



Agenda

Extraordinary Council Meeting

7.00pm, Monday 28 November 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.

Extraordinary Council meetings are a type of meeting that is scheduled to consider specific matters. Extraordinary Council meetings fall outside the usual meeting cycle and do not include Question Time or a number of other elements that are a feature of Ordinary Council meetings.

Arrangements to ensure our meetings are accessible to the public

Council meetings are held on the first floor at Richmond Town Hall. Access to the building is available either by the stairs, or via a ramp and lift. Seating is provided to watch the meeting, and the room is wheelchair accessible. Accessible toilet facilities are available. Speakers at the meeting are invited to stand at a lectern to address the Council, and all participants are amplified via an audio system. Meetings are conducted in English.

If you are unable to participate in this environment, we can make arrangements to accommodate you if sufficient notice is given. Some examples of adjustments are:

- a translator in your language
- the presence of an Auslan interpreter
- loan of a portable hearing loop
- reconfiguring the room to facilitate access
- modification of meeting rules to allow you to participate more easily

Recording and Publication of Meetings

A recording is made of all public Council Meetings and then published on Council's website. By participating in proceedings (including during 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

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 survived European invasion and never ceded sovereignty.

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

We acknowledge that Fitzroy and Collingwood are areas of special significance to Aboriginal and Torres Strait Islander people—as the cradle of Aboriginal and Torres Strait Islander affairs in Victoria, the birthplace of important Aboriginal and Torres Strait Islander organisations, the centre of political activism and a meeting place for Aboriginal and Torres Strait Islander people to link in with family, community and services.

We acknowledge the role played by past federal and state government policies in the social and cultural dispossession of Aboriginal and Torres Strait Islander people—and the dispossession of land—which has caused the current disadvantages faced by many Wurundjeri Woi Wurrung Aboriginal and Torres Strait Islander people. And we believe that having an awareness of, and taking steps towards, mending this disadvantage is the shared responsibility of all residents in the City of Yarra.

Council pays its respects to all in the Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander community and Elders from all nations with us 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

- Sue Wilkinson Chief Executive Officer
- Brooke Colbert Group Manager Advocacy and Engagement
- Malcolm Foard Director Community Wellbeing
- Ivan Gilbert Group Manager Chief Executive's Office
- Gracie Karabinis Group Manager People and Culture
- Chris Leivers Director City Works and Assets
- Wei Chen Director Corporate, Business and Finance
- Mary Osman Director Planning and Place Making
- Rhys Thomas Senior Governance Advisor
- Mel Nikou Governance Officer

3. Announcements

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

4. Declarations of conflict of interest

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. Council business reports

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5.1 Governance Arrangements

Reference	D22/262719
Author	Rhys Thomas - Senior Governance Advisor
Authoriser	Group Manager Chief Executive's Office

Purpose

1. This report seeks a Council resolution on:
 - (a) the length of the term of office for Mayor; and
 - (b) if it wishes to continue with the arrangement of electing a Deputy Mayor.

Critical analysis

History and background

Term of Office of Mayor

2. Section 26(3) of the Local Government Act 2020 (Act) provides that *“Before the election of the Mayor, a Council ... must determine by resolution whether the Mayor is to be elected for a 1 year or a 2 year term”*.
3. Council’s current policy is that it does not support two year terms for the Mayor. In part, this position is based on the fact that there is no restriction on Mayors serving multiple consecutive terms. In this way, there is no reason why an effective Mayor who enjoys the support of colleagues could not continue to serve for a second year or more.

Deputy Mayoral role

4. Section 20A(1) of the Act provides that *“A Council may establish an office of Deputy Mayor”*.
5. This provision was introduced into legislation in response to the fact that the overwhelming majority of Melbourne Councils had previously established the role of Deputy Mayor under a local policy or resolution. The introduction of this provision introduces a clear and consistent legislative framework for those Councils who wish to have a Deputy Mayor.
6. Council has appointed a Deputy Mayor every year since 2017.

Discussion

Term of Office of Mayor

7. Aside from the length of the term, the establishment of a two year Mayoral term triggers a provision which is not available to Councils that have a one year term. That provision, set out at section 23 of the Act allows Councils to determine the office of Mayor or Deputy Mayor (if there is one) vacant before the conclusion of the term.
8. That process would require a notice of motion to be submitted by an absolute majority of Councillors (five) with a subsequent resolution supported by three quarter majority of Councillors (seven).
9. In every other respect, a Mayor appointed for two years is subject to the identical provisions and has the same responsibilities as a Mayor appointed for one year.

