



Agenda

Council Meeting

6.30pm, Tuesday 14 May 2024

Richmond Town Hall
Wurundjeri Country

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.

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.

Question Time

Yarra City Council welcomes questions from members of the community.

Registration

To ask a question, you will need to register and provide your question by 6.30pm on the day before the meeting. Late registrations cannot be accepted, and you will be unable to address the meeting without registration.

Asking your question

During Question Time, the Mayor will invite everyone who has registered to ask their question. When your turn comes, come forward to the microphone and:

- state your name;
- direct your question to the Mayor;
- don't raise operational matters that have not been previously raised with the organisation;
- don't ask questions about matter listed on tonight's agenda
- don't engage in debate;
- if speaking on behalf of a group, explain the nature of the group and how you are able to speak on their behalf.

You will be provided a maximum of three minutes to ask your question, but do not need to use all of this time.

Comments not allowed

When you are addressing the meeting, don't ask a question or make comments which:

- relate to a matter that is being considered by Council at this meeting;
- relate to something outside the powers of the Council;
- are defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable;
- deal with a subject matter already answered;
- are aimed at embarrassing a Councillor or a member of Council staff;
- include or relate to confidential information; or
- relate to something that is subject to legal proceedings.

Addressing the Council

An opportunity exists to make your views known about a matter that is listed on the agenda for this meeting by addressing the Council directly before a decision is made.

Registration

To ask address Council, you will need to register by 6.30pm on the day before the meeting. Late registrations cannot be accepted, and you will be unable to address the meeting without registration.

Addressing the Council

Before each item is considered by the Council, the Mayor will invite everyone who has registered in relation to that item to address the Council. When your turn comes, come forward to the microphone and:

- state your name;
- direct your statement to the Mayor;
- confine your submission to the subject being considered;
- avoid repeating previous submitters;
- don't ask questions or seek comments from Councillors or others; and
- if speaking on behalf of a group, explain the nature of the group and how you are able to speak on their behalf.

You will be provided a maximum of three minutes to speak, but do not need to use all of this time.

Comments not allowed

When you are addressing the meeting, don't make any comments which:

- relate to something other than the matter being considered by the Council;
- are defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable;
- are aimed at embarrassing a Councillor or a member of Council staff;
- include or relate to confidential information; or
- relate to something that is subject to legal proceedings.

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

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. **Confirmation of minutes**
6. **Question time**
7. **Council business reports**
8. **Notices of motion**
9. **Petitions and joint letters**
10. **Questions without notice**
11. **Delegates' reports**
12. **General business**
13. **Urgent business**
14. **Confidential business reports**

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 Edward Crossland Mayor
- Cr Anab Mohamud Deputy Mayor
- Cr Michael Glynatsis Councillor
- Cr Stephen Jolly Councillor
- Cr Herschel Landes Councillor
- Cr Claudia Nguyen Councillor
- Cr Bridgid O’Brien Councillor
- Cr Amanda Stone Councillor
- Cr Sophie Wade Councillor

Council staff

Chief Executive Officer

- Sue Wilkinson Chief Executive Officer

General Managers

- Brooke Colbert Governance, Communications and Customer Experience
- Sam Hewett Infrastructure and Environment
- Kerry McGrath Community Strengthening
- Mary Osman City Sustainability and Strategy
- Jenny Scicluna Corporate Services and Transformation

Governance

- Phil De Losa Manager Governance and Integrity
- 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. Confirmation of minutes

RECOMMENDATION

That the minutes of the Council Meeting held on Tuesday 9 April 2024 be confirmed.

6. Question time

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

7. Council business reports

Item		Page	Rec. Page	Report Presenter
7.1	Road Seg (Partial) Alexandra Parade Fitzroy North	10	25	Nish Goonetilleke – Principal Statutory Planner
7.2	Secret Garden - Ballarat St Collingwood	80	85	Sam Hewett – GM Infrastructure and Environment
7.3	Wellington Street Stages three and four - Community engagement and data collection	86	93	Simon Exon – Unit Manager Strategic Transport
7.4	Quarterly Community Report - March 2024	202	207	Wei Chen – Chief Financial Officer
7.5	Multicultural Partnerships Policy	277	281	Malcolm McCall – Manager Equity and Community Development
7.6	Community Grants FY2025 Initiation Report	296	302	Malcolm McCall – Manager Equity and Community Development
7.7	Portable Buildings World Heritage Listing Proposal	303	311	Kate Yuncken - Manager City Strategy
7.8	Proposed Road Discontinuance of Road abutting 111 Best Street, Fitzroy North	313	316	Fadi Fakhoury – Manager Property and Leisure
7.9	Governance Report - May 2024	354	361	Rhys Thomas – Senior Governance Advisor
7.10	C1663 Building Cleaning Services - Aquatic Leisure Centres - Tender Report	463	467	Graham Davis – Manager Building and Asset Management

8. Notices of motion

Item		Page	Rec. Page	Report Presenter
8.1	Notice of Motion No.7 of 2024 - Garden Waste	468	468	Bridgid O'Brien - Councillor
8.2	Notice of Motion No.8 of 2024 - Medically Supervised Injecting Room	469	470	Herschel Landes - Councillor

9. Petitions and joint letters

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

10. Questions without notice

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

11. Delegate's reports

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

12. General business

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

13. Urgent business

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

14. 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:
 - (a) council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

Item

14.1 **Open Space Network Opportunities**

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

These grounds are applicable because the report contains the views of individuals expressed on a confidential basis during a compulsory conference under the Victorian Civil and Administrative Tribunal Act 1998.

14.2 **Sale of Crown Allotment 2022, Part 433 Smith Street, Fitzroy**

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 competitive grant application process.

14.3 **Notice of Motion No.6 of 2024 – Minutes of the 12 December 2023 and 13 February 2024**

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

These grounds are applicable because the report contains the views of individuals expressed on a confidential basis during a compulsory conference under the Victorian Civil and Administrative Tribunal Act 1998.

7.1 Road Seg (Partial) Alexandra Parade Fitzroy North

Reference	D24/144293
Author	Nish Goonetilleke - Senior Statutory Planner
Authoriser	Manager Statutory Planning
Disclosure	The authoriser, having made enquiries with members of staff involved in the preparation of this report, asserts that they are not aware of any general or material conflicts of interest in relation to the matters presented.

Purpose

1. This report provides Council with an assessment of the planning permit application PLN23/0819 submitted for Road Seg (Partial) Alexandra Parade Fitzroy North. Development Victoria seeks approval for roadworks associated with the construction of car parking spaces on land within the Special Building Overlay (SBO). The car parking is to address anticipated demand from the new sports centre under construction on the former Gasworks site to the north.
2. Importantly the only planning permit trigger is for buildings and works in the Special Building Overlay (SBO). A planning permit is not required for the use, or to construct buildings and works in the zone or other overlays that apply to the land, or to remove trees.

Key Planning Considerations

3. Key planning considerations include:
 - (a) Clause 13.03 – Floodplains;
 - (b) Clause 18.01 – Land Use and Transport Integration;
 - (c) Clause 36.04 – Transport Zone; and
 - (d) Clause 44.05 – Special Building Overlay (SBO).

Key Issues

4. The key issues for Council in considering the proposal relate to:
 - (a) Potential flood impacts and floodplain management issues associated with the proposed buildings and works in the SBO; and
 - (b) Other matters (tree management and car park layout and design).

Recommendation

5. That the proposal is considered to comply with the relevant planning policy and should therefore be supported, subject to a number of conditions.

Ward: Nicholls

Proposal: Roadworks associated with the construction of car parking spaces on land within the Special Building Overlay

Existing use: Landscaped median strips within the road reserve

Applicant: Niche Studio on behalf of Development Victoria

Zoning / Overlays: Transport Zone – Category 2 (TRZ2)
Development Contribution Plan Overlay – Schedule 1 (DCPO1)
Design and Development Overlay - Schedules 2 and 38 (DDO2 & DDO38)
Heritage Overlay – Schedule 334 (HO334) (partial)
Special Building Overlay (SBO)

Date of Application: 27 November 2023

Application Number: PLN23/0819

Background

1. Development Victoria proposes to construct car parks to address anticipated demand from the new sports centre under construction on the former Gasworks site to the north. The Department of Transport and Planning manages the land (although Council maintains the trees).
2. The only planning permit trigger is for buildings and works in the Special Building Overlay (SBO). A planning permit is not required for the use, or to construct buildings and works in the zone or other overlays that apply to the land, or to remove trees.
3. This means that matters relating to flood impacts and floodplain management (including Melbourne Water’s technical input) is the only consideration in determining whether to issue the planning permit. It also means that the application is exempt from third party notice and review rights and was not able to be put on public notice.
4. Development Victoria have advised Council that they undertook some consultation prior to lodging the planning permit application.

The Proposal

5. The proposal is for roadworks associated with the construction of car parking spaces on land within the Special Building Overlay. Key features of the proposal follow.

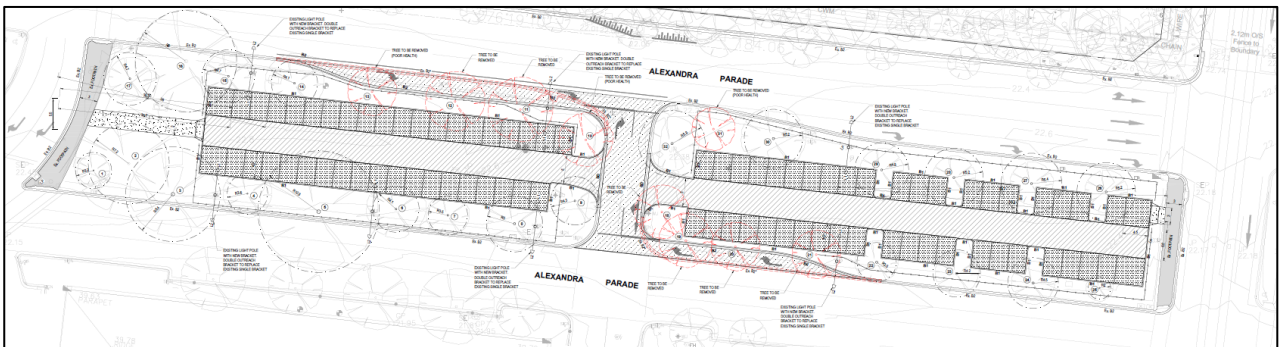


Figure 1: Proposed layout. Removal works and tree removal are shown in red
Source: Creo Consultants, dated November 2023

6. Removal of sections of the northern and southern median strips and road, between Smith and George Streets.
7. Construction of 78 car parking spaces within the median strips, consisting of:
 - (a) 37 and 41 car spaces within the western and eastern median strips, respectively;
 - (b) Centrally located accessway, parallel with Alexandra Parade, including slip lanes provided for both east and west bound traffic;
 - (c) Car parking spaces orientated perpendicular to the 5m wide accessway and constructed with a permeable surface;
 - (d) Minor changes to the existing surface levels (less than 150mm);
 - (e) New vehicle access to the car parking areas provided via the existing central separation in the median strip;
 - (f) 3m wide pedestrian walkway/ramp to the west of the car parks, providing access to George Street; and
 - (g) New 80% permeable, 1.34m high, wire-welded mesh fencing, with no plinth, constructed around the perimeters of the car parking areas.
8. Single bracket of six (6) existing light poles replaced with double outreach brackets.
9. Removal of nine (9) trees within this median strip (no permit required): four on the western median street and five on the eastern median strip. The trees recommended for removal in the submitted Arboricultural Assessment and Report (prepared by Treelogic, dated 22 December 2023) are:
 - (a) Trees 10, 11, 12, 13, 18, 20 & 31 – *Ulmus xhollandica*: Dutch Elm; and
 - (b) Trees 19 & 21 – *Ulmus procera*: English Elm.

Existing Conditions

Subject Site

10. The subject site is located between George Street to the west and Smith Street to the east, within 30m wide median strips that divide the dual carriageways of Alexandra Parade (see Figure 2 below).



Figure 2: Subject site outlined in blue **Source:** Nearmap, dated March 2024

11. The subject site is approximately 5,000sqm in area and consists of grassland and a number of mature trees and single chain fencing along the perimeters of each median strip. A centrally located road connection between the two median strips provide access to the eastern and western carriageways of Alexandra Parade.
12. The trees on the subject site are managed by the Department of Transport and Planning (DTP) but are maintained by Council.

Surrounding Land

13. The surrounding area contains a mix of uses, with predominantly commercial developments such as factory, warehouse, retail and office uses. Dwellings are also located within the wider area.
14. The site is in proximity to the Smith Street (east) and Brunswick Street (west) Major Activity Centres (MAC). The site is also close to the Queens Parade and Johnston Street commercial strips. Alexandra Parade is a main arterial road (within Transport Zone – Category 2) which has kerbside parking along sections of the northern and southern carriageway, within the intermittent landscaping bays. Median strips separate the east and west bound traffic along Alexandra Parade. Public Transport is readily available with tram services on both Smith and Brunswick Streets as well bus services along both Queens Parade and Johnston Street.
15. The subject site is located in the Transport Zone - Category 2 (TRZ2) with the properties to the north located within a Mixed-Use Zone and a Public Use Zone – Category 2 (PUZ2). To the immediate north-east, north-west and south are sites located within the Commercial 2 Zone (C2Z). To the south-east and south-west are lands located within the Commercial 1 Zone (C1Z) and a Public Park and Recreation Zone (PPRZ), respectively. The nearest residentially zoned land within the Neighbourhood Residential Zone – Schedule 1 (NRZ1) is located approximately 87m south. The mix of zoning is shown in Figure 3 below.

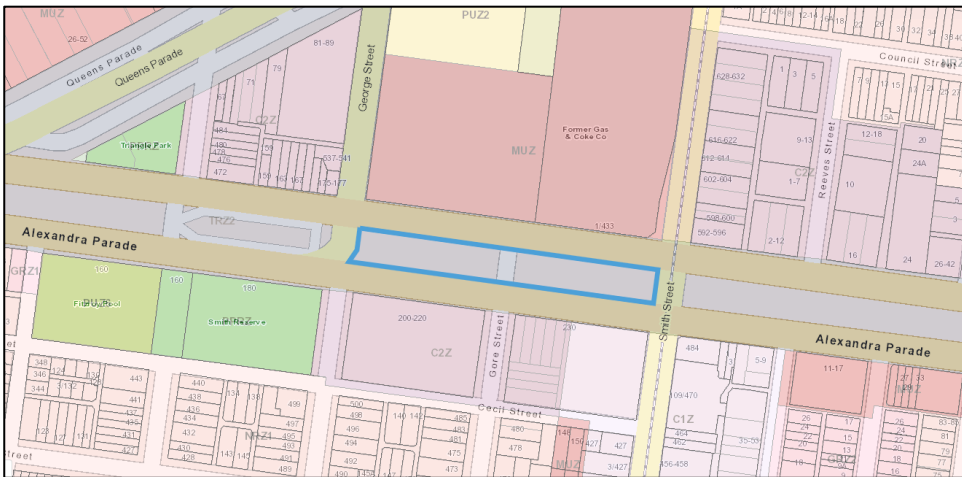


Figure 3: Zoning map, with subject site outlined in blue
Source: VicPlan

16. The subject site’s immediate interfaces are described below.
North
 17. To the immediate north of the subject site, across Alexandra Parade, is the former Fitzroy North Gasworks site. The 3.9-hectare site was rezoned by the Minister for Planning in June 2018 to a Mixed-Use Zone and Public Use Zone 2 (Education) via Amendment C243 to the Yarra Planning Scheme. A Development Plan Overlay - Schedule 16 (DPO16) was also introduced into the Scheme which requires a development plan be prepared for the entire site, generally in accordance with the concept plan forming part of the schedule.
 18. This site provides for a mixed-use precinct consisting of a variety of housing types (1,200 apartments), community facilities and public open spaces, including a school and a multi-use sports centre. The approved works have commenced. The applicant has advised that the proposed car parking is to support the demand associated with the sports centre within the former Fitzroy North Gasworks site.
 19. Further north-east across Smith Street are a mix of one to two storey commercial buildings.

