to a Notice of Motion considered in previous six months
Moreland	<ul style="list-style-type: none"> • Must be submitted in writing by one Councillor • Must be submitted by 12pm, 10 business days before the meeting at which it will be considered • May only call for a report if it is proposed to: <ul style="list-style-type: none"> ▪ affect levels of Council service; ▪ commits to expenditure greater than \$5,000 outside the Budget; ▪ propose to establish, amend or extend an adopted Council policy or position; ▪ commit Council to any contractual arrangement; ▪ concern litigation in respect of which Council is a party; or ▪ impacts on perceived procedural fairness to a person or entity
Port Phillip	<ul style="list-style-type: none"> • Must be submitted in writing by one Councillor • Must be submitted by 3pm, 7 business days before the meeting at which it will be considered
Stonnington	<ul style="list-style-type: none"> • Must be submitted in writing by three Councillors • Must be submitted in time to give the CEO time to include it in the agenda and provide 48 hours' notice to Councillors

Attachment 1 - Attachment 1 - Governance Rules Review 2022 - Directions Papers

Notices of Motion

What approach could we take?

It is proposed to introduce a process that requires Council to first seek an officer report before making a change to service levels, or committing to a expenditure that has not been previously budgeted for.

It is important to note that none of these measures seek to prevent Council from undertaking any particular course of action, they merely introduce a step which enables the preparation of a report to Council on the matter – enabling Council to make a decision with the benefit of officer advice and the opportunity for reflection.

How would we give effect to these changes?

The amendments required to the Governance Rules to give effect to this proposal are shown overleaf.

Attachment 1 - Attachment 1 - Governance Rules Review 2022 - Directions Papers

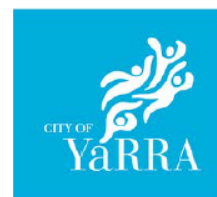
Notices of Motion

19. Notice of Motion

- 19.1 A notice of motion must be in writing signed by a Councillor, and be lodged with or sent to the Chief Executive Officer six clear days before the scheduled commencement of the meeting.
- 19.2 A notice of motion must call for a Council report if the notice of motion proposes any action that:
 - 19.2.1 impacts the levels of Council service;
 - 19.2.2 commits Council to expenditure that is not included in the adopted Council Budget;
- 19.3 The Chief Executive Officer may reject any notice of motion which:
 - 19.3.1 is vague or unclear in intention;
 - 19.3.2 does not satisfy the requirements of Sub-Rule 19.2;
 - 19.3.3 it is beyond Council's power to pass; or
 - 19.3.4 if passed would result in Council otherwise acting invalidly
- 19.4 but must:
 - 19.4.1 give the Councillor who lodged it an opportunity to amend it prior to rejection, if it is practicable to do so; and
 - 19.4.2 notify in writing the Councillor who lodged it of the rejection and reasons for the rejection.
- 19.5 The full text of any notice of motion accepted by the Chief Executive Officer must be included in the agenda.
- 19.6 The Chief Executive Officer must cause all notices of motion to be dated and numbered in the order in which they were received.
- 19.7 Except by leave of Council, each notice of motion before any meeting must be considered in the order in which they were received.
- 19.8 If a Councillor who has given a notice of motion is absent from the meeting or fails to move the motion when called upon by the Chair, any other Councillor may move the motion.
- 19.9 If a notice of motion is not moved at the Council meeting at which it is listed, it lapses.

Motions and Debate

Directions Paper 4 Governance Rules Review 2022



Background

Based on the experience of the rules over the previous 18 months, and number of minor opportunities for improving the process of presenting and debating motions before the meeting have been identified.

What can be improved?

Opportunities for improvement include:

- Removing the need to read out motions in full when they have been tabled in writing.
- Clarifying that all Councillors have a right to address the meeting in relation to each motion, regardless of the number of speakers for and against each motion.
- Clarifying the circumstances in which a mover has a right of reply.

Another option worth considering is whether a provision is required in relation to the participation in the debate (including moving or seconding motions) by the Mayor.

What do other Councils do?

A benchmarking exercise has been conducted to determine the approach taken among the M9 group of Councils.

Council	Governance Rules Summary
Yarra	<ul style="list-style-type: none"> • Motions must be submitted in writing (only if complex <u>and</u> at Mayor's request) • Mover must state the motion • Speaking 'alternates', with no express statement that everyone can speak. • No limit on Mayor's participation in debate. • Time limits – mover 5 min, others 3 min, right of reply 2 min.
Darebin	<ul style="list-style-type: none"> • Motions must be submitted in writing and state intention and effect (only at Mayor's request) • Mover must state the motion • Councillor may not ask a question of an officer once debate has commenced • Speaking 'alternates', with no express statement that everyone can speak. • Mayor cannot speak to motion until all others have spoken • The Mayor must vacate the chair to move or second a motion • Time limits – mover 3 min, others 2 min, right of reply 2 min.

Attachment 1 - Attachment 1 - Governance Rules Review 2022 - Directions Papers

Motions and Debate

Council	Governance Rules Summary
Yarra	<ul style="list-style-type: none"> Motions must be submitted in writing (only if complex <u>and</u> at Mayor's request) Mover must state the motion Speaking 'alternates', with no express statement that everyone can speak. No limit on Mayor's participation in debate. Time limits – mover 5 min, others 3 min, right of reply 2 min.
Hobsons Bay	<ul style="list-style-type: none"> Motions must be submitted in writing (except where not possible and a reason provided) Mover must outline the motion Councillor may be permitted to speak more than once to explain that they have been misrepresented or misunderstood Agreed alterations to a motion are provided for No requirement to alternate between for and against in debate. The Mayor must vacate the chair to move or second a motion Time limits – mover 5 min, others 3 min, right of reply 3 min.
Maribyrnong	<ul style="list-style-type: none"> Motions must be submitted in writing (only if complex <u>and</u> at Mayor's request) Mover must state the motion Motion can be carried without a vote if it is not opposed Speaking 'alternates', with no express statement that everyone can speak. Mayor cannot speak to motion until all others have spoken The Mayor must vacate the chair to move or second a motion Time limits – mover 5 min, others 3 min, right of reply 2 min.
Melbourne	<ul style="list-style-type: none"> Motions must be submitted in writing (only if complex <u>and</u> at Mayor's request) Mover must read the motion and state its nature and intent No requirement to alternate between for and against in debate No limit on Lord Mayor's participation in debate. Time limits – mover 5 min (incl right of reply), others 3 min
Moonee Valley	<ul style="list-style-type: none"> Motions must be submitted in writing (only at Mayor's request) Mover must state the motion No requirement to alternate between for and against in debate The Mayor must vacate the chair to speak to motion The Mayor must vacate the chair to move or second a motion Time limits – mover 3 min, others 2 min, right of reply 2 min.
Moreland	<ul style="list-style-type: none"> Motions must be submitted in writing Mover must outline the motion Motions must be submitted in writing and mover must outline the motion Speaking 'alternates', but rules provide that everyone can speak. No limit on Mayor's participation in debate. Time limits – mover 3 min, others 3 min, right of reply 2 min.
Port Phillip	<ul style="list-style-type: none"> Motions must be submitted in writing Mover must state the motion <u>and</u> must state differences from recommendation (apparent contradiction?) Speaking 'alternates', with no express statement that everyone can speak. No limit on Mayor's participation in debate. No time limits on Councillors
Stonnington	<ul style="list-style-type: none"> Motions must be submitted in writing Mover must state the motion Speaking 'alternates', with no express statement that everyone can speak. No limit on Mayor's participation in debate. Time limits – mover 5 min, others 3 min, right of reply 2 min.

Attachment 1 - Attachment 1 - Governance Rules Review 2022 - Directions Papers

Motions and Debate

What approach could we take?

Adjustments to our meeting rules would facilitate the tabling of motions in writing – enabling them to be displayed both on screen and in the livestream of the meeting and no longer necessitating a Councillor to read them in full at the meeting itself. This process would also reflect the current practice of submitting motions by email to Councillors and the minute clerk, while avoiding the situation of the minute clerk being directed to edit motions from the floor (except the simplest of edits).

A further improvement is to remove the requirement that speakers be called on in alternate order, depending on whether they are ‘for’ or ‘against’ a motion – something which requires an arbitrary and binary characterisation of a Councillor’s position and confusion about whether a Councillor can speak once all of those in the opposing position have been exhausted.

A final change is the re-writing of provisions relating to right of reply, to make it clearer that a mover is only able to exercise a right of reply in circumstances where no Councillor other than the mover or seconder has chosen to speak to the motion. This is not to change the current rules, but merely to re-draft them for clarity.

It is not proposed to introduce a provision restricting the ability of the Mayor to move or second motions, or to participate in the debate.

How would we give effect to these changes?

The amendments required to the Governance Rules to give effect to the proposed changes to the process of moving and debating motions are shown overleaf.

Attachment 1 - Attachment 1 - Governance Rules Review 2022 - Directions Papers

Motions and Debate

Changes to Chapter Two, Division 4 – Motions and Debate

22. Introducing A Motion or an Amendment

- 22.3 The procedure for moving any motion or amendment is:
- 22.3.1 the mover must state the motion without speaking to it or table the wording of the motion in writing;
 - 22.3.2 the motion must be seconded and the seconder must be a Councillor other than the mover. If a motion is not seconded, the motion lapses for want of a seconder;
 - 22.3.3 if a motion or an amendment is moved and seconded and no Councillor other than the mover or seconder indicates opposition or a desire to speak to it, the *Chair* may put the motion to the vote without discussion.
- 22.4 The procedure for debating the motion or amendment is:
- 22.4.1 if a Councillor other than the mover or seconder of a motion indicates opposition or a desire to speak to it, then the Chair must call on the mover to address the meeting;
 - 22.4.2 after the mover has addressed the meeting, the seconder may address the meeting;
 - 22.4.3 after the seconder has addressed the meeting (or after the mover has addressed the meeting if the seconder does not address the meeting), the *Chair will ask Councillors if they wish to speak in relation to the motion, with any Councillor who wishes to speak being given the opportunity to do so. must invite debate by calling on any Councillor who wishes to speak to the motion, providing an opportunity to alternate between those wishing to speak against the motion and those wishing to speak for the motion*;
 - 22.4.4 ~~if, after the mover has addressed the meeting, the Chair has invited debate and no Councillor speaks to the motion, then the Chair must put the motion to the vote.~~

23. Right Of Reply

- 23.3 The mover of a motion has a right of reply to matters raised during debate, except:
- 23.3.1 an amendment or a motion where no Councillor other than the mover and seconder have spoken to the motion
 - 23.3.2 an amendment or a motion that has been amended
- 23.4 If the procedure for debating a motion or amendment has concluded and the mover:
- 23.4.1 does not have a right of reply, the motion must immediately be put to the vote without any further comment, discussion or debate.
 - 23.4.2 has a right of reply, the mover shall be invited to speak to the motion.
- 23.5 After the right of reply has been taken, the motion must immediately be put to the vote without any further comment, discussion or debate.

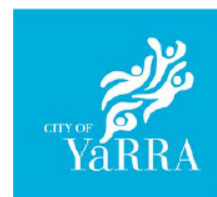
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33. Motions In Writing

- 33.3 For clarity and to enable electronic display, the Chair may require that ~~a complex or detailed~~ any motion be submitted in writing.
- 33.4 Council may adjourn the meeting while the motion is being written or Council may defer the matter until the motion has been written, allowing the meeting to proceed uninterrupted.