Deputy Mayoral role

10. Should Council determine to appoint a Deputy Mayor, the legislative role is to exercise any of the powers of the Mayor if the Mayor is unable for any reason to attend a Council meeting or part of a Council meeting; is incapable of performing the duties of the office of Mayor for any reason, including illness; or the office of Mayor is vacant.

11. Should Council determine not to appoint a Deputy Mayor, then provisions exist to enable Council to appoint an Acting Mayor should the Mayor be unable to discharge their duties.
12. An Acting Mayor and Deputy Mayor have identical roles and responsibilities.
13. The Mayor is not eligible to also be appointed to the role of Deputy Mayor.

Options

14. Term of Office - Council may determine to elect a Mayor for a period of one year as recommended or may (by altering clause 1 of the recommendation) elect a Mayor for a period of two years.
15. Deputy Mayor - Council may determine to establish the position of Deputy Mayor as recommended, or may (by omitting clause 2 of the recommendation) determine not to establish the role.

Community and stakeholder engagement

16. No community engagement has been undertaken in the development of this report.

Policy analysis

Alignment to Community Vision and Council Plan

17. In its Yarra 2036 Community Vision, Council articulated an objective for a community that is *“informed and empowered to contribute to the shared governance of Yarra, (where) decision-making is through access, inclusion, consultations and advocacy.”*
18. The City of Yarra Council Plan 2021-2025 commits Council to *“provide opportunities for meaningful, informed and representative community engagement to inform Council’s decision-making”* and to *“practice good governance, transparency and accountable planning and decision-making.”*
19. The community leadership provided by a democratically and transparently elected Mayor and Deputy Mayor underpins both the Yarra 2036 Community Vision and the City of Yarra Council Plan 2021-2025 and demonstrates Council’s ongoing commitment to good governance.

Climate emergency and sustainability implications

20. No climate emergency implications are presented in this report.

Community and social implications

21. No community or social implications are presented in this report.

Economic development implications

22. No economic development implications are presented in this report.

Human rights and gender equity implications

23. No human rights or gender equity implications are presented in this report.

Operational analysis

Financial and resource impacts

24. There are no financial or resource differences between appointing a Mayor for one or two years.
25. Allowances for the Mayor, Deputy Mayor and Councillors are set by the Victorian Independent Remuneration Tribunal. Under the tribunal’s current determination, the Deputy Mayor’s allowance is set at \$59,658 annually, with the Councillor allowance set at \$35,972. As a result, a decision to retain the position of Deputy Mayor has a financial impact on Council of \$23,686 (the difference between the Deputy Mayoral and Councillor allowances).

Legal Implications

26. Council is required under the Local Government Act 2020 to make a decision regarding the length of the Mayoral term.
27. Council has the option of not determining to establish the position of Deputy Mayor.

Conclusion

28. This report recommends that Council continue its existing practice of appointing a Mayor for a one year term and establishing the position of Deputy Mayor.

RECOMMENDATION

1. That Council determine to elect a Mayor for a twelve month period for 2022/2023.
2. That Council establish the position of Deputy Mayor for 2022/2023.

Attachments

There are no attachments for this report.

5.2 Election of Mayor and Deputy Mayor

Reference	D22/262872
Author	Rhys Thomas - Senior Governance Advisor
Authoriser	Group Manager Chief Executive's Office