South

20. To the immediate south of the subject site is a four-storey, red brick building constructed during the inter-war period. The building, formerly known as the British United Shoe Machinery Co, is a heritage building with a zero setback from three of the site frontages, being Alexandra Parade, Gore and George Streets. The building is currently used as a self-storage facility.
21. Further south, and located on the opposite side of Gore Street, is an at-grade car parking area associated with the double-storey 'Office Works' building.
22. On the south-eastern corner of Alexandra Parade and Smith Street is the Gasometer Hotel, a one to two-storey, Victorian-era building. Further south-east is a multi-storey, mixed-use building approved under Planning Permit PLN14/0156 issued at the direction of the Victorian Civil and Administrative Tribunal (VCAT) on 12 May 2015.
23. Further south-west is the Smith Street Reserve, followed by the Fitzroy Swimming Pool.

East

24. To the east of the subject site is Smith Street, followed by another median strip.
25. Approximately 490m to the east of the subject site at No. 94 Alexandra Parade is the Richard Hodgson's shot manufacturer's tower (c. 1882) which is on the Victorian Heritage Register.

West

26. To the west of the subject site across George Street is a car park, similar to the one proposed on-site, with mature trees and fencing along the perimeters of this site. Car parking spaces are orientated perpendicular to the accessway and constructed on part tarmac and part grid-like grass and concrete paving.

Planning Scheme Provisions

Zone

Transport Zone – Category 2 – Principal Road Network (TRZ2)

27. The subject site is located within the TRZ2. The relevant purpose of the TRZ2 is:
 - (a) *To identify transport land use and land required for transport services and facilities;*
 - (b) *To provide for the use and development of land that complements, or is consistent with, the transport system or public land reservation; and*
 - (c) *To ensure the efficient and safe use of transport infrastructure and land comprising the transport system.*

Use of the land in the TRZ2

28. The car park development is considered to be associated with the use of the land for a Road, for the following reasons.
29. Alexandra Parade is a declared highway under the Road Safety Act (1986).
30. Section 3(1) of the Planning and Environment Act (1987) defines road as:
 - (a) *“road” includes highway, street, lane, footway, square, court, alley or right of way, whether a thoroughfare or not and whether accessible to the public generally or not;*
31. The definition of a road in the Act is not limited to the surface on which vehicles travel, rather it describes the area of land used for the purpose of a road.
32. The Yarra Planning Scheme (the Scheme) does not provide a definition for a road. However, pursuant to *Clause 73.01* of the Scheme, a carriageway (which forms part of a road) is defined as:

- (a) *The area of a street reserve which is provided for the movement or parking of vehicles. It is determined by the invert of a kerb and channel and the point adjacent to the pavement edge for kerb (only) and edge strips.*

33. This definition allows for car parking spaces within a carriageway. The proposed works would see an expansion of the carriageway into the median strip (which is part of the road/highway), therefore being categorised as roadworks and falling within the definition 'use of the land for Road'.
34. Pursuant to *Clause 36.04-1* of the TRZ2, any use listed in *Clause 62.01 (Uses not requiring a permit)* does not require a planning permit and is a Section 1 use.
35. Pursuant to *Clause 62.01*, the use of land for Road except within the Urban Floodway Zone and a Public Conservation and Resource Zone does not require a planning permit.
36. Therefore, the use of the land for a road does not require a planning permit in the TRZ2.

Buildings and works in the TRZ2

37. Pursuant to *Clause 36.04-2* of the Scheme, a permit is required to *construct or carry out works for any use in Section 2 of Clause 36.04-1*. As established above, the proposed use is a Section 1 use in the TRZ2 (not a Section 2 permit required use). Therefore no planning permit is required for the proposed buildings and works under the TRZ2.

Other matters under the TRZ2

38. *Clause 36.04-3* of the Scheme requires written consent from Head, Transport Victoria. The applicant provided written consent from Head, Transport for Victoria.

Overlays

Clause 43.02 Design and Development Overlay - Schedules 2 and 38 (DDO2 & DDO38)

39. The subject site is affected by the DDO2 and 38 (see Figure 4 below).
40. Pursuant to *Clause 43.02-2* of the Scheme, a permit is required to *construct a building or construct or carry out works* within this overlay, unless a schedule to this overlay specifically states that a permit is not required.

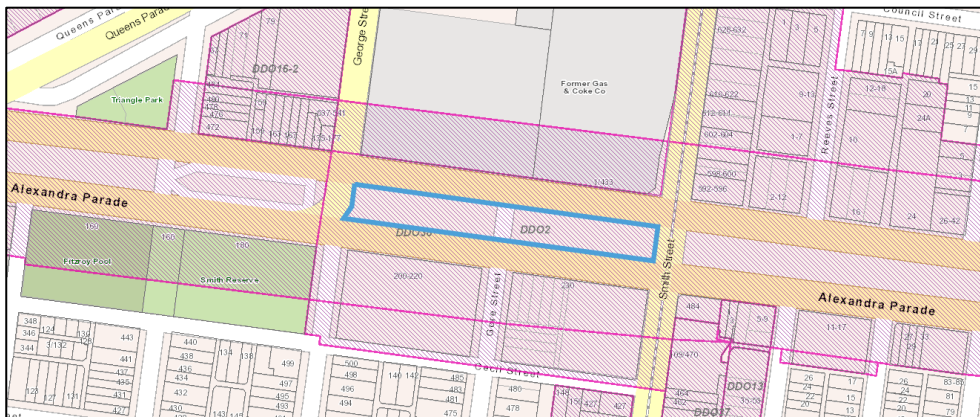


Figure 4: Location of DDO2 and DDO38, with the subject site outlined in blue
Source: VicPlan

41. Pursuant to *Clause 62.02-2* the construction of a building or the construction or carrying out of works for roadworks or a fence does not require a planning permit unless specifically required by the planning scheme. *Clause 43.02-2* of the Design and Development Overlay and the relevant schedules do not specifically require a planning permit for the construction of a building or the construction or carrying out works for roadworks or a fence.
42. Therefore no planning permit is required for the proposed buildings and works under the Design and Development Overlays.

Development Contributions Plan Overlay - Schedule 1 (DCPO1)

- 43. The subject site is located between Charge Area 2 (Fitzroy North) and Charge Area 5 (Fitzroy).
- 44. Pursuant to Clause 45.06-1 of the Scheme, a permit granted must:
 - (a) Be consistent with the provisions of the relevant development contributions plan; and
 - (b) Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay.
- 45. The proposal benefits from the following exemption listed at 4.0 of Schedule 1 (Land or development excluded from development contribution plan):
 - (a) No land or development is exempt from this Development Contributions Plan unless exempt by Legislation or Ministerial Direction or Legal Agreement with Yarra City Council or stated below. The following development is exempt from a development contribution:
 - ... (i). Construction of a building or carrying out of works or a subdivision that do not generate a net increase in additional demand units.

Clause 43.01 Heritage Overlay – Schedule 334 (HO334) (Partially)

- 46. The southern section of Alexandra Parade is partially affected by the Heritage Overlay (Schedule 334 – South Fitzroy Precinct).
- 47. However, as shown in Figure 5 below, the median strips where the proposed works are to occur are located outside of the heritage overlay. Therefore no planning permit is triggered under this overlay for the development.

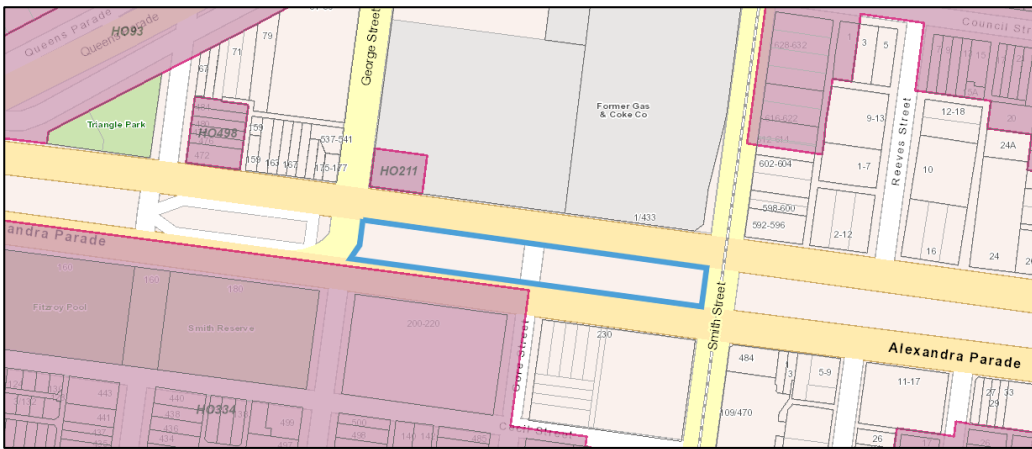


Figure 5: Location of HO334, with the subject site outlined in blue **Source:** VicPlan
Clause 44.05 Special Building Overlay (SBO)

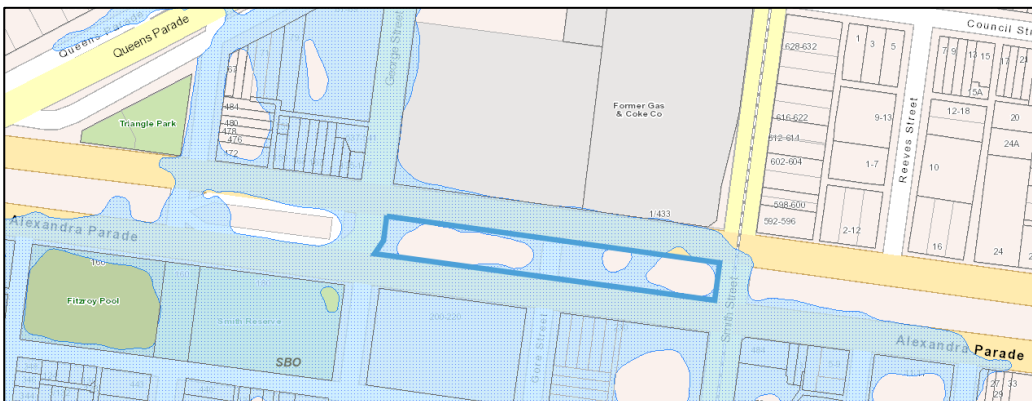


Figure 6: Location of SBO, with the subject site outlined in blue **Source:** VicPlan

48. The subject site is affected by the SBO (see Figure 6 above). The purpose of the SBO is:
- (a) *To implement the Municipal Planning Strategy and the Planning Policy Framework;*
 - (b) *To identify land in urban areas liable to inundation by overland flows from the urban drainage system as determined by, or in consultation with, the floodplain management authority;*
 - (c) *To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity; and*
 - (d) *To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.*
49. Pursuant to *Clause 44.05-2* of the Scheme, a permit is required to construct a building or to construct or carry out works, including:
- (a) *A fence;*
 - (b) *Roadworks, if the water flow path is redirected or obstructed.*
- This does not apply:
- (c) *If a schedule to this overlay specifically states that a permit is not required.*
 - (d) *To roadworks or bicycle paths and trails constructed or carried out by or on behalf of the Head, Transport for Victoria, to the satisfaction of the relevant floodplain management authority.*
 - (e) *To fencing with at least 25% openings and with the plinth at least 300mm above the flood level.*
50. The proposed roadworks are carried out by Development Victoria and not Head, Transport for Victoria therefore the exemption above does not apply.
51. The fencing would consist of 80% openings with no plinth and therefore does meet the exemption above and is exempt from requiring a planning permit under this overlay.
52. Pursuant to *Clause 44.05-5* of the Scheme, *an application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.*
53. Pursuant to *Clause 44.05-6* of the Scheme, *an application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed to in writing between the responsible authority and the floodplain management authority.*

Particular Provisions

Clause 52.06 – Car parking

54. Pursuant to *Clause 52.06-2*, before a new use commences or the floor area of an existing use is increased or the measure specified in Column C of Table 1 to *Clause 52.06-5* for that use is increased, the required car parking spaces must be provided on the land. Where a use is not specified in the table, an adequate number of car spaces must be provided to the satisfaction of the responsible authority.
55. Pursuant to *Clause 52.06-5* of the Scheme, there is no statutory car parking requirement. However, the car parking design requirements at *Clause 52.06-9* are relevant to the proposal.

Clause 52.29 – Land adjacent to the Principal Road Network

56. Pursuant to *Clause 52.29-1*, this clause applies to land adjacent to a road in the Transport Zone 2 or land in a Public Acquisition Overlay if a transport manager (other than a municipal council) is the acquiring authority, and the purpose of the acquisition is for a road.
57. As the subject site is within a TRZ2, not adjacent to it, and the written consent of the Head, Transport for Victoria was provided with the application, this clause does not apply. No further referral comments were required from Head, Transport for Victoria under *Clause 52.29-4* of the Scheme.

Clause 52.17 Native vegetation

58. Pursuant to *Clause 62.02-3* (Vegetation removal) of the Scheme, a permit is not required for the removal, destruction or lopping of trees and the removal of vegetation, unless a permit is specifically required under another provision. The TRZ, SBO and DDO do not specifically state that a permit is required to remove trees.
59. In addition *Clause 52.17* (Native vegetation) does not apply because there is no native vegetation proposed to be removed or impacted from this proposal. Both the applicant and Council's City Works – Open Space Unit have confirmed that there is no native vegetation on-site.

[General Provisions](#)

Clause 65 – Decision guidelines

60. The decision guidelines outlined at Clause 65 of the Scheme are relevant to all applications. Because a permit can be granted does not imply that a permit should or will be granted. Before deciding on an application, the Responsible Authority must consider a number of matters. Amongst other things, the Responsible Authority must consider the relevant Municipal Planning Strategy and the Planning Policy Framework, as well as the purpose of the zone, overlay or any other provision.

Clause 66.03 Referral of Permit Applications Under Other State Standard Provisions

61. In accordance with *Clause 66.03* of the Scheme, the following referrals should be undertaken:
 - (a) An application under the overlay within the waterway management district of Melbourne Water Corporation. Melbourne Water is a determining referral authority for this application.