Notices of Rescission

Directions Paper 5 Governance Rules Review 2022



Background

Notices of Rescission are a special type of Notice of Motion, which seeks to rescind (or 'overturn') and previous Council resolution, and return to the status quo – as though that resolution had never been made. They are intended as an opportunity for a Councillor who has concerns with the validity of a Council resolution to bring those concerns to the attention of Council and provide an opportunity to reconsider.

For practical reasons, not all resolutions can be rescinded, as they are effectively already acted on at the time of the resolution, and cannot be 'undone'.

What can be improved?

Rescission motions should be rare, as they present considerable risks. It is necessary to have provisions in place to minimise these risks including:

- Not be able to rescind motions which have been acted on.
- Not being able to seek to rescind motions simply as a means as making a motion ineffectual, or seeking to delay or frustrate implementation.
- Not holding up the process of acting on resolutions with Notices of Rescission with no prospect of success due to a lack of support.
- Not seeking to have matters re-litigated at a future meeting in anticipation of the absence or otherwise of certain Councillors.

What do other Councils do?

A benchmarking exercise has been conducted to determine the approach taken among the M9 group of Councils. Where the process differs from Yarra's current rules, the differences are described in the table below. In all cases, resolutions cannot be rescinded after they have been acted on (which includes formally communicating them to persons materially affected).

Council	Governance Rules Summary
Yarra	<ul style="list-style-type: none"> • Must be submitted in writing by one Councillor • Must be submitted by 11.00am the day after the meeting
Darebin	<ul style="list-style-type: none"> • Must be submitted in writing by one Councillor • Must be submitted by midday, 14 days before the meeting at which it will be considered • Must include a rationale • Must be circulated to other Councillors
Hobsons Bay	<ul style="list-style-type: none"> • Must be submitted in writing by three Councillors • Must first be considered at a Councillor Briefing (unless urgent) • Deferral of implementation cannot give rise to non-compliance with a legal obligation or place the Council at legal, financial or other risk

Attachment 1 - Attachment 1 - Governance Rules Review 2022 - Directions Papers**Notices of Rescission**

Council	Governance Rules Summary
Yarra	<ul style="list-style-type: none"> Must be submitted in writing by one Councillor Must be submitted by 11.00am the day after the meeting
Maribyrnong	<ul style="list-style-type: none"> Must be submitted in writing by three Councillors Must be submitted within 24 hours of the resolution proposed to be rescinded Must include a rationale
Melbourne	<ul style="list-style-type: none"> Must be submitted in writing by four Councillors Must be submitted 48 hours before the meeting at which it will be considered Must be submitted within three months of the resolution proposed to be rescinded
Moonee Valley	<ul style="list-style-type: none"> Must be submitted in writing by five Councillors Must be submitted within 24 hours of the resolution proposed to be rescinded
Moreland	<ul style="list-style-type: none"> Must be submitted in writing by one Councillor Must be submitted by midday, 10 days before the meeting at which it will be considered
Port Phillip	<ul style="list-style-type: none"> Must be submitted in writing by two Councillors Must be submitted within 24 hours of the resolution proposed to be rescinded
Stonnington	<ul style="list-style-type: none"> Must be submitted in writing by three Councillors Must be submitted within 48 hours of the resolution proposed to be rescinded

What approach could we take?

A number of measures are already in place to address the identified here, but it is further proposed to introduce a number of measures including a requirement that:

- Notices of Rescission submission requirements (one Councillor by 11.00am) be unchanged
- Notices of Rescission to be provided to all Councillors upon submission
- Notices of Rescission to include reasons for the rescission (to assist Councillors to determine whether or not they support the motion)
- Notices of Motion that do not receive support of another two Councillors within 24 hours of notification automatically lapse.
- Rescission motions must be carried by an absolute majority of Council (meaning a Notice of Rescission cannot be used to take advantage of an anticipated temporary absence).

How would we give effect to these changes?

The amendments required to the Governance Rules to give effect to this proposal are shown overleaf.

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Notices of Rescission

40. Notice of Rescission

It should be remembered that a notice of rescission is a form of notice of motion. Accordingly, all provisions in this Chapter regulating notices of motion equally apply to notices of rescission

- 40.1 A Councillor may propose a notice of rescission provided the notice of rescission:
 - 40.1.1 has been signed and dated;
 - 40.1.2 is delivered to the *Chief Executive Officer* by 11.00am on the day after the meeting at which the resolution was made;
 - 40.1.3 identifies the meeting and date when the resolution was made;
 - 40.1.4 identifies the resolution to be rescinded; and
 - 40.1.5 sets out the reasons for the notice of rescission
- 40.2 The *Chief Executive Officer* is not required to accept a notice of rescission and must reject it if the resolution proposed to be rescinded has been acted on;
- 40.3 A resolution will be deemed to have been acted on if:
 - 40.3.1 its contents have or substance has been communicated in writing to a person whose interests are materially affected by it; or
 - 40.3.2 a statutory process has been commenced
 so as to vest enforceable rights in or obligations on Council or any other person.
- 40.4 The *Chief Executive Officer* or an appropriate member of Council staff must defer implementing a resolution which:
 - 40.4.1 has not been acted on; and
 - 40.4.2 is the subject of a notice of rescission which has been delivered to the *Chief Executive Officer* in accordance with sub-Rule 41.1.2,
 unless deferring implementation of the resolution would have the effect of depriving the resolution of efficacy.

By way of example, assume that, on a Monday evening, Council resolves to have legal representation at a planning appeal to be heard on the following Monday. Assume also that, immediately after that resolution is made, a Councillor lodges a notice of motion to rescind that resolution. Finally, assume that the notice of rescission would not be dealt with until the next Monday evening (being the evening of the day on which the planning appeal is to be heard).

In these circumstances, deferring implementation of the resolution would have the effect of depriving the resolution of efficacy. This is because the notice of rescission would not be debated until after the very thing contemplated by the resolution had come and gone. In other words, by the time the notice of rescission was dealt with the opportunity for legal representation at the planning appeal would have been lost.

*Sub-Rule 40.4 would, in such circumstances, justify the *Chief Executive Officer* or an appropriate member of Council staff actioning the resolution rather than deferring implementation of it.*

- 40.5 Following receipt of a notice of rescission, the *Chief Executive Officer* must provide a copy to all Councillors and ask that they indicate whether they support the notice of rescission.
- 40.6 If, after a period of 24 hours has elapsed since the notification of Councillors under sub-rule 40.5, less than two Councillors (in addition to the Councillor who submitted the notice) have indicated to the *Chief Executive Officer* that they support it, the notice of rescission lapses.

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Notices of Rescission

41. ~~If Lost~~

~~41.1 If a motion for rescission is lost, a similar motion may not be put before Council for at least three months from the date it was last lost, unless Council resolves that the notice of motion be re-listed at a future meeting, or~~

42. If Not Moved

42.1 If a motion for rescission is not moved at the meeting at which it is listed, it lapses.

43. May Not be Amended Be Moved by Any Councillor

43.1 A motion for rescission listed on an agenda may be moved by any Councillor present but may not be amended.

44. Absolute Majority Required

44.1 In order to be carried, a notice of rescission must be carried by an *absolute majority* of Councillors.

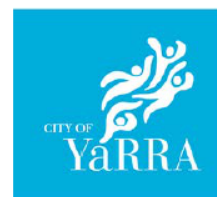
45. When Not Required

45.1 A motion for rescission is not required where Council wishes to change policy.

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Points of Order

Directions Paper 6 Governance Rules Review 2022



Background

Points of order are an infrequently used but important provision – enabling a Councillor to draw the attention of the Mayor to an alleged irregularity in the proceedings. The current provision in the Governance Rules was effectively ‘rolled over’ from the previous local law.

What can be improved?

The Governance Rules are imprecise, in that they enable a point of order to be raised for:

- a motion, which, under Rule 20, or a question which, under Rule 47, should not be accepted by the Chair;
- a question of procedure; or
- any act of disorder.

The inclusion of ‘a question of procedure’ and ‘act of disorder’ without further definition makes it difficult for a Councillor to clearly understand their obligations, and makes it challenging for a Councillor to raise a point of order, or the Mayor to rule on one. An opportunity for improvement is to more clearly spell out the bases on which a point of order can be raised – effectively providing more detail on the valid reasons.

What do other Councils do?

A benchmarking exercise has been conducted to determine the approach taken among the M9 group of Councils.

Council	Governance Rules Summary
Yarra	<ul style="list-style-type: none"> • General description of valid bases
Darebin	<ul style="list-style-type: none"> • Comprehensive list of admissible reasons
Hobsons Bay	<ul style="list-style-type: none"> • Brief list of admissible reasons
Maribyrnong	<ul style="list-style-type: none"> • General description of valid bases
Melbourne	<ul style="list-style-type: none"> • Brief list of admissible reasons
Moonee Valley	<ul style="list-style-type: none"> • Comprehensive list of admissible reasons
Moreland	<ul style="list-style-type: none"> • Comprehensive list of admissible reasons
Port Phillip	<ul style="list-style-type: none"> • Comprehensive list of admissible reasons
Stonnington	<ul style="list-style-type: none"> • Comprehensive list of admissible reasons

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Points of Order

What approach could we take?

Rewriting the current Point of Order provisions would much more clearly explain the basis on which a Point of Order can be raised, by effectively providing a 'list' that Councillors could choose from when seeking to raise an irregularity in proceedings. It would also be an opportunity to expressly state that a Point of Order cannot be raised simply because of a disagreement with an argument or because a Councillor holds a different point of view.

How would we give effect to these changes?

The amendments required to the Governance Rules to give effect to the proposed changes to the process of moving and debating motions are shown overleaf.

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Points of Order

43. Valid Points of Order

Expressing a difference of opinion or to contradict a speaker is not a point of order

43.1 A point of order may be raised in relation to a statement or behaviour which is:

- 43.1.1 ~~a motion, which, under Rule 20, or a question which, under Rule 47, should not be accepted by the Chair;~~
- 43.1.2 ~~a question of procedure; or~~
- 43.1.3 ~~any act of disorder;~~
- 43.1.4 irrelevant, meaning it does not relate to the matter under consideration or is outside the powers of Council;
- 43.1.5 improper, meaning it constitutes improper behaviour or is offensive;
- 43.1.6 misleading, meaning it is an untrue or false assertion or statement;
- 43.1.7 disorderly; being an act that disrupts or distracts from the orderly operation of the meeting; or
- 43.1.8 contrary to the rules, meaning it is contrary to the Meeting Rules set out in this Chapter.

44. Procedure for Point of Order

44.3 A Councillor raising a point of order must state that the statement or behaviour is:

- 44.3.1 ~~state the point of order; and~~
- 44.3.2 ~~state any section, Rule, paragraph or provision relevant to the point of order.~~
- 44.3.3 irrelevant;
- 44.3.4 improper;
- 44.3.5 misleading;
- 44.3.6 disorderly; or
- 44.3.7 contrary to the rules (in which case the Councillor should identify the rule that is being contravened).

44.4 A Councillor raising a point of order under this clause is not deemed to be speaking to the motion or amendment before the Meeting.

45. Chair to decide

45.1 The Chair must decide all points of order ~~by stating the provision, rule, practice or precedent which they considers applicable to the point raised~~ without entering into any discussion or comment.

45.2 In deciding a point of order, the Mayor is to have regard to their obligation under section 18(1)(e) of the Local Government Act 2020 to "promote behaviour among Councillors that meets the standards of conduct set out in the Councillor Code of Conduct".