Purpose

1. To elect Councillors to the office of Mayor and Deputy Mayor of the Yarra City Council.

Critical analysis

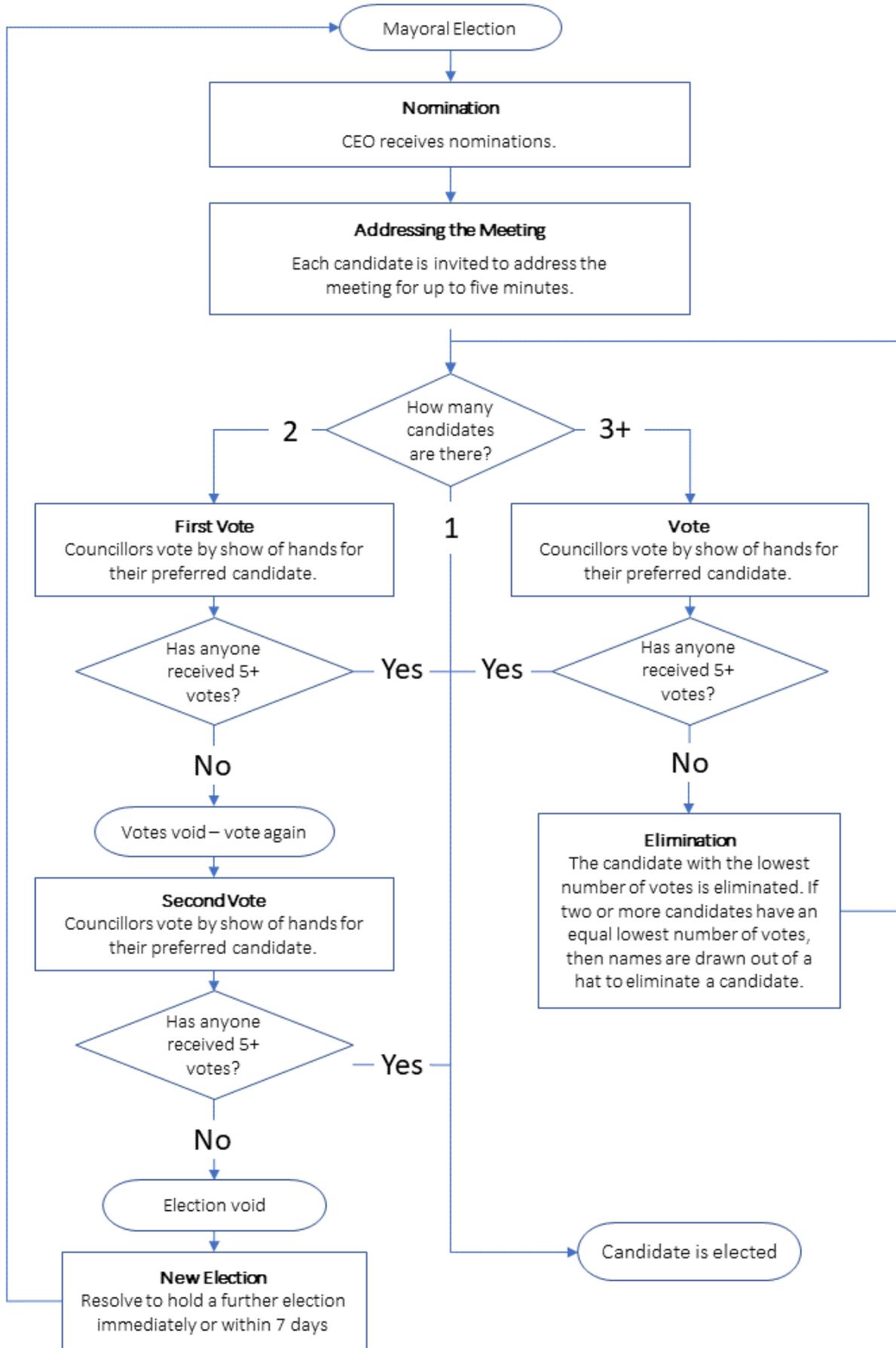
History and background

2. Any Councillor is eligible for election to the office of Mayor or Deputy Mayor. The City of Yarra Governance Rules set out the process for the conduct of an election.

Discussion

3. The Chief Executive Officer invites nominations for the office of Mayor, which must be:
 - (a) moved by a Councillor (which can be themselves); and
 - (b) accepted by the nominee, either in person at the meeting or in writing.
4. Once nominations have been received, the Chief Executive Officer will afford each Councillor with up to five minutes to address the Council, in the order in which their nominations were received.
5. The election for Mayor is then conducted in accordance with the Governance Rules, which is summarised as shown below:
 - (a) If there is one nomination, the candidate nominated is declared elected Mayor;
 - (b) If there is more than one nomination, the Councillors present at the meeting must vote for one of the candidates;
 - (c) If at any point, a candidate receives five votes, that candidate is declared to have been elected Mayor;
 - (d) If there are three or more candidates and no candidate receives five votes, the candidate with the fewest number of votes is eliminated and voting is repeated with the remaining candidates. If two candidates are tied for the lowest number of votes, one is eliminated by lot and voting is repeated with the remaining candidates;
 - (e) If there are two candidates remaining and neither receives five votes, then the votes are declared void and a second round of voting is held. If, after the second round, neither candidate has five votes, the election is declared void.
 - (f) If the election is declared void, Council must resolve to hold another election either immediately or as soon as practicable (which must be within seven days).
6. The process is set out in the flow chart below.