[Municipal Planning Strategy \(MPS\)](#)

62. The following MPS provisions of the Scheme are relevant:
 - (a) Clause 02.03-1 – Environmental risks and amenity
 - (b) Clause 02.03-1 – Transport

[Planning Policy Framework \(PPF\)](#)

63. The following PPF provisions of the Scheme are relevant:
64. Clause 13 – Environmental risks and amenity:
 - (a) Clause 13.03 – Flood plains; and
 - (b) Clause 13.03-1S – Floodplain management.
65. Clause 18 – Transport
 - (a) Clause 18.01-1S – Land use and transport integration
 - (b) Clause 18.02-4S – Roads
 - (c) Clause 18.02-4L-01 – Car parking

Advertising

66. The application was not advertised under the provisions of Section 52 of the Planning and Environment Act (1987). This is because the only planning permit trigger is under the SBO and application is exempt from the notice requirements pursuant to *Clause 44.05-5* (SBO) of the Scheme.

Referrals

External Referrals

Melbourne Water

67. Pursuant to *Clause 44.05-6*, an application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed to in writing between the responsible authority and the floodplain management authority. In accordance with *Clause 66.03*, the application was referred to Melbourne Water.
68. On 14 February 2024, Melbourne Water requested additional information about the proposed works. However, after further discussions with the applicant, Melbourne Water agreed that their requested information could be addressed by way of conditions and notes.
69. Accordingly, in a letter dated 12 March 2024 Melbourne Water confirmed that they did not object to the proposal, subject to conditions and notes being included on any permit that issues. These have been included in the recommendation. Their letter has been included as an attachment to this report.

Internal Referrals

70. The application was referred to the following units within Council:
- (a) City Works – Open Space (Arborist); and
 - (b) Development Engineering Services.
71. Referral comments have been included as attachments to this report.

OFFICER ASSESSMENT

72. The primary considerations for this application are as follows:
- (a) Potential flood impacts and floodplain management issues associated with the proposed buildings and works in the SBO; and
 - (b) Other matters (tree management, car park layout and design).

Buildings and works within the SBO

73. The subject site is affected by the SBO. The purpose of the SBO includes *to ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*
74. Decision guidelines of *Clause 44.05-6* (SBO) and policy at *Clause 13.03-1S* (Floodplain management) provide the relevant guidance for the proposal. Further, where development applications are in the SBO area, Council relies on the advice of the relevant floodplain management authority (Melbourne Water) with regard to flooding.
75. The proposal results in the construction of 78 car parking spaces on median strips which currently consist of grassland. Melbourne Water reviewed the plans and advised that *pursuant to Section 56(1) of the Planning and Environment Act (1987), no objection to the proposal subject to the following conditions:*

- (a) *Prior to the endorsement of plans under this permit, amended plans to the satisfaction of Melbourne Water and Council must be submitted to and approved by Melbourne Water and Council. The plans must be generally in accordance with the plans submitted with the application but modified to include:*
 - (i) *Ground and surface levels to Australian Height Datum (AHD);*
 - (ii) *Detailed elevation plans with carpark and road pavement finished levels; and*
 - (iii) *The exact location of Melbourne Water's drain, determined by a licensed Land Surveyor, or suitably qualified Engineer. The plans must show the location of the drain in relation to any proposed permanent structures or footings which are proposed and demonstrate compliance with Melbourne Water's requirements for siting of structures near easements/ drains; and*
- (b) *Prior to commencement of works, a separate Buildover application must be made directly to Melbourne Water's Asset Services Team for approval of works/structures over or near Melbourne Water's assets.*

76. It is recommended that these conditions be included on any planning permit issued. A condition will also require the amended plans to be consistent with the above recommendations from Melbourne Water.

77. Melbourne Water also required the following 'advice' to be included on any planning permit issued. These will be included as notes:

- (a) *Information available at Melbourne Water indicates that the property is subject to flooding from Melbourne Water's drainage system, based on a rainfall event which has a 1% Annual Exceedance Probability (AEP), that is, a 1% probability of being equalled or exceeded in any one year. The applicable 1% AEP flood level grades from 22.65m to 22.22m Australian Height Datum (AHD) across the site; and*
- (b) *Melbourne Water has the following assets within the location of the proposed works:*
 - (i) *Alexandra Parade Main Drain - this asset consists of 4880mm wide pipe constructed of concrete bluestone in 1944; and*
 - (ii) *Alexandra Parade Relief Drain - this asset consists of 1980mm wide pipe constructed of unreinforced concrete drain 1928.*

78. As outlined above, subject to conditions and notes, Melbourne Water did not object to the construction of car parking on the subject site.

79. Overall, the proposed development does include any significant structures and includes generally minimal changes to ground levels to provide the car parking. There is no evidence that the development would obstruct or store floodwaters, increase potential flood damage, increase flood hazards or cause any significant rise in flood level or flow velocity.

80. For these key reasons, the proposal would comply with the requirements of the SBO and relevant floodplain related policies, subject to Melbourne Water's conditions and notes.

Other matters - Car parking design and layout

81. *Clause 65.01* (Approval of an application or plan), requires the responsible authority consider the impact the development will have on the current and future development and operation of the transport system. In addition *Clause 52.06* Car parking contains relevant guidance for the layout and design of car parking, as previously discussed.

82. *Clause 52.06-9* (Design standards for car parking) contains seven standards and requirements relating to access way, car parking spaces, gradients, mechanical parking, urban design, safety and landscaping.

83. The proposed parking and access arrangements include 78 car parking spaces orientated perpendicular to the accessway. Design Standard 1 requires accessways to be at least 3m in width. New 5m wide vehicle access to the car park is provided, via slip lanes for both east and west bound traffic and the existing central separation between the median strips.

84. Council's Development Engineering Services Unit reviewed the standards (as relevant) against the plans and were satisfied with the layout of the car parking area. However, whilst generally supportive of the car parking arrangements, they identified a lack of detail in the plans. They have therefore recommended that several matters be addressed by way of condition, as follows.
85. While the depth of each car space has been annotated as being 4.9m, the width has not been included. The aisle widths are also omitted from the plans. A condition would require the following to be dimensioned on the plans in order to meet Design Standard 2:
 - (a) width of the car parking spaces; and
 - (b) width of the aisles.
86. Swept-path diagrams have not been provided to demonstrate vehicle turning movements into and out of the car spaces, nor the turning movements into and out of the central separation via the slip lanes on Alexandra Parade. Council's Development Engineering Services Unit provided the following assessment which shows swept-paths for a B99 design vehicle transversing into the corner of the opposite traffic lane (see Figure 7 below). This would be hazardous for drivers.

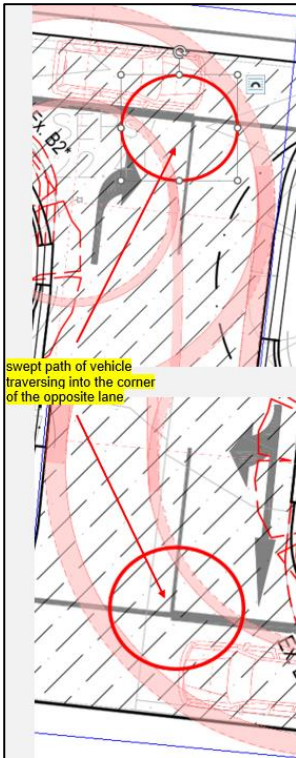


Figure 7: Swept-path diagram showing vehicle on opposite traffic lane
Source: Council Development Engineering Services Markup

87. A condition would therefore require swept-path diagrams to be provided, demonstrating the following:
 - (a) entry and exist movements into and out of the car parking spaces; and
 - (b) turning movements into and out of the median strip from the slip lanes.
88. Council's Development Engineering Services Unit also queried if all or some of the spaces at the end of the car parking areas would be designated to consist of No Stopping restrictions in order to allow vehicles to turnaround and exist the car park in a forward direction (see Figure 8 below).



Figure 8: Potential No Stopping zones on-site

Source: Council Development Engineering Services Markup

89. Council's Development Engineering Services Unit also recommended that swept path diagrams demonstrating vehicles could exit the car park in a forward direction be provided. These matters will be dealt with via condition, which may result in the reduction of up to four car parking spaces (from 78 to 74).
90. All of the above are recommended to be required by way of condition. An additional condition is also recommended to number the car parking spaces.
91. Design Standard 5 states that ground level car parking and accessways must not visually dominate public space. This standard is satisfied given the modest nature of the proposed works which would not visually dominate the site or the adjoining public spaces and areas. In addition, while the Shot Tower (No. 94 Alexandra Parade, Clifton Hill) is an identified landmark under Clause 15.01-2L-02 of the Scheme, it is located over 490m east of the site and views towards it would not be impacted.
92. Design Standard 6 requires car parking areas to be well lit and clearly signed. The plans show the location of six existing public light poles, with the brackets proposed to be changed. It is expected that the proposed car park would be appropriately lit and that secure access would be provided. Standard conditions are recommended to ensure the lights are appropriately baffled and shielded to prevent light spill.
93. This standard also recommends pedestrian access to car parking areas from the street be convenient. A 3m wide pedestrian accessway is proposed to the west of the car parking spaces, which provides access to George Street. The car park abuts the existing Smith Street footpath to the east, and therefore a pedestrian accessway is not required for this section of the car park. The car parking is generally well designed for pedestrians.
94. Overall, subject to conditions, the development achieves a satisfactory outcome against the objectives of this Standard.
95. Council's standard Construction Management Plan condition is recommended to ensure that construction is adequately managed to minimise off-site disturbance.
96. Overall, subject to condition, the proposed design and configuration of access and car parking areas are considered to achieve a satisfactory outcome.

[Other matters - tree management](#)

97. The proposal would result in the removal of nine trees (see Figure 9 below). A planning permit is not required to remove any vegetation from this site. However, the general decision guidelines at *Clause 65.01* of the Scheme require that the responsible authority consider *the orderly planning of the area* as well as *the effect on the environment, human health and amenity of the area* before deciding on an application.

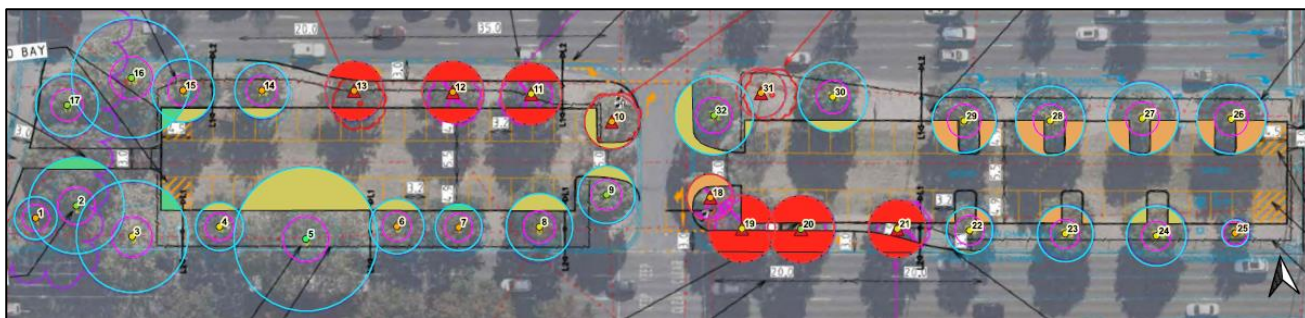


Figure 9: Removal of nine trees shown in red

Source: Arboricultural Assessment and Report (Treelogic, December 2023)

98. As outlined earlier in the report, the trees within the median strips are managed by the DTP, although they are maintained by Council.
99. The applicant provided a letter from DTP stating that they do not object to the removal of DTP managed trees required to facilitate the proposed roadworks on the basis that:
 - (a) *Only trees that are preventing the safe and practical implementation of the roadworks would be removed. The extent of tree removal is minimised wherever practical;*
 - (b) *The roadworks will incorporate construction techniques that minimise the impact on trees that are being retained and every effort will be made to do so;*
 - (c) *Any permission or formal approval that may be required from Council is obtained prior to the removal of any trees/vegetation; and*
 - (d) *The final approval for the proposed roadworks will be provided by DTP's External Works Delivery Team.*
100. Points (a) and (b) have been incorporated as recommended conditions on any permit that issues (as discussed below). Points (c) and (d) are recommended to be included as notes.
101. The Arboricultural Assessment and Report (prepared by Treelogic, dated 22 December 2023) submitted by the applicant,, formally assessed 32 individual trees in relation to the proposed works on-site. Out of the 32 trees, 23 trees displayed 'fair structure', while nine had 'fair to poor structure'. All 32 trees are introduced specimens planted for gardens, screening and amenity purposes.
102. This report and Council's City Works – Open Space Design (Arborists) have confirmed that there are no native trees proposed to be removed and none of the trees are within the City of Yarra *Significant Tree Register*.
103. This report provided the following findings:
 - (a) Trees 10, 12 and 31 are recommended for removal due to their poor health (wounds, the presence of borers and poor structure);
 - (b) Trees 11, 12, 18, 19, 20 and 21 will be lost due to impacts from the proposed works;
 - (c) The Structural Root Zones (SRZ) of Trees 22, 23, 25, 26, 27, 28 and 29 are encroached by the footprint of the proposed works;
 - (d) The Tree Protection Zones (TPZ) of Trees 4, 5, 6, 8, 9, 10, 14, 15, 24 and 32 would have their TPZs encroached by greater than 10% by the proposed works. The Australian Standard 4970 identifies this as 'major encroachment'; and
 - (e) Trees 2 (Yellow Box) and 5 (London Plane) are considered as 'moderate' and 'high' rated maturing tree, respectively. The TPZ encroachment for Tree 2 would be 7%, and Tree 5 is 25%. However, both trees would highly likely tolerate the proposed works, subject to providing an exclusion zone.
104. While nine trees are proposed to be removed, the SRZs of seven trees and the TPZs of eleven trees would be impacted. Therefore a total of 27 trees may be affected due to the proposed works.

105. The Treelogic recommends the following to minimise the impacts on the SRZs and TPZs:
- (a) The SRZs of Trees 22, 23, 25, 26, 27, 28 and 29 *can only be retained if construction methods preserve the integrity of the roots in this zone;*
 - (b) Major encroachment to the TPZs of Trees 4, 5, 6, 8, 9, 10, 14, 15, 24 and 32 is only permissible if it can be demonstrated that after such encroachment, the trees would continue to be viable; and
 - (c) Strict tree protection exclusion fencing should be installed before works commence and maintained for the duration of the works as this would be critical in the retention of Trees 2 and 5.
106. Council's City Works – Open Space Design Unit reviewed the plans and the Arboricultural Report. The above findings of the report were confirmed, apart from finding that only 16 additional trees would be impacted (this is understood to be an error). They recommended that a suitably qualified Arborist demonstrate that the additional trees outlined above would remain viable after the works have finished.
107. Overall, a number of conditions are recommended to ensure that the number of trees that needs to be removed is minimised and that remaining trees are adequately protected and their health is not compromised. Accordingly, in addition to the DTP requirements, it is recommended that a Tree Management Plan (TMP) consistent with the submitted arboricultural report be conditioned.
108. The TMP condition will require that the DTP, Treelogic and the Council Arborist's requirements all be demonstrated to be met. This may result in the loss of further car parking spaces. However vegetation is a general characteristic of the immediate site context and the retention of these trees would maintain the environment and amenity of the area, especially as no offset trees have been explicitly proposed on-site. A condition will also require the amended plans to be consistent with the recommendations of this TMP.
109. In addition, given the loss of nine trees and the context of the subject site, the applicant should explore opportunities for the replanting of canopy trees and other vegetation. It is therefore recommended that a Landscape Plan condition be included, to require the provision of canopy trees and other suitable plantings in the vicinity to offset the loss of trees.