45.3 The Chairperson's ruling on a point of order is final.

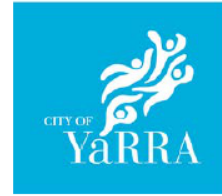
46. Chair may adjourn to consider

46.1 The Chair may adjourn the meeting to consider a point of order but otherwise must rule on it as soon as it is raised.

46.2 All other questions before the meeting are suspended until the point of order is decided.

Public Question Time

Directions Paper 7 Governance Rules Review 2022



Background

Public Question Time is intended to provide an opportunity for members of the public to ask questions directly to the Council. It is not intended to be an alternative to the usual customer request process, but is designed for questions that cannot be responded to by management, because they are matters of strategic policy, advocacy or representation.

From the public's point of view, question time is an opportunity to challenge the Council on matters of public interest, to present alternative points of view and to make statements in the presence of Councillors.

Some current issues:

- Questions asked from the floor without warning rarely receive a considered response, as there is no opportunity for preparation.
- When questions are submitted in advance, the wording of the question actually asked often differs from what was submitted – sometimes materially. Again, this means that the questioner does not receive a considered response.
- The amount of time allowed to ask a question is considerable.
- Members of the public are not allowed to make a statement in addition to their question, requiring people to build a statement into the question itself. The extent to which a preamble to the question is allowed is inconsistent, in that it differs depending on the style of the Mayor.
- The ability for Councillors to make statements or ask further questions can be a disincentive for members of the public to speak freely, for fear of being challenged.
- The use of the right to a second question typically results in a further question on the same topic, which can resemble a debate between the Mayor and a member of the public.
- Where multiple questions on the same subject are asked, there is no opportunity to provide a combined response to all questioners.

What can be improved?

Returning the focus of Public Question Time to enable questions to be put to the Council about strategic matters that are within Council's responsibilities, directing questions about operational matters to Council's customer feedback and complaints process and balancing the need for transparent interrogation of Council with the efficient operation of Council meetings themselves.

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Public Question Time

What do other Councils do?

A benchmarking exercise has been conducted to determine the approach taken among the M9 group of Councils.

Council	Governance Rules Summary
Yarra	<ul style="list-style-type: none"> No time limit Questions requested in advance, but may be asked from the floor Up to two questions per person No limit to number of questions on same topic Questioner may ask question (five minutes maximum) Mayor or their nominee answers question Councillors may ask follow up questions of questioner, Mayor or officers
Darebin	<ul style="list-style-type: none"> 30 minute time limit (Council may extend a further 30 minutes) Up to three questions or submissions per person (no multi-part questions) Submitted in writing by 12pm on meeting day Similar questions may be grouped Question may ask question (2 minutes maximum) – no preamble or background Mayor or their nominee answers question
Hobsons Bay	<ul style="list-style-type: none"> 20 minute time limit (Mayor may alter at their discretion) Submitted in writing by 12pm the day before the meeting Up to three questions per person (multi-part question is multiple questions) Similar questions may be grouped Mayor or delegate reads question Mayor answers question (2 minutes maximum) No further discussion allowed, other than clarification
Maribyrnong	<ul style="list-style-type: none"> 15 minute time limit (Council may extend a further 15 minutes) Submitted in writing by 12pm on meeting day Up to three questions per person Similar questions may be grouped Mayor or delegate reads question Mayor or their nominee answers question
Melbourne	<p><i>Council</i></p> <ul style="list-style-type: none"> Public Question Time is not included <p><i>Future Melbourne Committee</i></p> <ul style="list-style-type: none"> Submitted in writing by 10am on meeting day Questioner may ask question (90 seconds maximum) Meeting chair or their nominee answers question
Moonee Valley	<ul style="list-style-type: none"> Submitted in writing by 12pm the day before the meeting Up to two questions per person Mayor or delegate reads the question (may paraphrase) Mayor or their nominee answers question No further discussion allowed, other than clarification

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Public Question Time

Council	Governance Rules Summary
Yarra	<ul style="list-style-type: none"> No time limit Questions requested in advance, but may be asked from the floor Up to two questions per person No limit to number of questions on same topic Questioner may ask question (five minutes maximum) Mayor or their nominee answers question Councillors may ask follow up questions of questioner, Mayor or officers
Moreland	<i>Combined question time and public submissions at Council meetings</i> <ul style="list-style-type: none"> 30 minute time limit (Council may extend a further 30 minutes) Up to two questions or submissions per person Encouraged to submit question in writing by 12pm on meeting day Questions not submitted in advance are taken on notice Three questions on the same subject (more permitted if time allows) Questioner has three minutes to ask question and provide preamble and background Mayor or their nominee answers question No further discussion allowed, other than clarification
Port Phillip	<ul style="list-style-type: none"> Submitted in writing by 4pm on meeting day No limit to number of questions prescribed Mayor or delegate reads question Similar questions may be grouped Mayor their nominee answers question Councillors can ask questions, but Mayor may limit the number of them
Stonnington	<ul style="list-style-type: none"> Submitted in writing by 12pm on meeting day Up to five questions per person Chair reads summary of the question Question is not answered at the meeting –a written response is provided and included in the meeting minutes.

What approach could we take?

The suggested process is to require questions to be submitted in advance (primarily online, but with alternatives available to ensure anyone could contribute). At the meeting itself, the questioner would be provided time to answer the question, with the Mayor (or their delegate) providing a response. The questioner would be allowed a brief follow up question on a matter of clarification.

This process ensures that the question itself is clear and unambiguous, and submitted in sufficient time to enable a meaningful response to be prepared. In the event that a question contains personal or otherwise sensitive information, it provides an opportunity to contact the questioner to discuss an alternative approach. The process also enables a questioner to present the question personally to the meeting.

While the name and subject of the question would be recorded in the minutes of the meeting, the actual question and verbatim response would be made available in the recording of the meeting for a period of at least four years.

How would we give effect to these changes?

The amendments required to the Governance Rules to give effect to this proposal are shown overleaf. The reference in the section of the Governance Rules to submissions from members of the public has also been removed, as it is proposed that this would form a separate amendment to the rules.

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Public Question Time

Division 8 – Public Question Time and Public Submissions

48. Question Time

- 48.1 Unless Council resolves to the contrary, there must be a public question time at every *Council meeting* fixed under Rule 6 to enable members of the public to submit questions to *Council*.
- 48.2 Questions submitted to Council must:
 - 48.2.1 be submitted in writing;
 - 48.2.2 be submitted at least 24 hours prior to the scheduled commencement of the meeting at which they are to be asked;
 - 48.2.3 include the name and contact details of the person submitting the question.
- 48.3 If the person submitting the question is present at the meeting:
 - 48.3.1 the Chair shall offer the person submitting the question the opportunity address the Council and ask their question.
 - 48.3.2 the time permitted for asking a question shall be three minutes.
 - 48.3.3 the Chair, or a person nominated by the Chair shall provide a succinct response to the question.
 - 48.3.4 The person asking the question shall be provided a further one minute to ask a question of clarification if required.
 - 48.3.5 the Chair, or a person nominated by the Chair shall provide a further response to the question of clarification.
- 48.4 Aside from the follow up question described at rule 48.3.4, no person may submit more than one question at any one meeting.
- 48.5 ~~There must be an opportunity for members of the public to make a submission to Council in relation to every matter presented for consideration at a Council meeting.~~
- 48.6 ~~Nothing in sub-Rule 47.2 requires Council to hear submissions from a member of the public at a Council meeting or part of a Council meeting closed to members of the public in accordance with section 66 of the Act.~~
- 48.7 ~~If the Chair is of the opinion that the number of questions on the same subject or submissions makes it desirable to limit the number of questions or submissions taken, or reduce the time available to each submitter group like questions together for a combined response, they may make such reasonable adjustments to the process as may be necessary.~~
- 48.8 A question may be disallowed by the Chair if the Chair determines that it:
 - 48.8.1 relates to a matter to be considered by Council at the meeting at which the question is proposed to be asked;
 - 48.8.2 relates to a matter outside the duties, functions and powers of Council;
 - 48.8.3 is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
 - 48.8.4 deals with a subject matter already answered;
 - 48.8.5 is aimed at embarrassing a Councillor or a member of Council staff; or
 - 48.8.6 includes or relates to confidential information;
- 48.9 Responses must be as brief as possible, and no discussion may be allowed other than the questions and answers provided for at Rule 48.3.

Public Submissions

Directions Paper 8 Governance Rules Review 2022



Background

Public Submissions provide an opportunity for people who are affected by a Council decision to have their views heard before a decision is made. These submissions provide an opportunity for members of the public to make their views known direct to Councillors.

Provisions for managing submissions currently appear in the Council Meetings Operations Policy, rather than the Governance Rules.

What can be improved?

The difficulty with the current systems is twofold.

Firstly, relying of the receipt of public submissions only at the time a decision is made introduces community contributions at the very end of the process, with no opportunity for officer advice or Councillor reflection in relation to those submissions. Further, the submissions reflect the views of only those people who are able to contribute in that way. The acceptance of large numbers of submissions at a Council meeting can undermine the community engagement processes in a project, by implying that presence at a Council meeting is the best way to be heard, rather than engaging in the process.

Secondly, the receipt of a large number of submissions at Council meetings can result in the submission overshadowing the Councillor debate, and resulting in a significant period of time at each meeting being occupied by the hearing of community statements, rather than the debate and decision-making process itself.

There are also some other issues that can be resolved:

- Submissions can be made on any item at the meeting, including items that do not appear on the agenda. This can result in only those persons who are 'in the know' having an opportunity to submit.
- The amount of time allowed for each submission is generous, and there is no provision to automatically reduce the time available when a large number of submitters want to address the meeting. At present, the Chair's discretion is relied on to reduce the available time – something which has attracted criticism in the past.
- The lack of a requirement to register for the meeting means it is difficult to prepare for the arrival of guests, to make necessary accommodations for large groups or to seek to consolidate submissions where possible.
- Allowance for submissions to be heard at another time in some circumstances, such as at a special meeting set aside for that purpose or otherwise in accordance with Council's Community Engagement Policy to provide an alternative pathway for the community to contribute to the process ahead of the Council decision (this process is used successfully each year for the Annual Budget, with a special meeting convened to hear submissions).
- Clarity that further submissions will not be automatically heard again if a matter is deferred after submissions have been heard (although Council can resolve to allow this).

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Public Submissions

Bringing the provisions of the Council Meetings Operations Policy into the Governance Rules provides an opportunity to more clearly set out the process for hearing submissions. At the same time, an addition to the Governance Rules can set out specific arrangements for the Planning Decisions Committee.

What do other Councils do?

A benchmarking exercise has been conducted to determine the approach taken among the M9 group of Councils. It should be noted that planning matters are heard by a Delegated Committee at a number of the listed M9 Councils, and arrangements for hearing submitters at these meetings vary.