Mayoral Election process



7. Following the election of the Mayor, the election of the Deputy Mayor is conducted in the same manner, except that the references to the Mayor shall be replaced with the Deputy Mayor and the references to the Chief Executive Officer shall be replaced with the Mayor.

Options

8. Council is required to elect a Mayor and, optionally, a Deputy Mayor.
9. Should it not be possible to achieve an absolute majority of votes for a candidate (five votes), then Council has the option of resolving to conduct a further election immediately, or at a later time or date (within seven days).

Community and stakeholder engagement

10. No community engagement has been undertaken in the development of this report.

Policy analysis

Alignment to Community Vision and Council Plan

11. In its Yarra 2036 Community Vision, Council articulated an objective for a community that is *“informed and empowered to contribute to the shared governance of Yarra, (where) decision-making is through access, inclusion, consultations and advocacy.”*
12. The City of Yarra Council Plan 2021-2025 commits Council to *“provide opportunities for meaningful, informed and representative community engagement to inform Council’s decision-making”* and to *“practice good governance, transparency and accountable planning and decision-making.”*
13. The community leadership provided by a democratically and transparently elected Mayor and Deputy Mayor underpins both the Yarra 2036 Community Vision and the City of Yarra Council Plan 2021-2025 and demonstrates Council’s ongoing commitment to good governance.

Climate emergency and sustainability implications

14. No climate emergency implications are presented in this report.

Community and social implications

15. No community or social implications are presented in this report.

Economic development implications

16. No economic development implications are presented in this report.

Human rights and gender equity implications

17. No human rights or gender equity implications are presented in this report.

Operational analysis

Financial and resource impacts

18. There are no financial or resource impacts arising from the election of a Mayor and Deputy Mayor.

Legal Implications

19. Council is required under the Local Government Act 2020 to elect a Mayor and, optionally, a Deputy Mayor.
20. Should it not be possible to achieve an absolute majority of votes for a candidate and Council resolving to conduct a further election immediately, or at a later time or date, it would be advisable to adjourn the meeting so as to ensure that the remaining business is considered after a duly elected Mayor is in place.

Conclusion

21. This report sets out the process for the election of a Mayor and Deputy Mayor.
22. Following the election, it would be appropriate to provide an opportunity for the newly elected office holders to address the meeting.

RECOMMENDATION

The election of the Mayor and Deputy Mayor is conducted in accordance with the Yarra City Council Governance Rules 2020. No Council resolution is required.

Attachments

There are no attachments for this report.

5.3 Appointment of Council delegates

Reference	D22/262662
Author	Rhys Thomas - Senior Governance Advisor
Authoriser	Group Manager Chief Executive's Office

Purpose

1. To appoint Councillors as delegates to the Planning Decisions Committee, Audit and Risk Committee, Advisory Committees and external bodies for the 2022/2023 Council year.

Critical analysis

History and background

2. In order to assist the Council to undertake its extensive range of functions, Council has:
 - (a) constituted the Planning Decisions Committee with delegated powers and responsibilities;
 - (b) constituted the Audit and Risk Committee under section 53 of the Local Government Act 2020;
 - (c) established Advisory Committees, to which it appoints both Councillors and community representatives; and
 - (d) appointed delegates to represent it on a range of external organisations.

Discussion

3. Details of each body requiring an appointment are set out below.

Planning Decisions Committee

4. Council's Planning Decisions Committee is a delegated committee which is formally constituted under Part 3, Division 2 of the Local Government Act 2020. The committee has specific delegated powers set out in an Instrument of Delegation adopted by Council.
5. Council does not appoint a Chairperson to the Planning Decisions Committee, as the membership is rotated throughout the year, and the Chairperson is appointed by the Committee itself.
6. The details of the committee are:

Delegated Committee	Purpose	Nominees required
Planning Decisions Committee	<p>The Planning Decisions Committee has the power to:</p> <ul style="list-style-type: none"> • consider planning applications; and • consider Heritage Victoria Referrals <p>in accordance with the Instrument of Delegation from Council dated 29 March 2022.</p>	<p>All Councillors, subject to the Chief Executive Officer, in consultation with Councillors, determining a quarterly attendance roster allocating three Councillors to each meeting, with the Committee membership for each meeting comprising those Councillors rostered to attend or their agreed substitute.</p>

Audit and Risk Committee

7. Council’s Audit and Risk Committee is formally constituted under section 53 of the Local Government Act 2020. This committee has specific duties set out in an Audit and Risk Committee Charter adopted by Council.
8. Council appoints a Chairperson to the Audit and Risk Committee at its first meeting in each calendar year. The Chairperson must be one of the three external members.
9. The details of the committee are:

Committee	Purpose	Nominees required
Audit and Risk Committee	The role of the Audit and Risk Committee is to provide independent and objective assurance and assistance to the Yarra City Council and its Chief Executive Officer on Council’s risk management, control and compliance framework, and its external financial and performance accountability and responsibilities.	Two Councillors (the Mayor has the option of taking up one of the two Councillor places at their sole discretion)

10. The Audit and Risk Committee Charter states “*Councillor members will be appointed to the Committee by the full Council on an annual basis, with Councillor appointees to be generally rotated after a minimum period of two years. The intent of the rotation system is to expose as many Councillors as possible to Committee membership and proceedings.*” The current members are Cr Landes (in his second year) and Cr Wade (in her first year).

Advisory Committees

11. Advisory Committees typically comprise one or more Councillors and a number of community representatives. The community representatives can be local residents or stakeholders appointed in their own right, or representatives of service authorities, support agencies or community organisations.
12. The progress, advice and recommendations of Advisory Committees is reported to Council through Delegate’s Reports by Councillors and progress reports from Council officers.
13. The details of the committees are:

Advisory Committee	Purpose	Nominees required
Active Ageing Advisory Committee	To provide information, support and advice to Council on the needs, interests and well-being of people aged 50+.	One Councillor
Active Transport Advisory Committee	In recognition of the climate emergency, to provide Council with advice to support its objective of reducing car dependency in the community and increasing the use of active transport throughout the municipality.	Two Councillors
Arts Advisory Committee	To provide a formal mechanism for Council to consult with key stakeholders, seek specialist advice and enable community participation in arts and cultural planning and development.	Two Councillors
Business Advisory Group	Create and maintain a forum for business representatives to provide Council with feedback and practical advice regarding ways in which Council can engage with and further assist key sectors within the business community.	One or more Councillors

Advisory Committee	Purpose	Nominees required
Chief Executive Officer Employment and Remuneration Committee	To support the Council in the performance management process for the Chief Executive Officer and, where required, the employment of a new Chief Executive Officer.	All Councillors
Community Awards Committee	To provide recommendations on the recipients of the Yarra Community Awards.	Three Councillors (one from each ward)
Disability Advisory Committee	To provide information, advice and guidance to Council at both a strategic and operational level on universal access and mainstream participation of people with disability and ongoing support to Council in ensuring that disability rights are integrated into the core business of Council.	Two Councillors
Environment Advisory Committee	To represent interests pertaining to all aspects of urban environmental sustainability including (but not limited to) climate change; resource efficiency across water, waste and energy; urban greening and natural capital; local food systems; and the built environment, by providing advice to Council on policy, strategy and other strategic opportunities to progress the organisation's response to these issues.	Two Councillors
Heritage Advisory Committee	To provide advice to Council on heritage matters including Yarra's natural, built and cultural heritage.	Three Councillors (one from each ward)
Multicultural Advisory Group	To provide a structure for on-going communication and consultation between multicultural communities and Yarra City Council across a broad range of issues impacting on those communities.	One Councillor
Rainbow Advisory Committee	To provide information, support and advice, and a mechanism for communication and consultation between LGBTIQ+ communities and Council, on issues affecting the LGBTIQ+ community.	Two Councillors
Yana Ngargna Advisory Group	A partnership between Yarra City Council and the Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander community.	One Councillor
Yarra Libraries Advisory Committee	To provide advice on issues relating to public library services across the City of Yarra.	Two Councillors

External Bodies

14. As a member of or stakeholder in a range of external bodies and organisations, Council has the opportunity to appoint a delegate to represent its interests on the Committee, Board of Management or similar. The appointment of the delegate is made in accordance with the rules or procedures of the external organisation.