Conclusion

110. Overall, the proposal would not result in any unreasonable flood impacts or result in any significant flood risks and would be consistent with the purpose of the SBO (subject to Melbourne Water's conditions). Other matters (impacts on trees and the car park layout and design) can be addressed through conditions. The proposal would therefore be an acceptable planning outcome that complies with the relevant Council policies. It is recommended that a planning permit be issued, with conditions.

RECOMMENDATION

That the Council:

- (a) Note the officer report and the application material; and
- (b) Delegates the Manager Statutory Planning to issue Planning Permit PLN23/0819 for roadworks associated with the construction of car parking spaces on land within the Special Building Overlay at Road Seg (Partial) Alexandra Parade Fitzroy North VIC 3068, generally in accordance with the “decision plans” and subject to the following conditions:
 1. Before the development commences (excluding site preparation work but including tree removal) amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the decision plans prepared by Creo Consultants, dated 13.12.2023 (Rev C: Drawing No. CRE-CV-DR-0120) and prepared by VicRoads Design (Rev A: SD3143), but modified to include/show:
 - (a) Car parking spaces numbered;
 - (b) Dimensions relating to car parking and access as follows:
 - (i) width of the car parking spaces;
 - (ii) width of the aisles;
 - (c) Swept-path diagrams demonstrating the following:
 - (i) entry and exist movements into and out of the car parking spaces;
 - (ii) turning movements into and out of the median strip from the slip lanes; and
 - (iii) adequate turning movements at the end of the car parking areas to allow vehicles to exit the car park in a forward direction when all spaces in the car park are occupied; this may be achieved by deleting or nominating the end spaces (four in total) to ‘No Stopping’, if required; and
 - (d) Any requirements of the following conditions, including any consequential changes to the layout of the car park;
 - (i) Condition 3 (Melbourne Water);
 - (ii) Conditions 5 and 6 (Department of Transport and Planning);
 - (iii) Condition 7 (Endorsed Tree Management Plan); and
 - (iv) Condition 9 (Landscape Plan).
 2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

Melbourne Water Conditions (3 - 4)

3. Concurrent with the submission of Condition 1 Plans, amended plans to the satisfaction of Melbourne Water and Council must be submitted to and approved by Melbourne Water and Council. The plans must be generally in accordance with the plans submitted with the application but modified to include:
 - (a) Ground and surface levels to Australian Height Datum (AHD);
 - (b) Detailed elevation plans with carpark and road pavement finished levels; and

- (c) The exact location of Melbourne Water's drain, determined by a licensed Land Surveyor, or suitably qualified Engineer. The plans must show the location of the drain in relation to any proposed permanent structures or footings which are proposed and demonstrate compliance with Melbourne Water's requirements for siting of structures near easements/ drains.
- 4. Prior to commencement of works, a separate Buildover application must be made directly to Melbourne Water's Asset Services Team for approval of works/structures over or near Melbourne Water's assets.

Department of Transport and Planning Conditions (5 - 6)

- 5. Only trees that are preventing the safe and practical implementation of the roadworks can be removed, and the extent of tree removal is to be minimised wherever practical.
- 6. The roadworks must incorporate construction techniques that minimise the impact on the trees that are being retained and every effort must be made to do so.

Tree Management Plan

- 7. Concurrent with the submission of Condition 1 Plans, a Tree Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of this permit. The Tree Management Plan must make recommendations for:
 - (a) Any measures necessary to address the Department of Transport and Planning's requirements at conditions 5 and 6;
 - (b) the protection and preservation of Trees 2, 4, 5, 6, 8, 9, 10, 14, 15, 22, 23, 24, 25, 26, 27, 28, 29 and 32, including:
 - (i) pre-construction;
 - (ii) during construction;
 - (iii) post construction;
 - (c) the provision of any barriers;
 - (d) any pruning necessary; and
 - (e) watering and maintenance regimes,to the satisfaction of the Responsible Authority.
- 8. During construction, the provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority.

Landscape Plan

- 9. Concurrent with the submission of Condition 1 Plans, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:
 - (a) provide for the planning to canopy trees and other suitable plantings in the vicinity;
 - (b) show the type, location, quantity, height at maturity and botanical names of all proposed canopy trees;
 - (c) indicate the location of all areas to be covered by lawn or other surface materials; and
 - (d) provide a specification of works to be undertaken prior to planting,to the satisfaction of the Responsible Authority.

10. Before the car park is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants,
- to the satisfaction of the Responsible Authority.

General

11. Before the car park is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances must be provided on the subject site. Lighting must be:
- (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,
- to the satisfaction of the Responsible Authority.
12. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

Car Parking

13. Before the car park is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
- (a) Constructed and available for use in accordance with the endorsed plans;
 - (b) Formed to such levels and drained so that they can be used in accordance with the endorsed plans; and
 - (c) Line-marked or provided with some adequate means of showing the car parking spaces,
- to the satisfaction of the Responsible Authority.

Civil Works

14. Within 2 months of the completion or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
- (a) In accordance with Yarra Standard Drawings | Yarra City Council
 - (b) at the permit holder's cost; and
 - (c) To the satisfaction of the Responsible Authority.

Construction Management Plan

15. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Construction Management Plan will be endorsed and will form part of this permit. The Construction Management Plan must provide for:

- (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
- (b) works necessary to protect road and other infrastructure;
- (c) remediation of any damage to road and other infrastructure;
- (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
- (e) facilities for vehicle washing, which must be located on the land;
- (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
- (g) site security;
- (h) management of any environmental hazards including, but not limited to,:
 - (i) contaminated soil;
 - (ii) materials and waste;
 - (iii) dust;
 - (iv) stormwater contamination from run-off and wash-waters;
 - (v) sediment from the land on roads;
 - (vi) washing of concrete trucks and other vehicles and machinery; and
 - (vii) spillage from refuelling cranes and other vehicles and machinery;
- (i) the construction program;
- (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
- (k) parking facilities for construction workers;
- (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
- (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;

If required, the Construction Management Plan may be approved in stages. Construction of each stage must not commence until a Construction Management Plan has been endorsed for that stage, to the satisfaction of the Responsible Authority.

16. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Construction hours & noise

17. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday to Friday (excluding public holidays) before 7:00am or after 6:00pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9:00am or after 3:00pm; and

- (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Permit Expiry

18. This permit will expire if:

- (a) the development is not commenced within two years of the date of this permit; and
- (b) the development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

Notes:

A building permit may be required before development is commenced. Please contact Council's building services on 9205 5555 to confirm.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5555 for further information.

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5555 to confirm.

Melbourne Water notes

Information available at Melbourne Water indicates that the property is subject to flooding from Melbourne Water's drainage system, based on a rainfall event which has a 1% Annual Exceedance Probability (AEP), that is, a 1% probability of being equalled or exceeded in any one year. The applicable 1% AEP flood level grades from 22.65m to 22.22m Australian Height Datum (AHD) across the site.

Melbourne Water has the following assets within the location of the proposed works: Alexandra Parade Main Drain - this asset consists of 4880mm wide pipe constructed of concrete bluestone in 1944 and Alexandra Parade Relief Drain - this asset consists of 1980mm wide pipe constructed of unreinforced concrete drain 1928.

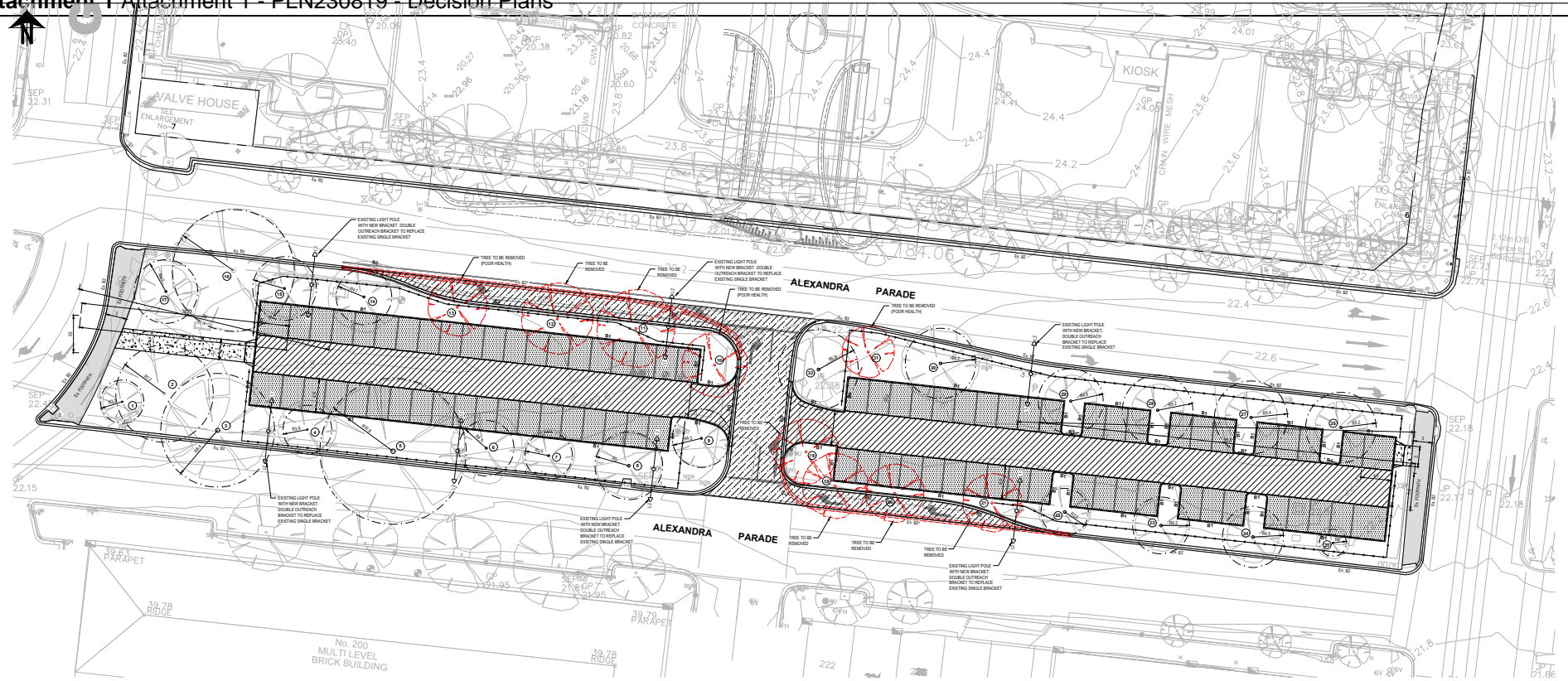
Department of Transport and Planning Notes

Any permission or formal approval that may be required from Council is to be obtained prior to the removal of any trees/vegetation.

The final approval for the proposed roadworks will be provided by DTP's External Works Delivery Team.

Attachments

- 1 [↓](#) Attachment 1 - PLN230819 - Decision Plans
- 2 [↓](#) Attachment 2 - PLN230819 - Arboricultural Report
- 3 [↓](#) Attachment 3 - PLN23/819 - Transport for Victoria Letter of Consent
- 4 [↓](#) Attachment 4 - PLN230819 - Letter of Consent for Tree Removal
- 5 [↓](#) Attachment 5 - PLN230819 - Melbourne Water Response
- 6 [↓](#) Attachment 6 - PLN230819 - Development Engineering Response
- 7 [↓](#) Attachment 7 - PLN230819 - City Works and Open Space Services Response



PROPOSED CIVIL FUNCTIONAL LAYOUT PLAN
SCALE 1:200

LEGEND

- SCALE LEGEND APPLIES TO ALL CIVIL DRAWINGS UNLESS OTHERWISE SPECIFIED**
- NEW ASPHALT PAVEMENT TO VORAD STANDARDS
 - NEW CONCRETE FOOTPATH TO VORAD STANDARDS
 - NEW CARPAK CONCRETE PAVEMENT
 - NEW CARPAK PERMEABLE PAVEMENT
 - EXISTING FOOTPATH
 - CONCRETE KERB
 - CONCRETE KERB AND CHANNEL
 - SPOON DRAIN
 - EXISTING CONCRETE 100MM CHANNEL
 - EXISTING CONCRETE KERB AND CHANNEL TO BE DEMOLISHED
 - TREE PROTECTION ZONE REFER TO ARBORIST REPORT FOR DETAILS
 - NEW KERB/FENCING IN ACCORDANCE WITH VORAD STANDARD DRAWING 1020-41 (POST FOOTINGS AND PANELS) TO PROTECT EXISTING TREES. FENCE ADJUSTMENT TO BE COORDINATED WITH EXISTING TREES AND TO BE MINIMUM 500mm CLEAR OF PARKING BAYS
 - TREE NUMBER AS REFERENCED IN THE ARBORIST REPORT

NOTE:
CARPAK AND ROAD PAVEMENT FINISH LEVELS ARE YET TO BE DESIGNED. NEW FINISH SURFACE LEVELS SHALL BE WITHIN 50mm TO 100mm MAX OF THE EXISTING FINISH SURFACE LEVELS TO ACHIEVE COMPLIANCE WITH THE ROAD LEVELS AND CONDITIONS AND TO ACHIEVE COMPLIANCE WITH THE LANDSCAPE REPORT RELATING TO TREE PROTECTION.