Council	Governance Rules Summary
Yarra	<ul style="list-style-type: none"> • Submissions on all items, except confidential • Submissions immediately prior to item • Registration preferred by 10am on meeting day (but not required) • Submitter addresses meeting (maximum of five minutes)
Darebin	<ul style="list-style-type: none"> • Submissions on items listed on the agenda, except NOM, petitions and urgent business • Submissions immediately prior to item • Registration preferred by 12pm on meeting day (but not required) • Submitter addresses meeting (maximum of two minutes)
Hobsons Bay	<ul style="list-style-type: none"> • Public submissions not provided for, except by specific Council resolution
Maribyrnong	<ul style="list-style-type: none"> • Public submissions not provided for
Melbourne	<i>Council and Future Melbourne Committee</i> <ul style="list-style-type: none"> • Written submissions can be lodged until 10am on meeting day • Written submissions are provided to all Councillor in advance of the meeting • Oral submissions are not provided for
Moonee Valley	<ul style="list-style-type: none"> • Public submissions not provided for
Moreland	<i>Combined question time and public submissions at Council meetings</i> <ul style="list-style-type: none"> • 30 minute time limit (Council may extend a further 30 minutes) • Submissions on items listed on the agenda • Up to two questions or submissions per person • Registration required (either in advance or at the meeting itself) • Submitter addresses meeting (maximum of three minutes)
Port Phillip	<ul style="list-style-type: none"> • Public submissions not provided for
Stonnington	<ul style="list-style-type: none"> • Public submissions not provided for

What approach could we take?

While the majority of Councils do not receive community submissions and rely on the community engagement process undertaken in the course of developing the officer recommendations for Council, taking that approach at Yarra would be a significant departure from the current arrangements.

It is proposed that Council continue to receive submissions, but move to a more structured approach, largely modelled on that currently in place. The proposed changes would be to:

- Require submitters to register for the meeting
- Alter the length of time afforded to each submitter (except in the case of the PDC meetings, where the time allowance is not proposed to change).
- Provide that submissions can only be made on items included on the agenda

Attachment 1 - Attachment 1 - Governance Rules Review 2022 - Directions Papers

Public Submissions

- Provide a mechanism for submissions to be heard via an alternative process in accordance with Council's Community Engagement Policy (like a special meeting set aside to hear submissions), or through the application of an alternative statutory process
- Ensure that duplicate submissions are not made in the event of a deferral, but that Council can resolve to accept further submissions if it determines to do so.
- Include an ability for Council to determine a process to hear submissions on matters that would not ordinarily allow for submissions to be made (eg – Council may wish to make special arrangements to hear a submission at a meeting that is closed to members of the public to consider a confidential matter).

It is also proposed to set out specific rules related to the Planning Decisions Committee (the main difference being that only the applicant or objector are afforded the opportunity to make a submission).

How would we give effect to these changes?

The amendments required to the Governance Rules to give effect to this proposal are shown overleaf.

Attachment 1 - Attachment 1 - Governance Rules Review 2022 - Directions Papers

Public Submissions

Amendments to Chapter Two – Council Meetings

48. Submissions to Council

- 48.1 There must be an opportunity for members of the public to make a submission to *Council* in relation to every matter ~~presented for consideration~~ included on the agenda at a *Council meeting*, with the exception of:
- 48.1.1 matters that are subject to a statutory process that provides a right to make a submission or otherwise be heard (such as, but not limited to section 223 of the Local Government Act 1989);
 - 48.1.2 matters that are subject to an alternative process that provides an opportunity to make a submission or otherwise be heard (such as, but not limited to arrangements put in place in accordance with Council's *Community Engagement Policy*);
 - 48.1.3 matters being re-presented to the *Council* after having been deferred where submissions have already been heard, unless Council resolves otherwise; and
 - 48.1.4 matters considered at a *Council meeting* or part of a *Council meeting* closed to members of the public in accordance with section 66 of the Act.
- 48.2 For the matters described in sub-rules 48.1.1 and 48.1.2, there must be an opportunity for members of the public to make a submission prior to the matter being considered by *Council* at a *Council meeting*.
- 48.3 Persons wishing to make a submission to *Council* must:
- 48.3.1 register in writing;
 - 48.3.2 identify the item on the agenda about which they wish to make a submission;
 - 48.3.3 register at least 24 hours prior to the scheduled commencement of the meeting at which the item is to be presented;
 - 48.3.4 provide their name and contact details.
- 48.4 If the person registering to make a submission is present at the meeting:
- 48.4.1 the *Chair* shall offer the person registering to make a submission the opportunity to make a statement in relation to the matter to be considered;
 - 48.4.2 the time permitted for each submission shall be three minutes or, where 10 or more people have registered to make a submission in relation to that item, two minutes.
- 48.5 If the *Chair* is of the opinion that the number of submissions makes it desirable to limit the number of submissions taken and invite a representative group of submitters to address the meeting, they may make such reasonable adjustments to the process as may be necessary.
- 48.6 A submission may be disallowed by the *Chair* if the *Chair* determines that it:
- 48.6.1 relates to a matter other than the matter being considered by *Council* at the time the submission is being made;
 - 48.6.2 is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
 - 48.6.3 is aimed at embarrassing a Councillor or a member of Council staff; or
 - 48.6.4 includes or relates to confidential information;
- 48.7 Notwithstanding the exclusions in Sub-Rule 48.1, *Council* may resolve to hear submissions in relation to any matter to be considered at a *Council meeting*, subject to whatever process the *Council* determines.

Attachment 1 - Attachment 1 - Governance Rules Review 2022 - Directions Papers

Public Submissions

Amendments to Chapter Three Delegated Committee Meetings

1. Meeting Procedure Generally

- 1.1 If Council establishes a Delegated Committee:
 - 1.1.1 all of the provisions of Chapter 2, with the exception of Part B, Division 8 and Part B, Division 9 apply to meetings of the *Delegated Committee*; and
 - 1.1.2 any reference in Chapter 2 to:
 - (a) a *Council meeting* is to be read as a reference to a *Delegated Committee* meeting;
 - (b) a Councillor is to be read as a reference to a member of the *Delegated Committee*; and
 - (c) the Mayor is to be read as a reference to the Chair of the *Delegated Committee*.

2. Submissions to the Planning Decisions Committee

- 2.1 There must be an opportunity for parties to make a submission to the *Planning Decisions Committee* in relation to every application for planning permit presented for consideration at a meeting of the *Planning Decisions Committee*, with the exception of:
 - 2.1.1 matters being re-presented to the *Planning Decisions Committee* after having been deferred where submissions have already been heard, unless the Committee resolves otherwise;
 - 2.1.2 matters considered at a meeting of the *Planning Decisions Committee* or part of a meeting of the *Planning Decisions Committee* closed to members of the public in accordance with section 66 of the Act.
- 2.2 Persons wishing to make a submission to Council must:
 - 2.2.1 be either the *applicant* or an *objector*;
 - 2.2.2 register in writing;
 - 2.2.3 identify the item on the agenda about which they wish to make a submission;
 - 2.2.4 register at least 24 hours prior to the scheduled commencement of the meeting at which the item is to be presented;
 - 2.2.5 provide their name and contact details.
- 2.3 If the *applicant* registering to make a submission is present at the meeting:
 - 2.3.1 the *Chair* shall offer the applicant the opportunity to make a statement in relation to the matter to be considered;
 - 2.3.2 the time permitted for the submission shall be five minutes.
- 2.4 If the *objector* registering to make a submission is present in the gallery:
 - 2.4.1 the *Chair* shall offer the person registering to make a submission the opportunity to make a statement in relation to the matter to be considered;
 - 2.4.2 the time permitted for each submission shall be five minutes.
- 2.5 If the *Chair* is of the opinion that the number of submissions makes it desirable to limit the number of submissions taken and invite a representative group of submitters to address the meeting, they may make such reasonable adjustments to the process as may be necessary.
- 2.6 A submission may be disallowed by the *Chair* if the *Chair* determines that it:
 - 2.6.1 relates to a matter other than the matter being considered by Council at the time the submission is being made;
 - 2.6.2 is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;

Attachment 1 - Attachment 1 - Governance Rules Review 2022 - Directions Papers

Public Submissions

2.6.3 is aimed at embarrassing a Councillor or a member of Council staff; or

2.6.4 includes or relates to *confidential information*;

3. Meeting Procedure Can Be Varied

- 3.1 Notwithstanding Rules 1 and 2, if *Council* establishes a *Delegated Committee* that is not composed solely of Councillors:
 - 3.1.1 Council may; or
 - 3.1.2 the *Delegated Committee* may, with the approval of Council
- 3.2 resolve that any or all of the provisions of Chapter 2 are not to apply to a meeting of the *Delegated Committee*, in which case the provision or those provisions will not apply until *Council* resolves, or the *Delegated Committee* with the approval of *Council* resolves, otherwise.

Additions to Chapter One Introduction, Rule 4.1 - Definitions

'*applicant*' means a person who has submitted an application for permit in accordance with section 47 of the *Planning and Environment Act 1987* (or their representative).

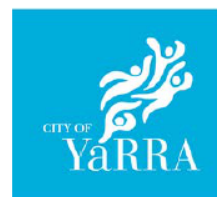
'*objector*' means a person who has submitted an objection to an application for permit in accordance with section 57 of the *Planning and Environment Act 1987* (or their representative).

'*Planning Decisions Committee*' means the *Delegated Committee* by that name established by Council for the purpose of considering planning permits and related matters.

'*Community Engagement Policy*' has the same meaning as in the *Act*.

Petitions and Joint Letters

Directions Paper 9 Governance Rules Review 2022



Background

The submission of petitions and joint letters to Council is a long-established process for members of the community to demonstrate community support for a request or views on a matter, and for that request or view to be presented directly to Council.

Council's Governance Rules were written to essentially 'roll over' the existing provisions from Council's former Meeting Procedures Local Law, with some minor changes.

Most notably, the Governance Rules do not make accommodation for electronic petitions, and the requirement for signatures means they do not currently comply with the prescriptive petition rules. During the COVID pandemic, there were public health restrictions which made the collection of door to door petitions impossible, and Council began accepting electronic petitions for the first time.

What can be improved?

The Governance Rules can provide greater guidance in the form and purpose of petitions, as well as more options as to the course of action that Council can take. At present, the only resolution available to Council is to receive a petition and refer it to the Chief Executive officer, even when the petition relates to a matter listed on the agenda.

What do other Councils do?

A benchmarking exercise has been conducted to determine the approach taken among the M9 group of Councils.

Council	Governance Rules Summary
Yarra	<ul style="list-style-type: none"> Requires 12 signatures Rules silent on electronic petitions (the practice is to accept them) Unless Council resolves otherwise, motion must only receive and refer it to an officer
Darebin	<ul style="list-style-type: none"> Requires 10 signatures Electronic petitions accepted Motion may: <ul style="list-style-type: none"> deal with it in conjunction with an item on the agenda refer it to the CEO call for a report Public cannot speak to petition
Hobsons Bay	<ul style="list-style-type: none"> Requires 25 signatures Must be within 10km of municipality Electronic petitions accepted (subject to Council resolution)

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Petitions and Joint Letters

Council	Governance Rules Summary
Yarra	<ul style="list-style-type: none"> Requires 12 signatures Rules silent on electronic petitions (the practice is to accept them) Unless Council resolves otherwise, motion must only receive and refer it to an officer
Maribyrnong	<ul style="list-style-type: none"> No minimum number of signatories Must be lodged 7 days before the meeting Motion may: <ul style="list-style-type: none"> refer it to the CEO call for a report Electronic petitions not accepted
Melbourne	<ul style="list-style-type: none"> Requires 2 signatures Motion may refer it to the CEO
Moonee Valley	<ul style="list-style-type: none"> No minimum number of signatories Motions not permitted until the following meeting Electronic petitions accepted
Moreland	<ul style="list-style-type: none"> Requires 10 signatures Motion may: <ul style="list-style-type: none"> refer it to the CEO call for a report May be dealt with in conjunction with an item on the agenda Lead petitioner may address Council for two minutes Electronic petitions accepted (unless it contains false signatures)
Port Phillip	<ul style="list-style-type: none"> Requires 5 signatures Must be lodged 7 days before the meeting May be dealt with in conjunction with an item on the agenda Electronic petitions accepted, provided they have been 'closed'
Stonnington	<ul style="list-style-type: none"> Requires 12 signatures Motions not permitted until the following meeting Electronic petitions not accepted

What approach could we take?