15. The details of the external bodies are:

Special Committee	Purpose	Nominees required
Australian Local Government Women's Association	To promote participation and representation by women in Local Government	One Councillor
Collingwood Children's Farm Management Committee	To oversee management of the Collingwood Children's Farm.	One Councillor
Friends of Baucau	To promote governance and friendship to the city of Baucau in East Timor.	One Councillor plus one substitute Councillor
Mayors for Peace	An international organisation of cities dedicated to the promotion of peace.	One Councillor
Merri Creek Management Committee	A not-for-profit organisation, established to ensure the preservation of natural and cultural heritage, and the ecologically sensitive restoration, development and maintenance of the Merri Creek and tributaries, their corridors and associated ecological communities.	One Councillor
Metropolitan Transport Forum	To develop recommendations pertaining to transport in Melbourne, with particular emphasis on advocating for improved public transport.	One Councillor plus one substitute Councillor
Municipal Association of Victoria	A peak representative and lobbying body for Victorian Councils which provides leadership to Councils by supporting them to achieve the highest levels of respect and recognition through improved performance.	One Councillor plus one substitute Councillor
Northern Alliance for Greenhouse Action	To promote community understanding and support for Greenhouse actions.	One Councillor
Victorian Local Government Association	A peak local government body which aims to promote good governance and sustainability by supporting local governments through programs of advocacy, training, information provision and support.	One Councillor plus one substitute Councillor

Process

16. Before considering the officer's recommendation, Council should seek nominations for the 2022/2023 vacancies.
17. Where the number of nominations exceeds the number of appointments Council intends to make, Council is required to conduct an election to determine which candidates shall be presented for ratification. The process for these elections is set out in the City of Yarra Governance Rules and is conducted using the procedure for electing the Mayor set out at Chapter Two, Part A.
18. In summary, this process is as follows:
- (a) any number of Councillors may be nominated for each vacancy;
 - (b) no seconder is required;
 - (c) the nominee must consent to their nomination;
 - (d) Councillors present shall vote by a show of hands;

- (e) in the event that no candidate receives a majority, candidates shall be eliminated in accordance with the provisions of the Governance Rules; and
 - (f) in the event of an election being required for a Committee with multiple vacancies, an election shall be conducted for the first vacancy, then a further election for the second vacancy, and so on.
19. Following the conduct of any election or elections as required, Council then ratifies these outcomes (together with the appointment of representatives where the number of nominations matched the number of vacancies) in accordance with the officer's recommendation.

Options

20. In the case of Delegated Committees and External Bodies, the number of appointments must match the number of vacancies. In the case of Advisory Committees (which are constituted by Council), it is open to Council to appoint a different number of representatives than the number of vacancies.

Community and stakeholder engagement

21. No community engagement has been undertaken in the development of this report.

Policy analysis

Alignment to Community Vision and Council Plan

22. In its Yarra 2036 Community Vision, Council articulated an objective for a community that is *"informed and empowered to contribute to the shared governance of Yarra, (where) decision-making is through access, inclusion, consultations and advocacy."*
23. The City of Yarra Council Plan 2021-2025 commits Council to *"provide opportunities for meaningful, informed and representative community engagement to inform Council's decision-making"* and to *"practice good governance, transparency and accountable planning and decision-making."*
24. The ongoing operation of community advisory committees and the appointment of Councillors to all committees in an open and transparent process underpins both the Yarra 2036 Community Vision and the City of Yarra Council Plan 2021-2025 and demonstrates Council's ongoing commitment to good governance.

Climate emergency and sustainability implications

25. No climate emergency implications are presented in this report.

Community and social implications

26. No community or social implications are presented in this report.

Economic development implications

27. No economic development implications are presented in this report.

Human rights and gender equity implications

28. No human rights or gender equity implications are presented in this report.

Operational analysis

Financial and resource impacts

29. The financial and resource impacts of operating the committee set out in this report are minimal and included in the operational budgets of the relevant Council programs.

Legal Implications

- 30. The recommendations of this report have been structured to ensure that where necessary, committee members to Delegated Committees, the Audit and Risk Committee and external organisations are lawfully appointed in accordance with the relevant provisions of the body.
- 31. In the case of Advisory Committees, Council is free to appoint any number of members, regardless of the number specified in its Terms of Reference.

Conclusion

- 32. This report recommends the appointment of delegates to a range of Delegated Committees, the Audit and Risk Committee, Advisory Committees and external bodies.

RECOMMENDATION

- 1. That Council ratify the following Delegated Committee appointments for 2022/2023:

Delegated Committee	Appointments for 2022/2023
Planning Decisions Committee	All Councillors, subject to the Chief Executive Officer, in consultation with Councillors, determining a quarterly attendance roster allocating three Councillors to each meeting, with the Committee membership for each meeting comprising those Councillors rostered to attend or their agreed substitute.