1:200 2 4 6 8 10 M
GRID REFERENCE 21042

NO.	DATE	REVISION/DESCRIPTION	BY	CHECKED
1	15/01/2024	ISSUED FOR TENDERS	J.FABIAN	J.FABIAN
2	15/01/2024	REVISED PER COMMENTS	J.FABIAN	J.FABIAN

DEVELOPMENT VICTORIA
LEVEL 98 EXHIBITION ST. MELBOURNE VIC 3000

CRDO
CONCRETE RESEARCH DEVELOPMENT ORGANISATION
Level 7, 178 Wellington Parade
East Melbourne, VIC, Australia 3002
Ph: (03) 9417 7323

FITZROY SPORTS CENTRE
ALEXANDRA PARADE CARPAK
80 ALEXANDRA PARADE, FITZROY VIC 3065

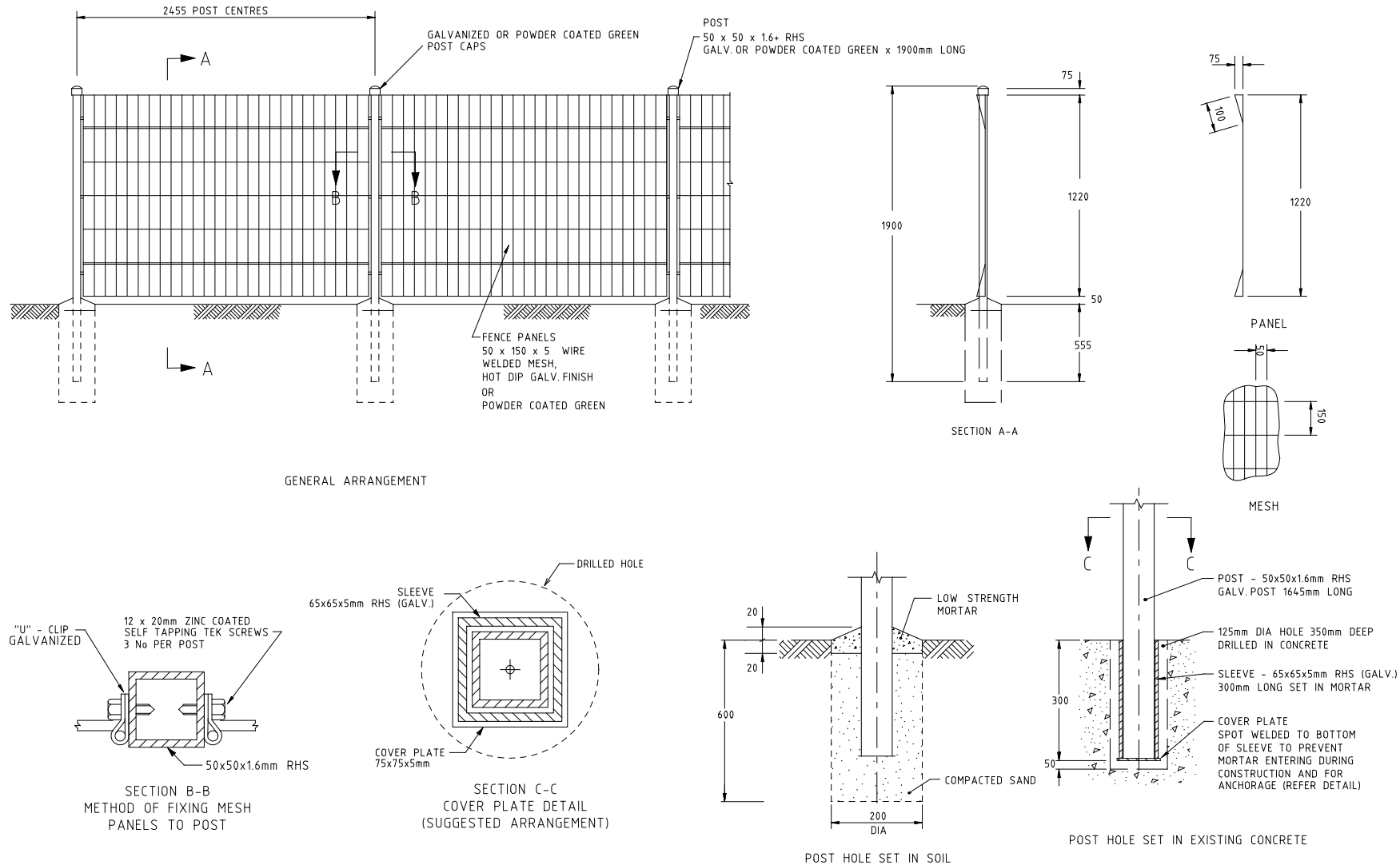
PROPOSED CIVIL FUNCTIONAL LAYOUT PLAN

PRELIMINARY NOT FOR CONSTRUCTION

SCALE	NO.	DATE	BY	CHECKED
NA	1	15/01/2024	J.FABIAN	J.FABIAN
NA	2	15/01/2024	J.FABIAN	J.FABIAN

CRE-CDR-0120 C

Attachment 1 Attachment 1 - PLN230819 - Decision Plans



E			
D			
C			
B			
A	JK	1/7/05	FENCE PANEL SIZE AMENDED
ISSUE	APP'D	DATE	AMENDMENT

GENERAL NOTES

1. THE FENCE UTILIZES "A.R.C." 1220 x 2400 JACARANDA PANELS.
2. ELECTRICAL INSULATION DETAILS FOR FENCES IN THE VICINITY OF TRANSMISSION LINES AND TOWERS REFER SD 3171.
3. ALL DIMENSIONS ARE IN MILLIMETRES.

DESIGNED
PRED

APPROVED 30-9-99
J. Cunningham

CATALOG: PRED
PROJECT: sddgnnew



STANDARD DRAWING			
FENCE			
WELDED MESH			
FILE NO.	CONTRACT NO.	SHEET NO.	DRAWING NO. / ISSUE
			SD 3143 / A



Arboricultural Assessment
and Report

Alexandra Parade Median
Carpark,
Fitzroy

22 December 2023 (revised)

Tree Logic Ref. 011874

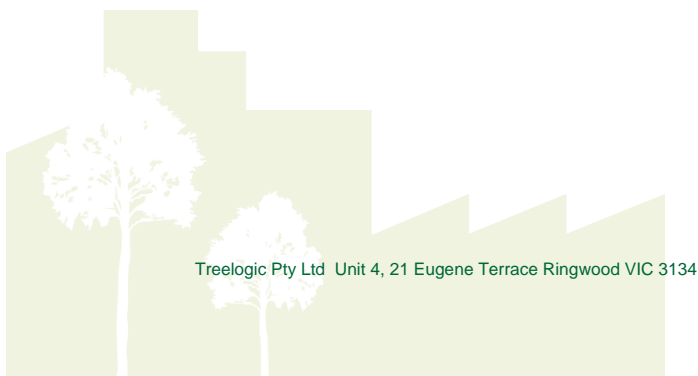
Prepared for Stephanie Fakhry – Development Victoria

Prepared by Kirsten Raynor – Tree Logic Pty. Ltd.



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Tree Report | Alexandra Parade Median
Carpark, Fitzroy 2

1 Objectives

Tree Logic was engaged to undertake an arboricultural assessment of trees located within the median strip on Alexandra Parade, Fitzroy. This report describes the current status, condition and arboricultural value of the assessed trees, and presents permit requirements, possible impacts from proposed construction works, and recommendations with regard to tree management.

2 Method

A site inspection was carried out on Friday, 29 October 2021. The trees were inspected from the ground and observations were made of the growing environment and surrounding area. The trees were not climbed, and no samples of the tree or soil were taken.

Observations were made of the assessed trees to determine the species, age category, and condition with measurements taken to establish tree crown height (measured with a height meter) and crown width (paced) and trunk dimensions (measured 1.4 metres above ground level with a diameter tape unless otherwise stated). Descriptors used in the assessment can be seen in Appendix 3.

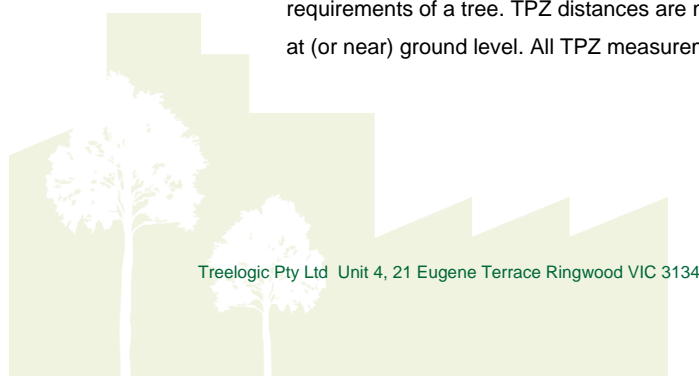
Assessment details of individual trees are listed in Appendix 1 and a copy of the tree location plan can be seen in Appendix 2.

Some photographs of the trees and the environs were taken for further reference and inclusion in the report.

Only trees were assessed, and data collected. A tree is generally a plant with a height greater than 5 metres on a single trunk with a single trunk (stem) diameter (DBH) being greater than 150 mm at a height of 1.4 metres above ground level.

Each of the assessed trees was attributed an 'Arboricultural Rating'. The arboricultural rating correlates the combination of tree condition factors (health and structure) with tree amenity value. It should be noted that the arboricultural rating is different to the conservation/ecological values placed on trees by other professions. Definitions of arboricultural ratings can be seen in Appendix 3.

The assessed trees have been allocated tree protection zones (TPZ). The Australian Standard, AS 4970-2009, has been used as a guide in the allocation of TPZs for the assessed trees. This method provides a TPZ that addresses both the stability and growing requirements of a tree. TPZ distances are measured as a radius, from the centre of the trunk at (or near) ground level. All TPZ measurements for are provided in Appendix 1.



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Carpark, Fitzroy 3

Documents viewed;

- Planning Property Report, Fitzroy Gasworks – Department of Environment, Land, Water and Planning, dated 2021-Nov-04
- Preliminary Alexandra Parade Median Carpark Layout, Development Victoria Fitzroy Gasworks – GHD, rev. B dated 03-Jun-21
- Alexandra Parade, Clifton Hill Option 2 (Central Access) – Site Layout – Traffix Group, Issue H-exit adjusted to avoid pole, dated 10-Feb-2023
- Alexandra Parade, Clifton Hill Option 4 – Site Layout – Traffix Group, Issue C – Updated Issue, dated 27-Nov-2023
- Boundary Re-establishment, Feature and Level Survey, Fitzroy Gasworks, 433 Smith Street, Fitzroy North – Veris, dated 2021-Aug-20
- City of Yarra General Local Law (consolidated), General Local Law (2016)
- City of Yarra Significant Tree Register
- City of Yarra Street Tree Policy
- City of Yarra Tree Removal Guidelines



Figure 1: An aerial image showing the subject site (outline in red).

3 Observations

The nominated tree study area was a grassed, open median strip in Alexandra Parade, Fitzroy. It was bounded to the east by Smith Street and to the west by George Street. The trees were located at the edges of the median strip, leaving the centre of the area open. Mulch had been applied around the bases of the trees, at varying depths. Trees were observed in mid-spring and the deciduous species on site were in varying stages of leaf development. See Figure 1 for an indication of the study area.

Thirty-two (32) individual trees were formally assessed in relation to proposed works within the nominated study area.

- Individual tree details are provided in Appendix 1;
- Refer to Appendix 2 for tree numbers and locations.

All of the assessed trees were considered to be introduced specimens planted for garden, screening and amenity purposes.

Tree health was assessed based on foliage colour, size and density as well as shoot initiation and elongation.

- The majority of assessed trees (31 trees) were displaying characteristics considered to be typical or better of the species growing in this environment under current conditions;
- One tree (1) tree was considered to be in Fair to Poor health

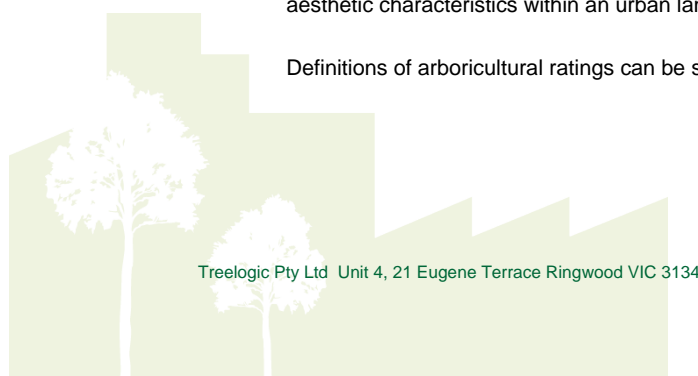
Tree structure was assessed for structural defects and deficiencies, likelihood of failures and risk to potential targets.

- Twenty-three (23) trees displayed Fair structure in terms of primary branching arrangement and architecture;
- Nine (9) had Fair to Poor structure with defects such as previous failures and acute forks;

Arboricultural Rating

The assessed trees were attributed with an arboricultural rating. This rating relates to the combination of tree condition factors, including health and structure (arboricultural merit), and also conveys an amenity value. Amenity relates to the tree's biological, functional and aesthetic characteristics within an urban landscape context.

Definitions of arboricultural ratings can be seen in Appendix 3.



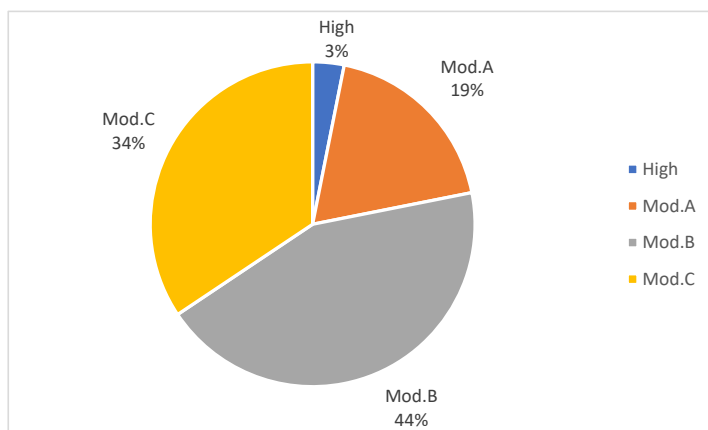


Figure 2: Breakdown of arboricultural ratings.

Trees with a **High** rating are generally exemplary specimens due to multiple factors including condition, vitality, size, and prominence in the landscape.

- One (1) tree was rated High

Trees with a **Moderate A** rating were generally prominent trees in fair or better condition with medium to long-term components of the landscape if managed appropriately.

- Six (6) trees were rated Moderate A;

Trees with a **Moderate B** rating were generally in fair or better condition and have the potential to be medium to long-term components of the landscape if managed appropriately.

- Fourteen (14) trees were rated Moderate B;

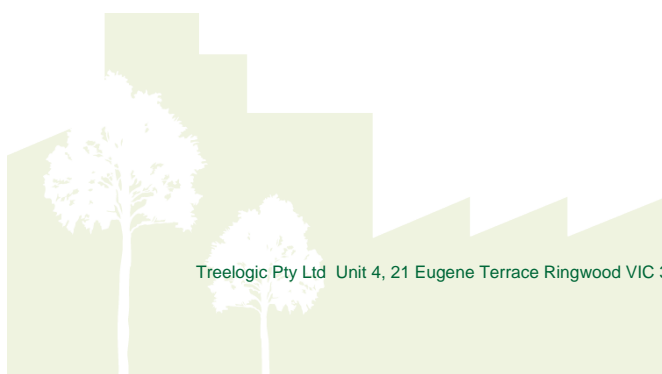
Trees with a **Moderate C** rating were trending towards a Low arboricultural rating, however, represent an established tree resource and may be considered for retention.

- Eleven (11) trees were rated Moderate C.

4 Tree Permit Requirements

The subject site is located within the City of Yarra and is covered by the Road Zone Category 1 (RDZ1). No specific tree controls apply to the site under any planning overlays.

The *City of Yarra Local Law* requires a permit to remove, damage, destroy or lop a significant tree located on either private or public land. A significant tree is a tree which meets one or more of the following criteria:



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Tree Report | Alexandra Parade Median Carpark, Fitzroy 6

- The tree is single trunked with a trunk diameter of 400 mm or greater measured at 1500 mm (1.5 m) above the ground; or
- The tree is multi-trunked with a combined trunk diameter of 400 mm or greater measured at 1500 mm (1.5 m) above the ground; or
- The tree is individually listed on the significant tree register
- The tree is one of a group of trees listed on the significant tree register;
- The tree is single trunked with a trunk diameter of 400 mm or greater measured at ground level; or
- The tree is multi-trunked with a combined trunk diameter of 400 mm or greater measured at ground level;

No trees on the site appear on the City of Yarra *Significant Tree Register*.

For Council managed trees The City of Yarra specifies that all decisions regarding removal will be made in accordance with the provisions of the *Tree Removal Guidelines* and authority for removal will rest with Council's Director City Strategy and Services. Requests to remove Council managed trees will be assessed on the tree's condition, suitability, landscape value and significance. Further information should be sought from The City of Yarra Council.