Electronic petitions are arguably more convenient for most organisers and signatories, but they present unique challenges when compared to physical petitions. Most importantly, a review of the four most commonly used electronic petition platforms (change.org, ipetitions.com, petitions.net and megaphone.org.au) reveals that they all allow the petition organiser to alter the text of the petition after signatures been collected. This is a fundamental flaw in these platforms, as it is possible for petitions to misrepresent the position of its petitioners.

Until a petition platform can be found that does not have this flaw, the acceptance of electronic petitions at a Council Meeting should not be supported. Instead, such petitions should be referred directly to the Chief Executive Officer for consideration. The CEO will also be required to provide a copy of the petition to all Councillors. This 'fast track' process also enables the Chief Executive Officer to verify the legitimacy of the petition before responding.

One inclusion that could be included based on the benchmarking is the ability for a petition to be considered in conjunction with an item listed on the agenda (in effect treating them as a joint submission in relation to that item). Where submissions from the public are allowed on that matter, the lead petitioner could be afforded to the opportunity to make a submission in these circumstances.

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Petitions and Joint Letters

Of course, it is also open to Council to consider the streamlining of petitions, where they are referred directly to the relevant Council officer immediately upon receipt, rather than having to wait for the next Council meeting. If this process were followed, an option would be to consider a requirement that management provide a report periodically on petitions received and dealt with in this way (which could simply list the petitions and their subject matter). That option would involve the removal of Chapter Two, Division 9 from the Governance Rules.

How would we give effect to these changes?

The amendments required to the Governance Rules to give effect to this proposal are shown overleaf.

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Petitions and Joint Letters

Division 9 – Petitions and Joint Letters

48. Petitions and Joint Letters

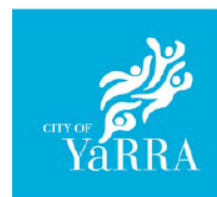
- 48.1 Every petition or joint letter presented to *Council* must:
 - 48.1.1 be in *writing* (other than pencil), typing or printing,
 - 48.1.2 contain the request of the petitioners or signatories
 - 48.1.3 not be derogatory, defamatory, indecent, abusive or objectionable in language or substance
 - 48.1.4 be signed by at least 12 people
- 48.2 Every petition or joint letter must be signed by the persons whose names are appended to it by their names or marks, and, except in cases of incapacity or sickness, by no one else and the address of every petitioner or signatory must be clearly stated.
- 48.3 Any signature appearing on a page which does not bear the text of the whole of the petition or request may not be considered by *Council*.
- 48.4 Every page of a petition or joint letter must be a single page of paper and not be posted, stapled, pinned or otherwise affixed or attached to any piece of paper other than another page of the petition or joint letter.
- 48.5 Petitions compiled using an online petition platform will not be received at a Council meeting, but, once submitted by the petition organiser, shall be referred directly to the Chief Executive Officer for consideration.
- 48.6 The Chief Executive Officer will provide a copy of all submitted petitions that were compiled using an online petition platform to all Councillors.

49. Tabling petitions

- 49.1 If the petition or joint letter relates to any item already on the agenda for the Council meeting at which the petition or joint letter is submitted, the petition or joint letter will be treated as a submission in relation to that agenda item.
- 49.2 Unless it is treated as a submission under sub-rule 49.1, a petition may be presented to a Council meeting by a Councillor.
- 49.3 It is incumbent on every Councillor presenting a petition or joint letter to acquaint themselves with the contents of that petition or joint letter, and to ascertain that it does not contain language disrespectful to *Council*.
- 49.4 Every Councillor presenting a petition or joint letter to *Council* must confine themselves to a statement of the persons from whom it comes, the number of signatories to it, the material matters expressed in it and the text of the request.
- 49.5 ~~Unless Council determines to consider it as an item of urgent business, no motion (other than a motion to receive the same) may be made on any petition, joint letter, memorial or other like application until the next Council meeting after that at which it has been presented.~~
- 49.6 A petition tabled by a Councillor at a Council Meeting may be dealt with by a motion to accept and note the petition and resolve to:
 - 49.6.1 refer it to the Chief Executive Officer for consideration and response; or
 - 49.6.2 call for a report on the subject matter of the petition.
- 49.7 ~~If a petition or joint letter, memorial or other like application relates to an operational matter, Council must refer it to the Chief Executive Officer for consideration and response.~~

General Business

Directions Paper 10 Governance Rules Review 2022



Background

General Business provides an opportunity for Councillors to bring matters to Council meetings without a Council officer report and without the need for listing of those items on the meeting agenda. As a result of this, a number of restrictions exist to limit the scope of such motions.

Currently, these restrictions are located in the Council Meetings Operations Policy, rather than the Governance Rules themselves.

What can be improved?

The existing restrictions on General Business are generally working well, but their location in the Council Meetings Operations Policy, rather than the Governance Rules is arguably somewhat confusing.

If General Business is to continue to be a part of Yarra's meetings, an opportunity exists to insert a new section in the Governance Rules under the heading "Business of Meetings" to describe General Business processes and restrictions, modelled on the current restrictions in the Council Meetings Operations Policy.

What do other Councils do?

A benchmarking exercise has been conducted to determine the approach taken among the M9 group of Councils.

Council	Governance Rules Summary
Yarra	<ul style="list-style-type: none"> General Business may only include <ul style="list-style-type: none"> A request for a subsequent report matters arising from a Delegate's Report. advocacy in relation a matter of established Council policy symbolic or ceremonial matters General Business cannot require material expenditure or commitment of resources Agenda also provides for questions without notice from Councillors
Darebin	<ul style="list-style-type: none"> General Business is not included in Council Meetings
Hobsons Bay	<ul style="list-style-type: none"> General Business is not included in Council Meetings
Maribyrnong	<ul style="list-style-type: none"> General Business is not included in Council Meetings
Melbourne	<ul style="list-style-type: none"> General Business may only include <ul style="list-style-type: none"> Notices of Motion post travel reports by Councillors receipt of petitions and joint letters Questions without Notice (at the discretion of the Chair)
Moonee Valley	<ul style="list-style-type: none"> General Business is not included in Council Meetings
Moreland	<ul style="list-style-type: none"> General Business is not included in Council Meetings

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General Business

Council	Governance Rules Summary
Yarra	<ul style="list-style-type: none"> General Business may only include <ul style="list-style-type: none"> A request for a subsequent report matters arising from a Delegate's Report. advocacy in relation a matter of established Council policy symbolic or ceremonial matters General Business cannot require material expenditure or commitment of resources Agenda also provides for questions without notice from Councillors
Port Phillip	<ul style="list-style-type: none"> General Business is not included in Council Meetings
Stonnington	<ul style="list-style-type: none"> General Business provides an opportunity for a Councillor to make a statement on an issue of concern to the City or to a Ward, but there is no opportunity for debate or a resolution arising from that statement.

As it can be seen, Yarra is unique among M9 Council in that it is the only Council to enable the presentation of motions to the meeting that are unrelated to matters listed on the agenda. As a result, additional benchmarking has been conducted to identify some Councils that do provide this opportunity, and what provisions they have applied.

After checking the provisions of the remaining 22 Melbourne Councils, only three provide an opportunity for General Business to be presented. In most Councils without General Business, there appears to be a heavier reliance on Notices of Motion for Councillors to introduce matters to the meeting.

Council	Governance Rules Summary
Boroondara	<ul style="list-style-type: none"> General Business must be business of a minor or routine nature Any motion dealing with a matter that is not minor or routine must not be accepted by the Chairperson and will be subject to the notice of motion provisions.
Glen Eira	<p><i>Has a provision called "Requests for reports from members of Council staff"</i></p> <ul style="list-style-type: none"> A motion must request a report from members of Council staff A request must be capable of completion within Council's resources
Hume	<ul style="list-style-type: none"> A General Business motion may: <ul style="list-style-type: none"> raise an item of general interest; address a question to a member of Council staff; request that a member of Council staff prepare a report; and propose or foreshadow a motion for debate A General Business motion may not: <ul style="list-style-type: none"> substantially affect the levels of Council service; commit Council to significant expenditure not included in the adopted Council Budget; establish or amend Council policy; commit Council to any contractual arrangement; concern any litigation in respect of which Council is a party; or require, pursuant to other policy determined by Council from time to time, the giving of prior notice. A Councillor may not raise more than three items of General Business at one meeting

What approach could we take?

While the benchmarking suggests that a favoured approach is to formalise meetings by not providing an opportunity for General Business, this potentially makes it difficult for Councillors to present matters that are relatively uncontroversial, but may be time sensitive and thus are not well served by the Notice of Motion process.

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General Business

It is suggested that General Business continue to be allowed, including with that current restriction that such motions not be able to require “material expenditure or commitment of council resources”, with the addition of some further explanatory text that provides guidance in this regard. It is necessary that the threshold for General Business be lower than any equivalent threshold applied to Notices of Motion.

How would we give effect to these changes?

The amendments required to the Governance Rules to give effect to this proposal are shown overleaf. The markups shown are the changes from the Council Meetings Operations Policy.

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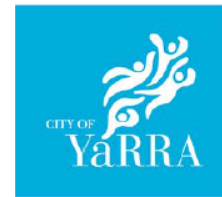
General Business

17. General Business

- 17.1 If the agenda for a Council meeting makes provision for general business, motions may only be admitted as general business where they:
 - 17.1.1 call for a report to be prepared for subsequent consideration by Council or a Delegated Committee;
 - 17.1.2 arise from a matter considered by a Council Advisory Committee and presented as part of a Delegate's Report.
 - 17.1.3 seek Council to undertake advocacy in relation a matter of established Council policy (such as sending a letter setting out Council's position in a matter); or
 - 17.1.4 are symbolic or ceremonial in nature (such as a condolence motion or motion to congratulate a member of the public upon the receipt of an award).
- 17.2 General Business motions cannot be considered where they:
 - 17.2.1 would require an ~~material~~ expenditure or commitment of council resources of greater than \$1,000;
 - 17.2.2 establish Council policy; or
 - 17.2.3 are beyond Council's powers to implement.
- 17.3 Where, in the opinion of the *Chief Executive Officer*, taking action on an item of General Business would be contrary to these provisions or the interests of Council, implementation of that resolution shall be placed on hold and a further report shall be brought to Council as soon as practicable to seek further direction.

Delegate's Reports

Directions Paper 11 Governance Rules Review 2022



Background

The processing of Delegate's Reports is currently prescribed by the Council Committees Policy. Delegate's Reports are not referenced anywhere within Council's Governance Rules. The following extract from the Council Committees Policy is relevant:

3.9. Providing Advice to Council

Following each meeting of an Advisory Committee, a Delegate's Report may be provided by the Councillor(s) appointed to the committee at a subsequent ordinary meeting of Council. This Delegate's Report provides an opportunity to formally present the committee's advice to the Council and table any background reports, research findings or policy recommendations to the Council. While the Responsible Officer may assist in providing material to support the development of a Delegate's Report, responsibility for its preparation and submission rests with the relevant Councillor(s).

At a Councillor's request, and with the leave of the Mayor, a Community Member or Organisational representative may address the Council in the presentation of this report.

Similarly, if a Councillor is appointed to an Interest Group, they may submit a Delegate's Report if they choose to do so, either following a meeting or on a periodic basis.