- 2. That Council appoint the following Councillors to the Audit and Risk Committee for 2022/2023:

Committee	Appointments for 2022/2023
Audit and Risk Committee	Cr _____ Cr _____

- 3. That Council appoint the following Councillors to the Advisory Committees listed below for 2022/2023:

Advisory Committee	Appointments for 2022/2023
Active Ageing Advisory Committee	Cr _____
Active Transport Advisory Committee	Cr _____
Arts Advisory Committee	Cr _____ Cr _____
Business Advisory Group	Cr _____ ...
Chief Executive Officer Employment and Remuneration Committee	All Councillors
Community Awards Committee	Cr _____ Cr _____ Cr _____
Disability Advisory Committee	Cr _____ Cr _____
Environment Advisory Committee	Cr _____ ...

Heritage Advisory Committee	Cr _____ Cr _____ Cr _____
Multicultural Advisory Group	Cr _____
Rainbow Advisory Group	Cr _____ Cr _____
Yana Ngargna Advisory Group	Cr _____ Cr _____
Yarra Libraries Advisory Committee	Cr _____ Cr _____

4. That Council appoint the following Councillors to the external bodies listed below for 2022/2023:

Organisation or body	Appointments for 2022/2023
Australian Local Government Women's Association	Cr _____
Collingwood Children's Farm Management Committee	Cr _____
Friends of Baucau	Cr _____ Cr _____ (substitute)
Mayors for Peace	Cr _____
Merri Creek Management Committee	Cr _____
Metropolitan Transport Forum	Cr _____ Cr _____ (substitute)
Municipal Association of Victoria	Cr _____ Cr _____ (substitute)
Northern Alliance for Greenhouse Action	Cr _____
Victorian Local Governance Association	Cr _____ Cr _____ (substitute)

Attachments

There are no attachments for this report.

5.4 Council Meeting Schedule 2023

Reference	D22/262378
Author	Rhys Thomas - Senior Governance Advisor
Authoriser	Group Manager Chief Executive's Office

Purpose

1. To formally adopt the meeting schedule for the 2023 calendar year.

Critical analysis

History and background

2. The City of Yarra Governance Rules provide that:
 - (a) *“the dates and times of Ordinary Council Meetings will be fixed by Council from time to time”*; and
 - (b) *“Council may by resolution call, an Extraordinary Council Meeting.”*
3. In order to enable planning of key projects, it is beneficial to establish each year’s meeting schedule in advance.

Discussion

4. In developing a proposed meeting schedule, officers have taken into consideration the major meetings that need to be accommodated – Ordinary Council Meetings, meetings of the Planning Decisions Committee, Councillor Briefings and the annual Extraordinary Council Meeting to elect a Mayor and Deputy Mayor. It is only formal meetings of Council and the Planning Decisions Committee that require scheduling by Council resolution, so Councillor Briefings are not the subject of this report.
5. In developing a meeting schedule, there is value in developing a meeting cycle that can be simply understood, as well as occurring with sufficient frequency to enable Council decisions to be made in a timely fashion. In addition, there is value in scheduling each type of meeting on a fixed day of the week, as this assist sufficiently with developing consistent processes for the development and approval of reports, publication of agendas and minutes online and the deadlines for the receipt of public questions and registrations for public submissions at meetings.
6. In 2022, most Council meetings and all meetings of the Planning Decisions Committee were held on a Tuesday and followed a three-week cycle. It is proposed to continue this model in 2023, with meetings scheduled as follows:
 - (a) Week one – A Tuesday meeting of the Planning Decisions Committee at 6.30pm;
 - (b) Week two – A Tuesday Ordinary Council Meeting at 6.30pm; and
 - (c) Week three – A Tuesday Councillor Briefing at a time to be determined;with the cycle repeating again from the following week, with the exception of:
 - (d) Meeting cycle five, where the Ordinary Council Meeting will be held on Wednesday 26 April 2023 due to ANZAC Day falling on Tuesday 25 April 2023.
 - (e) Meeting cycle 14, where the Councillor Briefing will be held on Wednesday 8 November 2023 due to the Melbourne Cup falling on Tuesday 7 November 2023.
 - (f) Meeting cycle 16, where an additional meeting of the Planning Decisions Committee will be held in week one instead of a Councillor Briefing due to the proximity to Christmas and the anticipated planning workload at the end of the year.