The site is larger than 4000 m² and therefore subject to Clause 52.17 'Native Vegetation' of the Victorian Planning Scheme. In our consideration, all trees are planted for amenity purposes and are therefore exempt from any permit requirements under Clause 52.17 'Native Vegetation'.

5 Tree Protection Zones

An arboricultural assessment provides planners and designers with information on the measures required to protect trees suitable for retention. To successfully retain trees in conjunction with alterations to the site, suitable tree protection zones (TPZ) must be established and maintained prior to commencing, and for the duration of any works in proximity to retained trees.

The Australian Standard for Protection of Trees on Development Sites (AS4970-2009) has been used as a method for calculating a TPZ. The TPZ defines an area in which construction activity is either avoided, or at least controlled, in order to successfully sustain a tree.

Minor encroachment, up to 10% of the TPZ area, is generally permissible provided encroachment is compensated for by recruitment of an equal area contiguous with the TPZ. Encroachment greater than 10% is considered major encroachment under AS4970 and is only permissible if it can be demonstrated that after such encroachment the tree would remain viable.

See Figure 3 below for examples of minor encroachment.

Treelogic Pty Ltd Unit 4, 21 Eugene Terrace Ringwood VIC 3134

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Carpark, Fitzroy 7

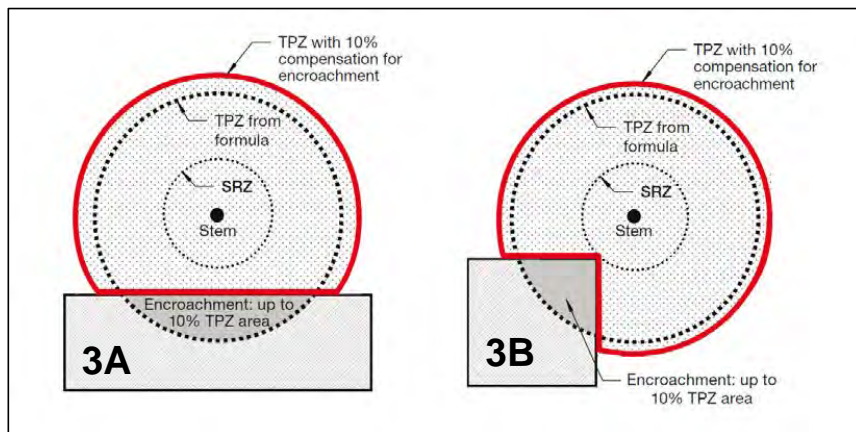


Figure 3: 3A & 3B – Examples of minor encroachment into a TPZ.
 Extract from: AS4970-2009, Appendix D, pg. 30 of 32.

The Structural Root Zone (SRZ) represents the minimum area required to maintain tree stability, without consideration of tree health. No works should be undertaken within the SRZ unless based on non-destructive root investigation and root-sensitive design and construction methods.

- All TPZ and SRZ measurements are provided in the tree assessment data which can be found in Appendix 1.

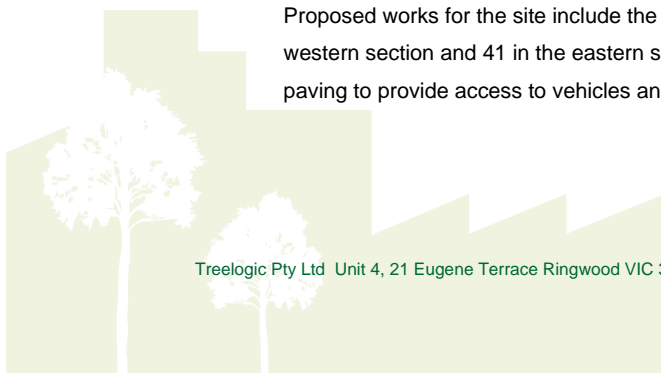
6 Tree impact considerations

The pre-development arboricultural assessment report provides planners and designers with information on the measures required to protect trees suitable for retention, minimise impacts and avoid, where possible, the requirement to remove trees.

Trees grow in a delicate balance with their environment and any changes to that balance must be minimised if the tree is to remain in a healthy state and fulfil its potential. It is rarely possible to repair stressed and injured trees, so damage needs to be avoided during all stages of development and construction. Tree protection cannot be achieved without a proactive approach. The hierarchy of principles for tree protection are:

- Avoid damage to the subject trees
- Minimise damage to the subject trees
- Replace the subject trees and improve the landscape (as a last resort)

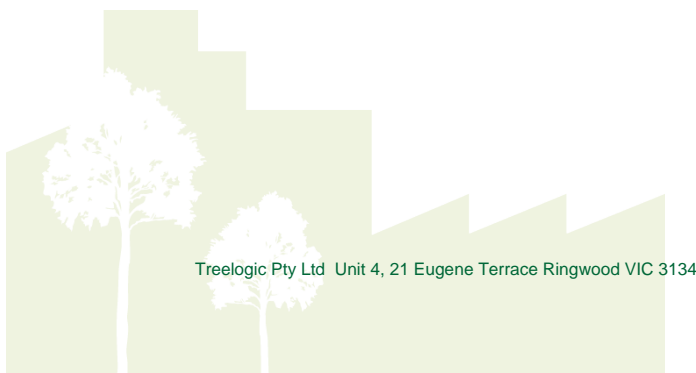
Proposed works for the site include the construction of 78 carparking spaces. 37 in the western section and 41 in the eastern section, along with accompanying landscaping and paving to provide access to vehicles and pedestrians.



The alignment of the proposed construction footprint was reviewed to assess the potential impacts to trees based on the TPZ and SRZ distances formulated by the method in the Australian Standard AS4970-2009 *Protection of trees on development sites*. The following impacts to trees are perceived:

General

- Trees 1, 17, and 31 experience no encroachment from the proposed design.
- Trees 2, 3, 7, 16, 25 and 30 would have their TPZ's encroached by less than 10% by the proposed design. According to AS4970 such encroachment is considered minor encroachment and should be compensated elsewhere, contiguous with the TPZ. All of these trees have adequate contiguous open ground to compensate for the encroachments.
- Tree 25 appears to have an SRZ encroachment. In our consideration the SRZ in this size tree (small) is likely overstated by the formula. The contiguous open, undisturbed ground around this tree is expected to adequately compensate for the encroachment.
- Trees 4, 5, 6, 8, 9, 10, 14, 15, 24, and 32 would have their TPZ's encroached by greater than 10% by the proposed design. According to AS4970 such encroachment is considered major encroachment and is only permissible if it can be demonstrated that after such encroachment the tree would remain viable.
- Trees 11, 12, 13, 18, 19, 20, 21, 22, 23, 26, 27, 28, and 29 would have their TPZ's encroached by greater than 10% and also their SRZs encroached by the proposed design. According to AS4970 such encroachment is considered major encroachment and is only permissible if it can be demonstrated that after such encroachment the tree would remain viable.
- As per AS4970, to determine the likelihood of a tree tolerating a major encroachment the project arborist must consider relevant mitigating factors, such as;
 - Tree species and tolerance to root disturbance
 - Age, vigour and size of the tree
 - Soil characteristics and volume, topography and drainage
 - Design factors



Construction methods and surface treatments

- The design concessions to increase the likelihood of trees tolerating the proposed design include construction above existing grade, reduced compaction of the base layers and permeable surfacing.
- Two surface treatments are specified, each for different areas. Concrete paving and a grass grid system. In Figure 4 below, the concrete paving areas are shown in blue and the grass grid systems are in green.

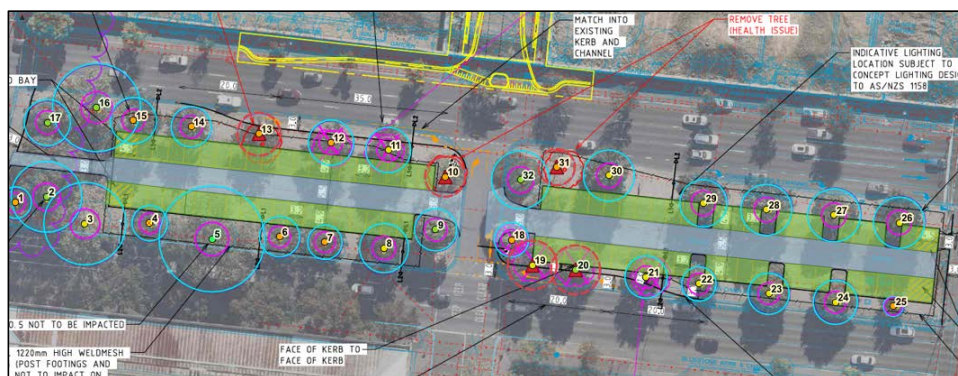


Figure 4: Showing proposed construction methods for different areas. Blue indicates a concrete surface, green indicates a grass grid system.

- The grass grid system has been proposed in response to the need to allow water and oxygen movement into the soil, especially in the TPZ. Levels of compaction are also critical in this zone, and after discussion with the engineer it was understood that the grid surface could be installed on a base layer compacted using a 2.6T flat drum roller with no vibration. Also, using a no fines aggregate, such as 20mm washed aggregate, would allow the retention of voids after compaction. Voids in growing media are critical for tree root growth as the voids allow root access, water movement and storage, and the diffusion of oxygen to the roots.
- The reduced weight of the roller and the lower levels of compaction have also been specified to reduce the likelihood of damage to roots in the Structural Root Zone. This zone is critical to the stability of the tree and while sympathetic construction methods can allow surface modification within the SRZ, it must be ensured that roots in this zone are not severed or crushed.
- No roots within the SRZ are to be damaged or cut. The carpark surface (grass grid section) must be installed at or above existing soil levels. Works within the SRZ of retained trees should be supervised by the project arborist.
- Open space allocations into the carparking spaces have been given to trees 22, 23, 24, 26, 27, 28, and 29. While these trees will experience encroachment of their SRZs, if the works are conducted according to the recommendations above, in our opinion they are likely to tolerate the proposed design.

Protection of undisturbed, open ground

- Maintenance of an exclusion zone over the open ground around the perimeter of the carpark will be critical to realizing the retention of the trees in question. This open ground represents the new ground space where trees will be able to regrow roots that may be lost to changes in conditions. Strict tree protection exclusion fencing should be installed before works commence and maintained for the duration of the works.
- No storage of machinery or materials should be allowed in this protected space.

Higher rated trees

- Tree 2 is a **Moderate A** rated Yellow Box (*Eucalyptus melliodora*). The encroachment of its TPZ under the proposed design is 7%. This will be from the concrete pedestrian footpath link into the carpark. Under AS4970 8.5% encroachment is considered minor and we can observe that there is adequate contiguous open ground to allow new root recruitment for compensation. In our opinion Tree 2 would likely tolerate the encroachment.
- Tree 5 is a large London Plane (*Platanus xacerifolia*) in Good health with Fair structure. It is a **High** rated tree on the site and has a high retention value. Under the proposed design it would experience a 25% encroachment of its TPZ. While this is considered major encroachment under AS4970, there are two mitigating factors. London Planes are considered to be tolerant of root disturbance and are well known in the urban environment for enduring in highly disturbed landscapes. Also, the construction methods discussed above mean that only approximately 4% of the TPZ will be under the concrete surface, with the majority of the encroachment from the grass grid carpark. In our opinion, given the species and construction approach, it is highly likely that the tree could tolerate this level of encroachment.
- Tree 9 is Moderate A rated Semi-mature Dutch Elm (*Ulmus xhollandica*). Under the proposed design it would experience a 15% encroachment of its TPZ. While this is considered major encroachment under AS4970, given the youth and vigour of the tree and the presence of contiguous open ground to allow root recruitment we believe Tree 9 should be able to tolerate the encroachment of its TPZ.

Trees lost to construction

- Trees 10, 13 and 31 are recommended for removal due to wounds, the presence of borers and generally poor structure.
- Trees 11 and 12 are impacted from two sides of their TPZ, to the north from the new sliplane and from the south from the carpark surface. These trees are unable to be retained under the proposed design.
- Trees 19, 20, and 21 are lost to the construction of a new sliplane allowing cars to enter the central access road between the two carparks. These trees are unable to be retained under the proposed design.

- Tree 18 is impacted by the sweep of the access into the eastern carpark. This tree is unable to be retained under the proposed design.

General tree protection considerations

As well as reducing encroachment, the preserved portion of any TPZs on the subject site need to be managed before, during and after construction to avoid impacts to trunks, branches and soil. This is most readily achieved by installing tree protection fencing and/or ground buffering. Refer to Appendix 4 for TPZ establishment and management guidelines.

No form of excavation or trenching for installation of underground services is permitted within the TPZ areas of any retained tree. All underground services must be designed to avoid encroaching any TPZ or must be installed via directional boring at a minimum depth of 750mm to the top of the bore head with all entry and exit points located outside of the TPZ radius.

The design must consider the trees' canopies during the course of the proposed works and also in planning the required storage areas. Impacts to trunks, stems and branches must be avoided as it is almost impossible to rectify damage to trees once it has occurred.

- Refer to Appendix 3 for arboricultural descriptors and Appendix 4 for TPZ establishment and management guidelines.



Figure 4: Tree 2, a Moderate A rated Yellow Box. Viewed from the east.



Figure 5: Tree 5, a High rated London Plane. Viewed from the north.



Figure 6: Tree 3, a Moderate B rated London Plane. Viewed from the north-east.



Figure 7: Tree 17, a Moderate A rated Yellow Box. Viewed from the south-east.

7 Conclusion

The nominated tree study area was located in the median strip of Alexandra Parade, Fitzroy, between Smith Street and George Street. Thirty-two (32) individual trees were formally assessed in relation to proposed works within the nominated study area.

- Individual tree details are provided in Appendix 1;
- Refer to Appendix 2 for tree numbers and locations.

Proposed works for the site include the construction of 78 carparking spaces. 37 in the western section and 41 in the eastern section, along with accompanying landscaping, paving and roadworks to provide access to vehicles and pedestrians. The alignment of the proposed construction footprint was reviewed to assess the potential impacts to trees based on the TPZ and SRZ distances formulated by the method in the Australian Standard AS4970-2009 *Protection of trees on development sites*. See Section 6.

In the City of Yarra permits are required for removal of significant trees whether they are on private or public land. Council managed trees are only able to be removed under the authority of Council's Director City Strategy and Services. See Section 4 for details.

Impacts to the trees under the proposed design include;

- Trees 10, 13 and 31 are recommended for removal due to wounds, the presence of borers and generally poor structure.
- Six trees are lost due to impacts from the proposed design. Trees 11, 12, 18, 19, 20, 21.
- The SRZs of Trees 22, 23, 25, 26, 27, 28, and 29 are encroached by the footprint of the proposed carpark and **can only be retained if construction methods preserve the integrity of the roots in this zone**. See Section 6 for more details.
- Trees 4, 5, 6, 8, 9, 10, 14, 15, 24 and 32 would have their TPZ's encroached by greater than 10% by the proposed design. According to AS4970 such encroachment is considered major encroachment and is only permissible if it can be demonstrated that after such encroachment the tree would remain viable. See Section 6 for more details.
- Tree 5 is a High-rated maturing London Plane whose TPZ is encroached by 25%. Under the construction methods and surface treatments specified, in our opinion Tree 5 is highly likely to tolerate the proposed design. See Section 6 for more details.
- Tree 2 is Moderate A-rated maturing Yellow Box whose TPZ is encroached by 7% by the proposed footpath and pram ramp. Given the contiguous open ground to on other sides of the tree's TPZ, in our opinion Tree 2 is highly likely to tolerate the proposed design.
- Maintenance of an exclusion zone taking in the open ground around the perimeter of the carpark will be critical to realizing the retention of the trees in question. This open ground represents the new ground space where trees will be able to regrow roots that may be lost to changes in conditions. Strict tree protection exclusion fencing should be installed before works commence and maintained for the duration of the works.
- Appendix 1 shows the details of trees considered significant under City of Yarra General Local Law, and the percentage of encroachment of their TPZs.