Delegate's Reports are not submitted in relation to Project Consultative Groups, as their discussions are included in relevant project status reports and consultation results.

Delegate's Reports are to be presented to Council with a motion for noting only. Any business arising from such meetings requiring a Council resolution is to be presented as an item of General Business or Notice of Motion.

What can be improved?

The Current Process for presenting a Delegate's Report is generally:

1. The Councillor provides a Delegate's Report by one of the following means:
 - Sends a written report by email to Councillors ahead of the meeting
 - Tables a written report at the meeting
 - Provides an oral report at the meeting
2. The Councillor presents the report at the meeting verbally, and on occasions read out the entire Delegate's Report to the Meeting, prior to any motion.

What do other Councils do?

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Delegates Reports

A benchmarking exercise has been conducted to determine the approach taken among the M9 group of Councils. Delegate's Reports are a unique feature of Yarra's meetings and do not feature in any of the other M9 Councils.

Some of Councils provide an opportunity for a verbal report from a Councillor on any matter of interest (which could include a verbal report from an advisory committee or external organisation), but no opportunity for a motion. If a Councillor wants to bring forward a matter from a Committee at the other M9 Councils, they would need to submit it as a Notice of Motion according to their meeting rules.

This process is effectively the same as that used at the City of Yarra.

What approach could we take?

The current process is flexible and effective, and there appears to be compelling argument to alter it. This review provides the opportunity to include reference to the manner of presenting Delegate's Reports in the Governance Rules.

In addition, the Rules can include a provision that any written report provided (either beforehand or at the meeting itself), should be included in the meeting minutes.

How would we give effect to these changes?

The provisions that could be inserted into the Governance Rules are shown overleaf.

Attachment 1 - Attachment 1 - Governance Rules Review 2022 - Directions Papers

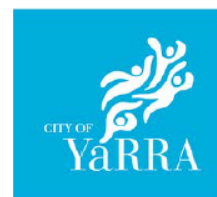
Delegates Reports

19. Delegate's Reports

- 19.1 A Delegate's Report provides an opportunity for a Councillor to update the Council and provide advice or other information in relation to the activities of:
 - 19.1.1 an Advisory Committee
 - 19.1.2 an Interest Group; or
 - 19.1.3 an external organisationto which the Councillor has been appointed by the Council as its delegate.
- 19.2 If the agenda for a Council meeting makes provision for Delegate's Reports, and Councillor may submit a report by:
 - 19.2.1 tabling a written report; or
 - 19.2.2 providing an oral report to the meeting.
- 19.3 The full text of any Delegate's Report tabled in writing shall be included in the minutes of the meeting.

Electronic Meetings

Directions Paper 12 Governance Rules Review 2022



Background

In March 2022, the making of the Regulatory Legislation Amendment (Reform) Act 2022 resulted in changes to the Local Government Act 2020 to provide for attendance and participation in Council meetings and delegated committees by electronic means of communication.

The changes replace the existing temporary emergency provisions and are due to commence on 2 September 2022.

Relevantly, once commenced, section 60 of the Local Government Act 2020 will state (with the additions underlined):

- (1) *A Council must develop, adopt and keep in force Governance Rules for or with respect to the following—*
 - (a) *the conduct of Council meetings (including holding Council meetings by electronic means of communication);*
 - (b) *the conduct of meetings of delegated committees (including holding meetings of delegated committees by electronic means of communication);*
 - (ba) *requesting and approval of attendance at Council meetings and meetings of delegated committees by electronic means of communication;*

A number of other minor amendments will also be made. These do the following:

- Widen the definition of being present at a meeting to include attendance by electronic means
- Make permanent the current temporary measures relating to the need to live stream any meeting that is held solely by electronic means
- Extend the current temporary provisions to 1 September 2022

What can be improved?

The current Governance Rules provide a general clause that enables meetings to be conducted electronically and provides the meeting chair the necessary authority to modify meeting rules to accommodate the meeting format. At the time of inclusion, this was intended to be a rare occurrence reserved for extraordinary circumstances, rather than a regularly used provision.

With the new provisions to be included in the Local Government Act 2020, this Governance Rules review provides an opportunity to codify details regarding the attendance of Councillors at meetings in more detail.

What do other Councils do?

None of the M9 Council have yet amended their Governance Rules to specifically provide guidelines for electronic meetings. All Councils are currently relying on the existing emergency provisions of the Local Government Act 2020 and general provisions in their Governance Rules which provide the Mayor with discretion to modify meeting procedures as necessary to accommodate the online format.

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Electronic Meetings

The Minister for Local Government will be issuing guidelines to the sector in May 2022 on this issue – Yarra’s officers are involved in the working party developing these guidelines. The intention of these guidelines is not to be prescriptive about what Councils should do, but rather to set out the matters that Councils should take into account in making necessary amendments to their Governance Rules. It is not expected that the Ministerial Guidelines will be prescriptive enough that they could be adopted with public consultation (which is a process allowed for in the Local Government Act 2020, but unlikely to be able to be applied in this case).

What approach could we take?

It is open to Council to make its own determination on whether electronic participation at Council meetings should be permitted. The following four main different types of meetings are possible:

- ‘Physical’ meetings where all Councillors are present in person at one location.
- ‘Remote’ meetings where all Councillors participate by electronic means of communication
- ‘Hybrid’ meetings where some Councillors are physically present at one location, and some participate by electronic means of communication
- ‘Parallel’ meetings where some Councillors are present in person at one location, and some are physically present at another location.

In light of the COVID pandemic, much has been written about the merits or otherwise of the move to online meeting formats – including with a specific focus on corporate boards.

In essence, the prevailing view seems to be that while the move to online meetings has come with some benefits, it has not been without its downsides. In general terms, the benefits are practical ones – the reduction in travel, the ability to balance meetings with family or employment obligations, reduced costs to the organisation, the ability to have more subject matter experts at meetings, reduced overall time commitment. The most significant downside of online meetings has been the removal of the ‘informal’ element of meetings – discussions over dinner, ability to chat informally with staff or colleagues before or after meetings, the usefulness of body language in the flow of discussion and debate and the removal of distraction from the meeting environment.

Each of the meeting types has advantages and disadvantages, and the answer to deciding the best format for Council meetings, and the best way to document this in Governance Rules is unlikely to be found in debating the merits of each approach. The decision more likely to be one of principle.

“Let’s not waste a precious opportunity to re-think what we do and make boards more effective at governance.”

<https://hbr.org/2020/07/the-upside-of-virtual-board-meetings>

“Another key element of the ideal hybrid or virtual board meeting is the social aspect. The personal bonds that people develop during chats at coffee breaks and before and after the meeting are helpful in building a cohesive board that works in unison. If that is reserved only for those attending in person, it could create an imbalance on the board.”

<https://boardcllc.com/corporate-governance/virtual-board-meetings/>

Turning to the Local Government Act 2020 for guidance, it is clear that a Councillor has relatively few legislated obligations. However, one of the obligations that a Councillor does have is that, subject to some exceptions, they cannot be “absent from Council meetings for a period of 4 consecutive months” [section 35(1)(e)]. In fact, this is the only obligation that requires a Councillor to physically attend the Council building and meet their colleagues. Without such an obligation to meet in person, Councillors would never have to meet the Council staff or each other - either one on one or as a collective. A move to online meetings clearly changes this dynamic.

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Electronic Meetings

"Directors reported that they felt the loss of in-person contact most when they tried to hold virtual deep-dive strategy sessions or conduct in-depth risk assessments. Directors overwhelmingly feel that in-person meetings are necessary for meaningful, breakthrough discussion."

www.cumanagement.com/articles/gov-plus/2021/02/good-governance-virtual-board-work-here-stay

The experience at Yarra has been mixed. One thing that is clear is that the building of relationships between newly elected Councillors and each other and Council management has been more difficult in the online environment. The return to physical meetings has been welcomed by most (both during a short period in mid 2021 and more recently in 2022). That said, there have been times when online meetings have made participation possible by Councillors not otherwise able to join (most recently when a Councillor joined a meeting from overseas in circumstances where a quorum would otherwise have been lost for part of the meeting).

For the purposes of this discussion paper, a model is presented where:

- Physical meetings are the 'default' arrangement.
- Councillors who are unable to participate in person can request to join a physical meeting online (thus turning it into a 'hybrid' meeting).
- Provided Councillors present a reason for joining a meeting online other than it being their personal preference, then their request is bound to be accepted.
- Certain meetings can only be held in person (ie a Councillor is not able to request to join them online) due to the specific nature of the matters being considered).
- Once a certain number of online requests are made, a Hybrid meeting will become a 'Remote' meeting, and all participants will join online.
- At a Hybrid meeting, the meeting Chair must be physically present (meaning if the Mayor is joining online, another Councillor must assume the chair).

"Only 41 percent of respondents agreed that virtual meetings are as effective as in-person meetings"

<https://corpgov.law.harvard.edu/2021/02/08/the-future-of-the-virtual-board-room/>

In addition to the principle-based decision about the preferred meeting format, any use of electronic meetings will require insertions in the Governance Rules relating to a number of practical matters, such as the definition of presence at the meeting, the process to be used during a conflict of interest, casting and recording ordinary votes and divisions and a number of other matters. These changes are necessary to preserve the intent of the current meeting procedures insofar as they can be applied to electronic meetings.

Another matter requiring consideration is how members of the public might participate in meetings that are conducted using electronic means of communication. Experience over the past two years has shown that facilitating access to the electronic meeting platform by members of the public is very resource intensive, as it requires Council staff to individually contact each participant to facilitate their access to the meeting platform. In some cases, this also requires Council staff to provide technical support to members of the public both before and during the meeting itself. For the purposes of this discussion paper, participation by members of the public online is proposed to be made available only at meetings conducted solely online.

How would we give effect to these changes?

The provisions that could be inserted into the Governance Rules are shown overleaf.

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Electronic Meetings

Division 15 – Miscellaneous

~~67. Meetings Conducted Remotely~~

~~67.1 If:~~

~~67.1.1 by law a meeting may be conducted electronically; and~~

~~67.1.2 Council decides that a meeting is to be conducted electronically;~~

~~the Chair may, with the consent of the meeting, modify the application of any of the Rules in this Chapter to facilitate the more efficient and effective transaction of the business of the meeting.~~

Division 15 – Meetings and the use of electronic means of communication

It is Council's view that while there is a place for the use of electronic means of communication in formal meetings, a move away from in person meetings as the primary decision-making forum would be detrimental to good governance and transparent decision-making. Further, the sole reliance on electronic meeting platforms would disenfranchise members of the public who would otherwise be able to participate.

67. Determination of meeting format

67.1 By default, Council meetings shall be conducted in person except as provided for in this Division.

67.2 Despite this Division, Council may, by resolution, determine that a specific meeting or meetings will be conducted:

67.2.1 in person;

67.2.2 by electronic means of communication.

68. Meetings conducted in person

68.1 At meetings conducted in person, Councillors shall physically attend the meeting unless a request to participate by electronic means of communication has been granted in accordance with this section.

68.2 A request to participate by electronic means of communication must be in *writing*, signed by the Councillor, and be lodged or sent to the Chief Executive Officer at least two hours before the commencement of the meeting.

68.3 A request to participate in a meeting by electronic means of communication must provide an explanation as to why the Councillor cannot reasonably participate in the meeting in person. For the avoidance of doubt, a Councillor's personal preference to participate by electronic means of communication does not constitute sufficient grounds for making a request. The Chief Executive Officer shall, if requested by the Councillor, keep confidential the submitted reasons for the request.