7. The proposed meeting schedule will result in 16 Council Meetings and 17 meetings of the Planning Decisions Committee being scheduled in 2023. This is the same number as were scheduled in 2022.
8. In addition to the Ordinary Council meetings, it is necessary to schedule an Extraordinary Council Meeting to elect a Mayor and Deputy Mayor for 2023/2024. That meeting is scheduled by a Council resolution which sets out the date and time of the meeting, as well as the business to be transacted.
9. The Local Government Act 2020 requires that the election of a Mayor following the conclusion of a one-year term take place *“on a day to be determined by the Council that is as close to the end of the 1 year term as is reasonably practicable.”* The Deputy Mayoral election takes place on the same date.
10. Council’s practice is to schedule the Mayoral election for the Monday nearest to the conclusion of the Mayor’s term.
11. Assuming Council has successfully elected a Mayor at this meeting, the one-year anniversary of the Mayoral election will fall on Tuesday 28 November 2023. As a result, it is recommended that Council schedule the Extraordinary Council Meeting for 6.30pm on Monday 27 November 2023.
12. The report also recommends that the only matters to be dealt with at the Extraordinary Meeting in 2023 are the election of the Mayor and Deputy Mayor for the year ahead. It is proposed that Council change the practice of also appointing members to committees and external groups and setting the following year’s meeting schedule at that meeting and instead consider those matters at the following Ordinary Meeting. This enables the Extraordinary Meeting to take a more ceremonial format and dispenses with the formal meeting procedures to the extent possible.

Options

13. Council has the option of altering the proposed meeting arrangements by alternate resolution, or by a resolution at a subsequent meeting throughout the year.

Community and stakeholder engagement

14. No community engagement has been undertaken in the development of this report.

Policy analysis

Alignment to Community Vision and Council Plan

15. In its Yarra 2036 Community Vision, Council articulated an objective for a community that is *“informed and empowered to contribute to the shared governance of Yarra, (where) decision-making is through access, inclusion, consultations and advocacy.”*
16. The City of Yarra Council Plan 2021-2025 commits Council to *“provide opportunities for meaningful, informed and representative community engagement to inform Council’s decision-making”* and to *“practice good governance, transparency and accountable planning and decision-making.”*
17. The establishment of a regular program of Council and Committee meetings underpins both the Yarra 2036 Community Vision and the City of Yarra Council Plan 2021-2025 and enables members of the public to attend and participate in the meetings in accordance with Council’s meeting procedures.

Climate emergency and sustainability implications

18. No climate emergency implications are presented in this report.

Community and social implications

19. No community or social implications are presented in this report.

Economic development implications

20. No economic development implications are presented in this report.

Human rights and gender equity implications

21. No human rights implications are presented in this report.

22. Following the council elections in October 2020, Victoria leads the country in terms of the proportion of female councillors, representing a total of 43.8 per cent of councillors. This is a marked increase from the previous high of 38 per cent, but still falls short of gender parity. While the more than half of Yarra's Councillors are currently female, successive studies have shown that the significant demands on Councillors has resulted in fewer women seeking election (see <https://www.5050vision.com.au/research-on-women-in-local-government.html>). Establishing a predictable and fixed meeting schedule is one way that Council can support its Councillors to juggle home, employment and community responsibilities and encourage a diverse range of candidates to nominate at Council elections.

Operational analysis

Financial and resource impacts

23. Council's Budget 2022-2023 contains a necessary provision for the conduct of the Council and committee meeting program as set out in this report.

Legal Implications

24. The setting of the Council Meeting schedule takes place in accordance with Chapter Two of the City of Yarra Governance Rules. Relevantly:

- (a) Rule 9.1 provides that Council fixes the dates and times of Ordinary Council Meetings;
- (b) Rule 10.1 provides that Council may call an Extraordinary Council meeting;
- (c) Rule 10.3 provides that a resolution to call an Extraordinary Council meeting must specify the date and time of the meeting and the business to be transacted; and
- (d) Rule 9.2 provides that the CEO fixes the location of Council Meetings.

Conclusion

25. It is recommended that Council adopt a meeting schedule for both Council and the Planning Decisions Committee throughout 2022.

RECOMMENDATION

1. That Council adopt a 2023 meeting schedule comprising:
 - (a) Planning Decisions Committee meetings at 6.30pm on 24 January, 14 February, 7 March, 28 March, 18 April, 9 May, 30 May, 20 June, 11 July, 1 August, 22 August, 12 September, 3 October, 24 October, 14 November, 5 December, and 19 December 2023;
 - (b) Ordinary Council Meetings at 6.30pm on 31 January, 21 February, 14 March, 4 April, 26 April, 16 May, 6 June, 27 June, 18 July, 8 August, 29 August, 19 September, 10 October, 31 October, 21 November, and 12 December 2022;
 - (c) an Extraordinary Council Meeting at 6.30pm on 27 November 2023 to elect a Mayor and Deputy Mayor for 2023/2024.

Attachments

There are no attachments for this report.