Refer to Section 6 for a detailed impact assessment and recommended tree protection measures.

I am available to answer any questions arising from this report.

No part of this report is to be reproduced unless in full.

Signed



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Carpark, Fitzroy

Appendix 1: Tree Assessment Data: Alexandra Parade, Fitzroy

Key: DBH = Diameter at breast height (1.4m up trunk) unless otherwise indicated. Basal dimensions is trunk diameter at base immediately above root buttress. Arb. Rating = arboricultural rating. TPZ = Tree protection zone in radial metres. SRZ = Structural root zone in radial metres. ULE = Useful Life Expectancy. Definitions of the descriptor categories used in the assessment can be seen in Appendix 3.

Refer to the following three (3) pages.

Attachment 2 Attachment 2 - PLN230819 - Arboricultural Report

Appendix 1

Tree Assessment Data

011874 - Alexandra Parade Median Carpark, Fitzroy

Tree No.	Species	Age Class	DBH Ø (cm)	Basal Ø (cm)	H x W (m)	Health	Structure	Arb. Rating	ULE (yrs)	Comments	Recommended Works	TPZ radius (m)	SRZ radius (m)	Encroachm't (%)	Impact	Permit trigger*	Outcome
1	<i>Eucalyptus melliodora</i> (Yellow Box)	Semi-mature	27	29	11 x 5	Fair to Poor	Fair	Mod.C	21-40 y	Minor dieback; Reduced foliage density		3.2	2	0			Retain
2	<i>Eucalyptus melliodora</i> (Yellow Box)	Maturing	60	70	22 x 11	Fair	Fair	Mod.A	21-40 y	trunk on lean to north-east; over-extended branches to north; tear-out wound on west of main leader at approx. 7 m	Weight reduction of north-heading branches	7.2	2.8	7	Minor encroachment as per AS4975	City of Yarra Significant Tree (DBH)	Retain
3	<i>Platanus Xacerifolia</i> (London Plane)	Maturing	70	80	17 x 16	Fair	Fair	Mod.B	21-40 y			8.4	3	3	Minor encroachment as per AS4976	City of Yarra Significant Tree (DBH)	Retain
4	<i>Ulmus Xhollandica</i> (Dutch Elm)	Semi-mature	30	33	10 x 9	Fair	Fair to Poor	Mod.B	21-40 y	decay in bark, possible borers in ascending branch to east		3.6	2.1	11	Major encroachment as per AS4970	Council managed tree	Retain
5	<i>Platanus Xacerifolia</i> (London Plane)	Maturing	90	104	21 x 20	Good	Fair	High	21-40 y	<i>Coprosma repens</i> seedling growing in primary union	Remove seedling growing in primary union	10.8	3.4	25	Major encroachment as per AS4970	City of Yarra Significant Tree (DBH)	Retain
6	<i>Ulmus Xhollandica</i> (Dutch Elm)	Semi-mature	34	37	10 x 8	Fair	Fair	Mod.C	21-40 y	foliage less developed than others on site		4.1	2.2	15	Major encroachment as per AS4970		Retain
7	<i>Ulmus Xhollandica</i> (Dutch Elm)	Semi-mature	29	35	10 x 9	Fair	Fair	Mod.C	21-40 y	decay in ascending limb to south (over west-bound lanes of Alexandra Parade)	Aerial inspection	3.5	2.1	8	Minor encroachment as per AS4978		Retain
8	<i>Ulmus Xhollandica</i> (Dutch Elm)	Semi-mature	35,22	45	10 x 10	Fair	Fair	Mod.B	21-40 y	over-extended limb to north with small dead wood	Deadwood; Reduce over-extended branch	5	2.4	20	Major encroachment as per AS4970	City of Yarra Significant Tree (DBH)	Retain
9	<i>Ulmus Xhollandica</i> (Dutch Elm)	Semi-mature	36	40	10 x 10	Good	Fair	Mod.A	21-40 y			4.3	2.3	15	Major encroachment as per AS4970	City of Yarra Significant Tree (basal)	Retain
10	<i>Ulmus Xhollandica</i> (Dutch Elm)	Semi-mature	34	43	12 x 9	Fair	Fair to Poor	Mod.C	11-20 y	Congested primary union; Included bark forks; flaking bark, appearance of decay or borers below, occurs frequently through upper crown at branch joints		4.1	2.3	22	Major encroachment as per AS4970	City of Yarra Significant Tree (basal)	Remove - permit required
11	<i>Ulmus Xhollandica</i> (Dutch Elm)	Early-mature	38	44	11 x 10	Fair	Fair	Mod.B	21-40 y			4.6	2.3	45	Major encroachment as per AS4970	City of Yarra Significant Tree (basal)	Remove - permit required
12	<i>Ulmus Xhollandica</i> (Dutch Elm)	Early-mature	38	45	10 x 10	Fair	Fair to Poor	Mod.C	11-20 y	flaking bark, borer holes beneath; lopsided crown from past pruning		4.6	2.4	46	Major encroachment as per AS4970	City of Yarra Significant Tree (basal)	Remove - permit required
13	<i>Ulmus Xhollandica</i> (Dutch Elm)	Semi-mature	37	38	10 x 10	Fair	Fair to Poor	Mod.C	11-20 y	flaking bark, appearance of borer damage throughout main leader		4.4	2.2	40	Major encroachment as per AS4970	Council managed tree	Remove - permit required
14	<i>Ulmus Xhollandica</i> (Dutch Elm)	Semi-mature	34	40	10 x 10	Fair	Fair to Poor	Mod.C	11-20 y	as per previous tree; pruning wound showing incipient decay		4.1	2.3	12	Major encroachment as per AS4970		Retain
15	<i>Ulmus Xhollandica</i> (Dutch Elm)	Semi-mature	39	41	10 x 10	Fair	Fair to Poor	Mod.C	11-20 y	Partly suppressed - crown bias		4.7	2.3	15	Major encroachment as per AS4970	City of Yarra Significant Tree (basal)	Retain

Tree data collected 29-Oct-21.

Encroachments refer to Drawing No. G31311-02-04 Option 4 - Site Layout, Issue C 27-Nov-23, by Traffic

Attachment 2 Attachment 2 - PLN230819 - Arboricultural Report

Appendix 1

Tree Assessment Data

011874 - Alexandra Parade Median Carpark, Fitzroy

Tree No.	Species	Age Class	DBH Ø (cm)	Basal Ø (cm)	H x W (m)	Health	Structure	Arb. Rating	ULE (yrs)	Comments	Recommended Works	TPZ radius (m)	SRZ radius (m)	Encroachm't (%)	Impact	Permit trigger*	Outcome
16	<i>Platanus Xacerifolia</i> (London Plane)	Maturing	75	90	18 x 14	Fair	Fair	Mod.A	21-40 y	decaying stub occluding slowly		9	3.2	2	Minor encroachment as per AS4970	City of Yarra Significant Tree (DBH)	Retain
17	<i>Eucalyptus melliodora</i> (Yellow Box)	Semi-mature	39	47	12 x 8	Fair	Fair	Mod.A	21-40 y	some deadwood through crown	Deadwood	4.7	2.4	0		City of Yarra Significant Tree (basal)	Retain
18	<i>Ulmus Xhollandica</i> (Dutch Elm)	Semi-mature	29	33	9 x 7	Fair	Fair to Poor	Mod.C	11-20 y	bark decay with borers		3.5	2.1	31	Major encroachment as per AS4970	Council managed tree	Remove - permit required
19	<i>Ulmus procera</i> (English Elm)	Early-mature	42	47	12 x 10	Fair	Fair	Mod.B	21-40 y			5	2.4	66	Major encroachment as per AS4970	City of Yarra Significant Tree (DBH)	Remove - permit required
20	<i>Ulmus Xhollandica</i> (Dutch Elm)	Early-mature	42	48	12 x 10	Fair	Fair	Mod.A	21-40 y			5	2.4	85	Major encroachment as per AS4970	City of Yarra Significant Tree (DBH)	Remove - permit required
21	<i>Ulmus procera</i> (English Elm)	Early-mature	36	44	12 x 10	Fair	Fair	Mod.B	21-40 y			4.3	2.3	67	Major encroachment as per AS4970	City of Yarra Significant Tree (basal)	Remove - permit required
22	<i>Ulmus Xhollandica</i> (Dutch Elm)	Semi-mature	29	36	10 x 9	Fair	Fair	Mod.B	21-40 y			3.5	2.2	14	Major encroachment as per AS4970		Retain
23	<i>Ulmus Xhollandica</i> (Dutch Elm)	Semi-mature	35	36	9 x 9	Fair	Fair	Mod.B	21-40 y	flaking bark, borers/decay beneath		4.2	2.2	13	Major encroachment as per AS4970		Retain
24	<i>Ulmus Xhollandica</i> (Dutch Elm)	Early-mature	32,20	38	10 x 10	Fair	Fair	Mod.B	21-40 y	flaking bark, decay above and below pruning wound on south side of ascending stem		4.5	2.2	12	Major encroachment as per AS4970	City of Yarra Significant Tree (DBH)	Retain
25	<i>Ulmus procera</i> (English Elm)	Semi-mature	11,9,8,8,7	23	7 x 6	Fair	Fair	Mod.C	21-40 y			2	1.8	7	Minor encroachment as per AS4970	City of Yarra Significant Tree (DBH)	Retain
26	<i>Ulmus procera</i> (English Elm)	Early-mature	43	53	13 x 10	Fair	Fair	Mod.B	21-40 y			5.2	2.5	29	Major encroachment as per AS4970	City of Yarra Significant Tree (DBH)	Retain
27	<i>Ulmus Xhollandica</i> (Dutch Elm)	Early-mature	45	53	11 x 10	Fair	Fair	Mod.B	21-40 y	congested union with included bark fork on west;		5.4	2.5	30	Major encroachment as per AS4970	City of Yarra Significant Tree (DBH)	Retain
28	<i>Ulmus procera</i> (English Elm)	Early-mature	43	53	14 x 12	Fair	Fair	Mod.B	21-40 y	over-extended branch to west	Reduce over-extended branch	5.2	2.5	32	Major encroachment as per AS4970	City of Yarra Significant Tree (DBH)	Retain
29	<i>Ulmus procera</i> (English Elm)	Early-mature	40	51	13 x 9	Fair	Fair	Mod.B	21-40 y			4.8	2.5	30	Major encroachment as per AS4970	City of Yarra Significant Tree (DBH)	Retain
30	<i>Ulmus procera</i> (English Elm)	Early-mature	43	51	12 x 11	Fair	Fair	Mod.B	21-40 y			5.2	2.5	10	Minor encroachment as per AS4970	City of Yarra Significant Tree (DBH)	Retain
31	<i>Ulmus Xhollandica</i> (Dutch Elm)	Early-mature	31	36	10 x 17	Fair	Fair to Poor	Mod.C	21-40 y	large wound on south-west of trunk, some occlusion beginning; borer damage rising up main leader		3.7	2.2	0		Council managed tree	Remove - permit required

Tree data collected 29-Oct-21.

Encroachments refer to Drawing No. G31311-02-04 Option 4 - Site Layout, Issue C 27-Nov-23, by Traffic

Attachment 2 Attachment 2 - PLN230819 - Arboricultural Report

Appendix 1

Tree Assessment Data

011874 - Alexandra Parade Median Carpark, Fitzroy

Tree No.	Species	Age Class	DBH Ø (cm)	Basal Ø (cm)	H x W (m)	Health	Structure	Arb. Rating	ULE (yrs)	Comments	Recommended Works	TPZ radius (m)	SRZ radius (m)	Encroachm't (%)	Impact	Permit trigger*	Outcome
32	<i>Ulmus Xhollandica</i> (Dutch Elm)	Early-mature	49	64	14 x 10	Fair	Fair to Poor	Mod.A	21-40 y	2 x 50 mm branches lost in recent storm		5.9	2.7	25	Major encroachment as per AS4970	City of Yarra Significant Tree (DBH)	Retain
* for all Council managed trees, authority for removal rests with Council's Director City Strategy and Services.																	

Tree data collected 29-Oct-21.

Encroachments refer to Drawing No. G31311-02-04 Option 4 - Site Layout, Issue C 27-Nov-23, by Traffix

Appendix 2: Tree Location Plan: Alexandra Parade, Fitzroy

Refer to the following 2 pages.



APPENDIX 2A — TREE LOCATIONS AND PROTECTION ZONES

PROJECT
 Alexandra Parade Median Carpark, Fitzroy

TL REF. 011874
 MAP NO. 1/1
 DATE 2023-12-18
 CLIENT Stephanie Fakhry Development

DATA SOURCES
 Neamap Imagery 2021-09-01
 Boundary Re-establishment, Feature and Level Survey, Fitzroy Gasworks, 433 Smith Street, Fitzroy North - Veris, 2021-08-20
 Alexandra Parade, Clifton Hill Option 4 – Site Layout – Traffix Group, Issue C - updated issue, dated 27-Nov-2023

LEGEND

Arbicultural Rating	Tree Protection Zones and Trees for Removal
● High	○ TPZ
● Mod-A	○ SRZ
● Mod-B	▲ Remove
● Mod-C	○ TPZ remove

NOTES
 West of Tree 21 the preliminary design is based on aerial imagery - tree locations on the preliminary design overlay are not accurate.