68.4 If a request to participate in a meeting by electronic means of communication does not comply with sub clause 69.3, the Chief Executive Officer shall decline to accept it, and shall notify the Councillor and, if time permits, provide them an opportunity to submit a further request.

68.5 Subject to sub-rule 68.6, the Chief Executive Officer shall grant all requests to participate in the meeting by electronic means of communication, and shall notify all Councillors of the decision.

68.6 The Chief Executive Officer may not grant a request to participate in a meeting by electronic means of communication at the first meeting of Councillors after a general election, or if the meeting will consider:

68.6.1 the election of the Mayor under section 25 of the Act;

68.6.2 the election of the Deputy Mayor under section 27 of the Act;

68.6.3 the adoption of Governance Rules under section 60 of the Act;

68.6.4 the adoption of a Community Vision under section 88 of the Act;

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Electronic Meetings

- 68.6.5 the adoption of a Council Plan under section 90 of the Act;
 - 68.6.6 the adoption of a Long Term Financial Plan under section 91 of the Act;
 - 68.6.7 the adoption of an Annual Budget under section 94 of the Act;
 - 68.6.8 the adoption of a Revised Budget under section 94 of the Act;
 - 68.6.9 the presentation by the Mayor of an Annual Report under section 100 of the Act; or
 - 68.6.10 the adoption of a Councillor Code of Conduct under section 139 of the Act;
- unless they are satisfied that extraordinary circumstances warrant it.
- 68.7 A Councillor who is not physically in attendance at a meeting but is present by electronic means of communication without approval, shall be recorded as absent, and shall not be able to participate in the proceedings of the meeting, including moving or seconding motions, speaking during a debate or casting a vote on a motion before the meeting.
- 68.8 Meetings conducted in person shall be chaired by a Councillor who is physically present, in the following order of preference:
- 68.8.1 The Mayor; or
 - 68.8.2 If the Mayor is not physically present, the Deputy Mayor; or
 - 68.8.3 If neither the Mayor or Deputy Mayor are physically present, a Councillor who is physically present and is appointed by a resolution of the Council.

69. Meetings conducted by electronic means of communication

- 69.1 Should the Chief Executive Officer receive requests under rule 68 to participate in a meeting by electronic means of communication from an *absolute majority* of Councillors, the meeting shall be conducted solely by electronic means of communication.
- 69.2 Should the Chief Executive Officer determine that extraordinary circumstances warrant it, they are authorised to determine that any meeting be conducted solely by electronic means of communication.
- 69.3 The Chief Executive Officer may take all relevant factors into account in making a determination that extraordinary circumstances warrant a meeting being conducted solely by electronic means of communication including, but not limited to:
- 69.3.1 any risk to the health and safety of Councillors, staff and the community
 - 69.3.2 whether all or part of the meeting is planned to be closed to members of the public under section 66(2) of the Act
 - 69.3.3 the ability to provide public notice to members of the public who had registered to attend the meeting
 - 69.3.4 whether the orderly conduct of a meeting may be affected by the choice of meeting format
 - 69.3.5 the availability of suitable meeting facilities

70. Adjustments to meeting rules

- 70.1 If a meeting is conducted by electronic means of communication, the following modifications to the application of the Rules in this Chapter are to be made:
- 70.1.1 References to a Councillor being present at a meeting shall be a reference to a Councillor being able to both hear and see other members in attendance and be heard and be seen by other members in attendance;
 - 70.1.2 Momentary absences (less than one minute) shall not be recorded as absences for the purposes of the meeting minutes, unless a vote or the Mayor's request for the declaration of conflicts of interest occurs during the absence;

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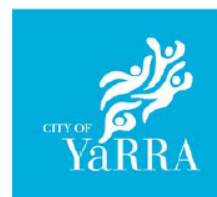
Electronic Meetings

- 70.1.3 Casting a vote may occur by a Councillor either raising their hand in view of their camera such that it can be seen by other members in attendance or, at the Chair's request, verbally stating their vote;
- 70.1.4 In the event of the absence of a Councillor during a vote due to an apparent technical failure, a Councillor or member of Council staff may bring this to the attention of the meeting Chair, who may briefly adjourn the meeting to enable the Councillor to re-join the meeting. Should the Councillor be unable to reconnect within five minutes, the meeting shall resume in the Councillor's absence;
- 70.1.5 In the event of a Councillor being required to leave a meeting due following the declaration of a conflict of interest, a Councillor may leave the meeting by:
 - (a) deactivating their microphone and camera (for meetings that are open to the public); or
 - (b) disconnecting from the online meeting platform (for all meetings).
- 70.2 The Chair may, with the consent of the meeting, modify the application of any other of the Rules in this Chapter to facilitate the more efficient and effective transaction of the business of a meeting which is conducted by electronic means of communication.

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Councillor Forums

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Background

Council holds a series of regularly scheduled Councillor Briefings and ad hoc Councillor Workshops, yet no specific reference to them appears in the Governance Rules. The only current provision that applies to these meetings are the conflict of interest provisions that arise due to the fact these meetings are *meetings conducted under the auspices of Council*, as defined in the Local Government Act 2020 and the Governance Rules.

Councillor Briefings are currently designed to assist Councillors to fulfil their legislative obligation under the Councillor Conduct Principles which requires that a Councillor *“diligently uses Council processes to become informed about matters which are subject to Council decisions.”*

What can be improved?

Councillor Briefings and Workshops are a significant part of the workload of a Councillor, and are subject to no formal policy or guidelines governing their operation. The Governance Rules review provides an opportunity to define the purpose more clearly, as well as set out expectations regarding conduct, attendance and various administrative responsibilities.

What do other Councils do?

A benchmarking exercise has been conducted to determine the approach taken among the M9 group of Councils.

Council	Governance Rules Summary
Yarra	<ul style="list-style-type: none"> The Governance Rules set out the requirement and process for the declaration of a conflict of interest at a Councillor Briefing. No other policy or procedures exist.
Darebin	<p>A <i>Councillor Briefing Policy</i> has been adopted which sets out</p> <ul style="list-style-type: none"> Purpose Prohibition on decision-making Attendance Determination of agenda Procedure Conduct Role of the Mayor
Hobsons Bay	<p>The Councillor Code of Conduct makes three references to Councillor Briefings relating to:</p> <ul style="list-style-type: none"> No directing or seeking to direct Council staff Confidentiality Conflict of Interest

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Councillor Forums

Council	Governance Rules Summary
Yarra	<ul style="list-style-type: none"> The Governance Rules set out the requirement and process for the declaration of a conflict of interest at a Councillor Briefing. No other policy or procedures exist.
Maribyrnong	<ul style="list-style-type: none"> The Governance Rules make an identical reference to Councillor Briefings as the current Yarra Rules relating to disclosure of conflicts of interest. The rules also provide for the tabling of a summary of matters discussed at a subsequent Council meeting.
Melbourne	<ul style="list-style-type: none"> The Governance Rules make an identical reference to Councillor Briefings as the current Yarra Rules relating to disclosure of conflicts of interest.
Moonee Valley	<ul style="list-style-type: none"> A reference is made in the Councillor Code of Conduct to <i>"the standard of behaviour of Councillors during ... Councillor briefings"</i> The Governance Rules make an identical reference to Councillor Briefings as the current Yarra Rules relating to disclosure of conflicts of interest. The rules also provide for the tabling of a summary of matters discussed at a subsequent Council meeting.
Moreland	<ul style="list-style-type: none"> A reference is made in the Councillor Support, Expenses and Resources Policy that <i>"The duties and activities considered to be necessary or appropriate for the purposes of achieving the objectives of a Council include ... attending ... Councillor Briefing sessions organised by the Chief Executive Officer or delegate"</i>.
Port Phillip	<ul style="list-style-type: none"> The Governance Rules make an identical reference to Councillor Briefings as the current Yarra Rules relating to disclosure of conflicts of interest. The rules also provide for the tabling of a summary of matters discussed at a subsequent Council meeting.
Stonnington	<ul style="list-style-type: none"> The Councillor Code of Conduct includes a section on Councillor Briefings, as well as an appended <i>Councillor Briefing Session Charter</i> which provides provisions for: <ul style="list-style-type: none"> Description Role Confidentiality Attendance

What approach could we take?

It is suggested that the Governance Rules provide some guidance regarding four specific types of meetings.

Councillor Briefings

Councillor Briefings would remain largely unchanged from the current practice, and would be focussed largely on sharing views and providing feedback to officers on matters coming to a subsequent Council meeting, or presenting items for Councillor information.

A regular program of Councillor Briefings would be scheduled by Council annually, aligned with the Council meeting cycle. Additional Briefings could be scheduled by the CEO in consultation with the Mayor on an as needs basis. The Chief Executive Officer would be responsible for setting the agenda of Councillor Briefings, as is currently the case.

Council's previously adopted position of not receiving presentations at Councillor Briefings from property developers would be formalised in the Governance Rules, although an exemption would exist for government projects.

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Councillor Forums

Councillor Workshops

Councillor Workshops would be more strategic in nature than Councillor Briefings, and would be used for matters such as the development of Council's Annual Budget, strategic policy development or the discussion of large scale planning scheme amendments. The current arrangement is for these matters either to be brought to a scheduled Councillor Briefing, or a for a 'special' Councillor Briefing to be convened.

Councillor Workshops could be scheduled by the Council or by the CEO in consultation with the Mayor. The Chief Executive Officer would be responsible for setting the agenda of Councillor Workshops.

Planning Committee Member Briefings

The PDC Member Briefings are intended to remain unchanged from the current arrangement, which sees Council's planning staff provide a briefing to rostered Councillors ahead of each PDC meeting. This allows for detailed technical discussion on matters listed for discussion at the Committee meeting.

Scheduling of the PDC Member Briefings would be tied to the PDC meetings themselves, and the agenda items arise automatically from the agenda of the committee meeting to which they relate.

Councillor Development Forums

Councillor Development Forums are a new proposal, with meetings designed for collective Councillor capacity building, as well as specific training around compliance matters. They would provide a means to assist Councillors to satisfy their obligation under the Councillor Conduct Principles which requires that a Councillor *"undertakes any training or professional development activities the Council decides it is necessary for all Councillors to undertake in order to effectively perform the role of a Councillor."*

Councillor Development Forums would be scheduled by the Chief Executive officer, in consultation with the Mayor. The Chief Executive Officer would be responsible for setting the agenda of Councillor Development Forums.

In order to satisfy the Councillor Conduct Principle that Councillors undertake training *"the Council decides it is necessary ... to undertake"*, it is envisaged that a professional development program will be periodically brought to Council for a resolution to set out the program in advance. The precise mechanism and frequency for this approach does not need to be captured in the Governance Rules themselves.

The additional recommendation proposed is that Council introduce formal and transparent reporting regarding all Councillor Forums. This reporting would provide for greater transparency of these meetings, with quarterly reports setting out:

- The date of each meeting
- The matters discussed
- Records of attendance/apology/leave of absence/absence
- Records of conflicts of interest

In addition, the proposal is to formalise a requirement that a summary report be included in Council's Annual Report setting out the names of each Councillor, the number of meetings they were invited to, the number of those meetings they attended and whether they were granted leave of absence for any of them.

How would we give effect to these changes?

The provisions that could be inserted into the Governance Rules are shown overleaf.

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Councillor Forums

CHAPTER FOUR – COUNCILLOR FORUMS

PART A – PRELIMINARY

1. Purpose

- 1.1 This Chapter provides a framework for the orderly and proper conduct of Councillor Forums and aims to increase transparency around the council decision making process in line with the principles of good governance.
- 1.2 Each type of Councillor Forum described in this Chapter is a *meeting conducted under the auspices of Council* for the purposes of the conflict of interest provisions of the Local Government Act 2020 and these Governance Rules.

2. Conduct

- 2.1 Councillor Forums shall be chaired by the Mayor, or in their absence the Deputy Mayor, or in their absence a Councillor agreed by the Councillors in attendance.
- 2.2 These forums shall be conducted in a relatively informal manner.
- 2.3 Persons attending these forums will:
 - 2.3.1 treat other participants with courtesy and respect;
 - 2.3.2 not raise matters that are defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
 - 2.3.3 in the case of Councillors, adhere to the Councillor Code of Conduct, to the extent that its terms are relevant, and can be applied, to Councillor Briefings; and
 - 2.3.4 in the case of Council staff, adhere to the Staff Code of Conduct, to the extent that its terms are relevant, and can be applied, to Councillor Briefings.

3. Councillor Attendance

- 3.1 Councillors are expected to attend all Councillor Forums, except where Council or the *Chief Executive Officer* determines otherwise. In the case of Planning Decisions Committee Member Briefings, only Councillors rostered to the subsequent meeting of the Planning Decisions Committee are expected to attend.
- 3.2 For the purposes of the transparency reports, a Councillor's attendance will be recorded as:
 - 3.2.1 In attendance, where they are present for all or part of the forum;
 - 3.2.2 On leave, where they have obtained leave from Council under s35(1)(e) of the Local Government Act 2020, where s35(5) or 35(6) applies or where the meeting is convened solely to consider a matter in relation to which the Councillor has a conflict of interest;
 - 3.2.3 Apology, where the Councillor is not present at the forum and has notified the Chair in advance of their intended absence; or
 - 3.2.4 Absent, where the Councillor is not present at the forum without prior notification.
- 3.3 For the purposes of this Chapter, being present at a meeting includes participation by electronic means of communication.

PART B – COUNCILLOR BRIEFINGS

4. Purpose

- 4.1 Councillor Briefings are designed to assist Councillors to fulfil their obligation at Schedule 1, clause 2(b) of the Local Government (Governance and Integrity) Regulations 2020 which requires that a Councillor *"diligently uses Council processes to become informed about matters which are subject to Council decisions."*

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Councillor Forums

- 4.2 Councillor Briefings provide an opportunity to enhance the decision-making process and are a forum for the Chief Executive Officer and senior management to address any Councillor questions and provide additional background on matters subsequently coming before the Council for decision.
- 4.3 Councillor Briefings are designed to better inform and encourage robust discussion and debate relating to Council initiatives, policies, plans and strategies.
- 4.4 Specifically, Councillor Briefings provide a forum for:
 - 4.4.1 Councillors to be fully informed on complex matters that will allow for more effective discussion and debate during subsequent formal meetings;
 - 4.4.2 Councillors to share their views with each other; and for Councillors to seek further information, clarification and background details from council officers or any guest presenters;
 - 4.4.3 officers to advise Councillors of their professional opinions and reasoning behind their intended recommendations;
 - 4.4.4 Councillors to adequately prepare for Council Meetings without the limitations and restrictions of formal debate.
- 4.5 While Councillor Briefings are not formal decision-making forums, officers may have regard to discussions and issues raised at Councillor Briefings in developing recommendations for a future Council meeting.

5. Administration

- 5.1 Council may from time to time fix the date, time and place of all Councillor Briefings.
- 5.2 The *Chief Executive Officer*, after consulting with the Mayor, may call a Councillor Briefing and fix its date, time and place.
- 5.3 The *Chief Executive Officer*, after consulting with the Mayor, shall set the agenda for Council Briefings.

6. Guest Attendance

- 6.1 The *Chief Executive Officer* will extend an invitation to a Councillor Briefings (or part thereof) to relevant Council staff, including members of the Executive Management Team, senior management and specialist staff.
- 6.2 The *Chief Executive Officer* may, after consulting with the Mayor, extend invitations to third parties to participate in Councillor Briefings (or part thereof) as appropriate.
- 6.3 Invitations to Councillor Briefings cannot be extended to third parties in relation to applications or prospective applications that they may make for planning scheme amendments, planning permits, heritage permits or other land use planning matters, with the exception of:
 - 6.3.1 Commonwealth or state government departments and agencies; and
 - 6.3.2 parties acting on behalf of, or in partnership with, Council.

PART C - COUNCILLOR WORKSHOPS

7. Purpose

- 7.1 Councillor Workshops are primarily designed to assist Councillors to fulfil their obligation at section 28(1)(c) of the Local Government Act 2020 which requires a Councillor *"to contribute to the strategic direction of the Council through the development and review of key strategic documents of the Council, including the Council Plan."*
- 7.2 Councillor Workshops enable Councillors and staff to collaborate to develop or advance matters of strategic importance and collectively develop proposals prior to the commencement of the formal decision-making process.
- 7.3 Examples of workshops include:
 - 7.3.1 discussions to determine strategic priorities;

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- 7.3.2 the development of the budget for the coming financial year;
- 7.3.3 initial input into the development or review of a Council policy or planning scheme.

- 7.4 While workshops are not formal decision-making forums they may be used as the basis for officers to develop a proposal which will be considered at a subsequent Councillor Briefing or formally at a Council meeting.

8. Administration

- 8.1 The Council may, by resolution, call a Councillor Workshop and fix its date, time and place.
- 8.2 The *Chief Executive Officer*, after consulting with the Mayor, may call a Councillor Workshop and fix its date, time and place.
- 8.3 Every effort shall be made to schedule each Councillor Workshop at a time that is suitable to Councillors, but it is recognised that Councillors may not be available at short notice or at times that conflict with employment, community, family or caring responsibilities.
- 8.4 The *Chief Executive Officer*, after consulting with the Mayor, shall set the agenda for Council Workshops.

9. Guest Attendance

- 9.1 The *Chief Executive Officer* will extend an invitation to a Councillor Workshops (or part thereof) to relevant Council staff, including members of the Executive Management Team, senior management and specialist staff.
- 9.2 The *Chief Executive Officer* may, after consulting with the Mayor, extend invitations to third parties to participate in Councillor Workshops (or part thereof) as appropriate.

PART D – PLANNING DECISIONS COMMITTEE MEMBER BRIEFINGS

10. Purpose

- 10.1 Planning Decisions Committee Member Briefings are designed to assist those Councillors who are rostered on to the next meeting of the Planning Decisions Committee to fulfil their obligation at Schedule 1, clause 2(b) of the Local Government (Governance and Integrity) Regulations 2020 which requires that a Councillor “*diligently uses Council processes to become informed about matters which are subject to Council decisions.*”
- 10.2 Planning Decisions Committee Member Briefings enable Councillors and staff to discuss details of matters coming to the Committee, understand technical details and clarify matters raised with Councillors by parties to the application.
- 10.3 While Planning Decisions Committee Member Briefings are not formal decision-making forums they may be used by Councillors to develop alternative resolutions that are subsequently presented to the Committee for consideration.
- 10.4 Council staff may provide advice at Planning Decisions Committee Member Briefings, but such advice should not be considered an alteration of the report author’s recommendation in the published report.

11. Administration

- 11.1 Council must from time to time fix the date, time and place of all Planning Decisions Committee Member Briefings.
- 11.2 The *Chief Executive Officer*, after consulting with the Mayor, may call a Planning Decisions Committee Member Briefing and fix its date, time and place.
- 11.3 While there is no formal agenda Planning Decisions Committee Member Briefings, discussion shall be confined to questions relating to the matters listed on the agenda for the subsequent meeting of the Planning Decisions Committee.

12. Guest Attendance

- 12.1 The *Chief Executive Officer*, and both the Director and Manager with responsibility for the statutory planning function have a standing invitation to attend the Planning Decisions Committee Member Briefing.
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- 12.2 Both the Director and Manager with responsibility for the statutory planning function may extend an invitation to a Planning Decisions Committee Member Briefing (or part thereof) to relevant Council staff.
- 12.3 Invitations to Planning Decisions Committee Member Briefings cannot be extended to third parties.

PART E – COUNCILLOR DEVELOPMENT FORUMS

13. Purpose

- 13.1 Councillor Development Forums are designed to enable Councillors to fulfil their obligation at Schedule 1, clause 2(a) of the *Local Government (Governance and Integrity) Regulations 2020* which requires that a Councillor “*undertakes any training or professional development activities the Council decides it is necessary for all Councillors to undertake in order to effectively perform the role of a Councillor.*”
- 13.2 Councillor Development Forums are offered collectively to the Councillor group in addition to any individual professional development undertaken by a Councillor or groups of Councillors in accordance with the *City of Yarra Councillor Support Policy*.

14. Administration

- 14.1 The *Chief Executive Officer*, after consulting with the Mayor, may call a Councillor Development Forum and fix its date, time and place.
- 14.2 Every effort shall be made to schedule each Councillor Development Forum at a time that is suitable to Councillors, but it is recognised that Councillors may not be available at short notice or at times that conflict with employment, community, family or caring responsibilities.
- 14.3 The *Chief Executive Officer*, after consulting with the Mayor, shall set the agenda for Council Development Forum.

15. Guest Attendance

- 15.1 The *Chief Executive Officer* will extend an invitation to a Councillor Development Forums (or part thereof) to relevant Council staff, including members of the Executive Management Team, senior management and specialist staff.
- 15.2 The *Chief Executive Officer* may, after consulting with the Mayor, extend invitations to third parties to participate in Councillor Development Forums (or part thereof) as appropriate.

PART F – TRANSPARENCY

16. Quarterly Reporting

- 16.1 As soon as practicable after the end of each quarter, a report will be presented to a Council Meeting setting out details of each of:
 - 16.1.1 Councillor Briefings
 - 16.1.2 Councillor Workshops
 - 16.1.3 Planning Decisions Committee Member Briefings
 - 16.1.4 Councillor Development Forums
- 16.2 The report in sub-rule 16.1 shall include, for each meeting:
 - 16.2.1 The date of the meeting
 - 16.2.2 Subject to sub rule 16.3, a list of the matters discussed at the meeting
 - 16.2.3 Details of Councillor attendance
 - 16.2.4 Any Conflicts of Interest declared at the meeting under these Governance Rules
- 16.3 Where the inclusion of a matter discussed at a meeting would require the disclosure of confidential information, the list shall instead state “Confidential Matter” and state the grounds on which this determination has been made by reference to the grounds specified in the definition of confidential information in section 3(1) of the Local Government Act 2020.

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Councillor Forums

17. Annual Report

- 17.1 Council's Annual Report shall include a table setting out the attendance details during the previous financial year of Councillors at:
 - 17.1.1 Councillor Briefings
 - 17.1.2 Councillor Workshops
 - 17.1.3 Planning Decisions Committee Member Briefings
 - 17.1.4 Councillor Development Forums

18. Internal Working Documents

- 18.1 Aside from the transparency reports set out in this Part, the proceedings of each type of meeting described in this Chapter are to be considered Internal Working Documents. This includes, but is not limited to:
 - 18.1.1 Agendas
 - 18.1.2 Briefing Papers
 - 18.1.3 Briefing paper attachments
 - 18.1.4 Slide decks and presentations
 - 18.1.5 Meeting notes or minutes
- 18.2 Councillors must not intentionally or recklessly disclose information that they know, or should reasonably know, is an internal working document.