TREE LOCATION DISCLAIMER
 Tree locations are approximate

COORDINATE REFERENCE SYSTEM
 EPSG: 28355 | GDA 94 MGA Zone 55

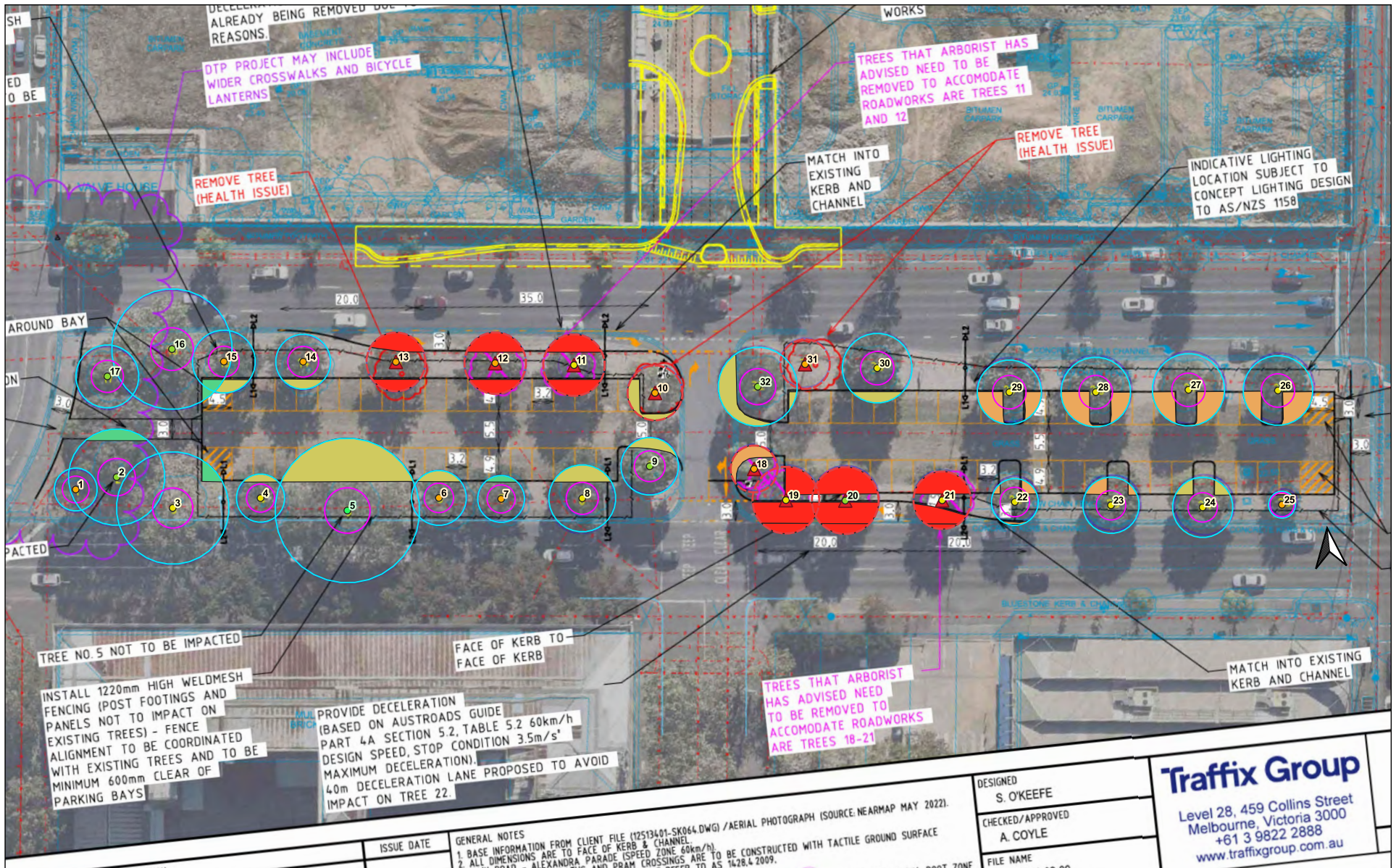
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ABN: 95 080 021 610
 TEL: 1300 656 926

TREELOGIC PTY LTD
 4/21 Eugene Tce
 Ringwood, VIC
 Australia 3134

Tree logic
 Plan, manage, protect

DESIGNED S. O'KEEFE	Traffix Group Level 28, 459 Collins Street Melbourne, Victoria 3000 +61 3 9822 2888 www.traffixgroup.com.au
CHECKED/APPROVED A. COYLE	
FILE NAME	



ENCROACHMENTS — TREE LOCATIONS AND PROTECTION ZONES

PROJECT
 Alexandra Parade Median Carpark, Fitzroy

TL REF. MAP NO. DATE CLIENT
 011874 1/1 2023-12-18 Stephanie Fakhry Development

DATA SOURCES
 Nearmap Imagery 2021-09-01
 Boundary Re-establishment, Feature and Level Survey, Fitzroy Gasworks, 433 Smith Street, Fitzroy North - Veris, 2021-08-20
 Alexandra Parade, Clifton Hill Option 4 - Site Layout, drawing No. G31311-02-04, Issue C - Traffix Group, dated 27-Nov-2023

- LEGEND**
- Arboricultural Rating
- High
 - Mod-A
 - Mod-B
 - Mod-C

- Tree Protection Zones and Trees for Removal
- TPZ
 - SRZ
 - ▲ Remove
 - TPZ remove

NOTES
 Construction within SRZs and TPZs (specified) must be as per Consultant's Advice
 Notice: 15, issued by Creo Consultants, dated 15-Feb-2023

TREE LOCATION DISCLAIMER
 Tree locations are approximate

COORDINATE REFERENCE SYSTEM
 EPSG: 28355 | GDA 94 MGA Zone 55

0 7 14m

ABN: 95 080 021 610
 TEL: 1300 656 926

TREELOGIC PTY LTD
 4/21 Eugene Tce
 Ringwood, VIC
 Australia 3134

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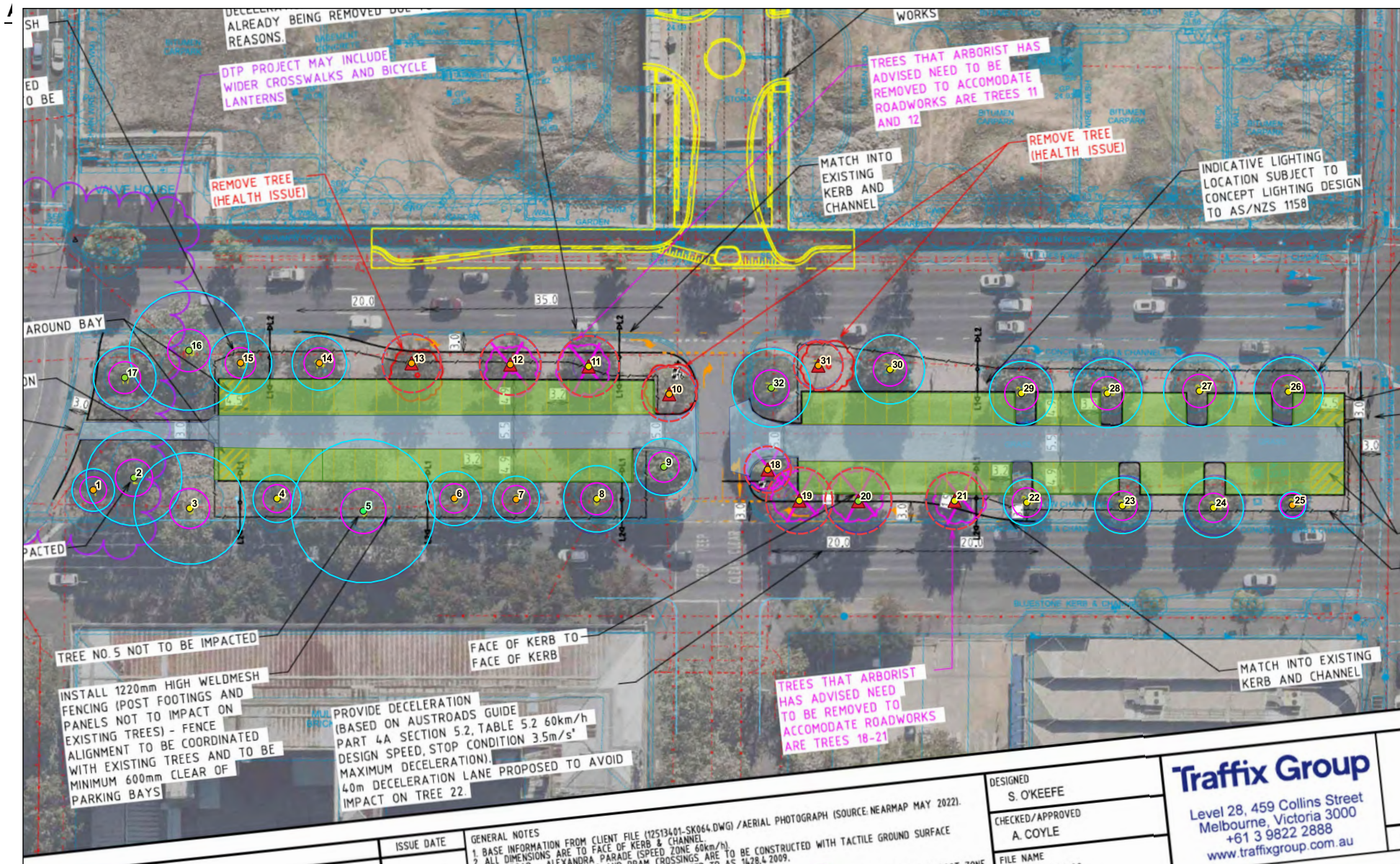
DESIGNED
 S. O'KEEFE

CHECKED/APPROVED
 A. COYLE

FILE NAME

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APPENDIX 2B — TREE LOCATIONS AND CONSTRUCTION METHODS

PROJECT
 Alexandra Parade Median Carpark, Fitzroy

TL REF. 011874
MAP NO. 1 / 1
DATE 2023-12-18
CLIENT Stephanie Fakhy Development Victoria

DATA SOURCES
 Nearmap Imagery 2021-09-01
 Boundary Re-establishment, Feature and Level Survey, Fitzroy Gasworks, 433 Smith Street, Fitzroy North - Veris, 2021-08-20

Alexandra Parade, Clifton Hill Option 4 – Site Layout, drawing No. G31311-02-04, Issue C – Traffix Group, dated 27-Nov-2023

LEGEND

Arboricultural Rating	Surface Treatment
● High	grass grid
● Mod-A	concrete
● Mod-B	
● Mod-C	

NOTES
 West of Tree 21 the preliminary design is based on aerial imagery - tree locations on the preliminary design overlay are not accurate.

TREE LOCATION DISCLAIMER
 Tree locations are approximate

COORDINATE REFERENCE SYSTEM
 EPSG: 28355 | GDA 94 MGA Zone 55

0 7 14 m

DESIGNED
S. O'KEEFE

CHECKED/APPROVED
A. COYLE

FILE NAME

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 TEL: 1300 656 926

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 Australia 3134

Tree logic
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Appendix 3: Arboricultural Descriptors (February 2019)

Note that not all of the described tree descriptors may be used in a tree assessment and report. The assessment is undertaken with regard to contemporary arboricultural practices and consists of a visual inspection of external and above-ground tree parts.

1. Tree Condition

The assessment of tree condition evaluates factors of health and structure. The descriptors of health and structure attributed to a tree evaluate the individual specimen to what could be considered typical for that species growing in its location under current climatic conditions. For example, some species can display inherently poor branching architecture, such as multiple acute branch attachments with included bark. Whilst these structural defects may technically be considered arboriculturally poor, they are typical for the species and may not constitute an increased risk of failure. These trees may be assigned a structural rating of fair- poor (rather than poor) at the discretion of the assessor.

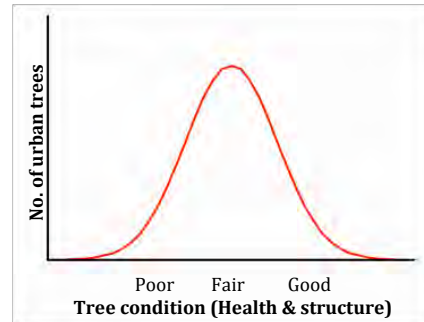


Diagram 1: Indicative normal distribution curve for tree condition

Diagram 1 provides an indicative distribution curve for tree condition to illustrate that within a normal tree population the majority of specimens are centrally located within the condition range (normal distribution curve). Furthermore, that those individual trees with an assessed condition approaching the outer ends of the spectrum occur less often.

2. Tree Name

Provides botanical name, (genus, species, variety and cultivar) according to accepted international code of taxonomic classification, and common name.

3. Tree Type

Describes the general geographic origin of the species and its type e.g. deciduous or evergreen.

Category	Description
Indigenous	Occurs naturally in the area or region of the subject site. Remnant.
Victorian native	Occurs naturally within some part of the State of Victoria (not exclusively) but is not indigenous (component of EVC benchmark). Could be planted indigenous trees.
Australian native	Occurs naturally within Australia but is not a Victorian native or indigenous
Exotic deciduous	Occurs outside of Australia and typically sheds its leaves during winter
Exotic evergreen	Occurs outside of Australia and typically holds its leaves all year round
Exotic conifer	Occurs outside of Australia and is classified as a gymnosperm
Native conifer	Occurs naturally within Australia and is classified as a gymnosperm
Native Palm	Occurs naturally within Australia. Woody monocotyledon
Exotic Palm	Occurs outside of Australia. Woody monocotyledon

4. Height and Width

Indicates height and width of the individual tree; dimensions are expressed in metres. Crown heights are measured with a height meter where possible. Due to the topography of some sites and/or the density of vegetation it may not be possible to do this for every tree. Tree heights may be estimated in line with previous height meter readings in conjunction with assessor’s experience. Crown widths are generally paced (estimated) at the widest axis or can be measured on two axes and averaged. In some instances the crown width can be measured on the four cardinal direction points (North, South, East and West).

Crown height, crown spread are generally recorded to the nearest half metre (crown spread would be rounded up) for dimensions up to 10 m and the nearest whole metre for dimensions over 10 m. Estimated dimensions (e.g. for off-site or otherwise inaccessible trees where accurate data cannot be recovered) shall be clearly identified in the assessment data.

5. Trunk diameters

The position where trunk diameters are captured may vary dependent on the requirements of the specific assessment and an individual trees specific characteristics. DBH is the typical trunk diameter captured as it relates to the allocation of tree protection distances. The basal trunk diameter assists in the allocation of a structural root zone. Some municipalities require trunk diameters be captured at different heights, with 1.0 m above grade being a common requirement. The specific planning schemes will be checked to ascertain requirements.

Stem diameters shall be recorded in centimetres, rounded to the nearest 1 cm (0.01 m).

Diameter at Breast Height (DBH)

Indicates the trunk diameter (expressed in centimetres) of an individual tree measured at 1.4m above the existing ground level or where otherwise indicated, multiple leaders are measured individually. Plants with multiple leader habit may be measured at the base. The range of methods to suit particular trunk shapes, configurations and site conditions can be seen in Appendix A of Australian Standard AS 4970-2009 *Protection of trees on development sites*. Measurements undertaken using foresters tape or builders tape.

Basal trunk diameter

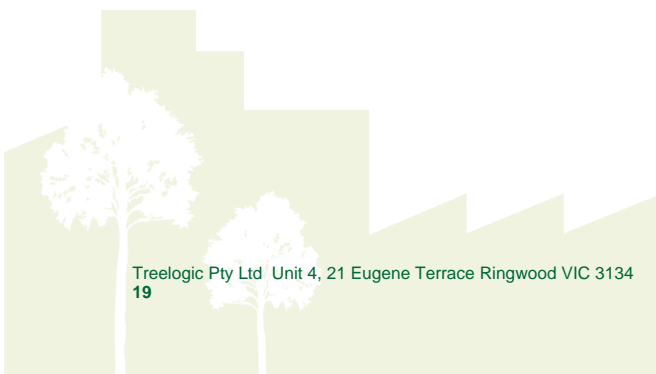
The basal dimension is the trunk diameter measured at the base of the trunk or main stem(s) immediately above the root buttress. Used to ascertain the Structural Root Zone (SRZ) as outlined in AS4970.

Health

Assesses various attributes to describe the overall health and vigour of the tree.

Health Category	Vigour, Extension growth	Decline symptoms, Deadwood, Dieback	Foliage density, colour, size, intactness	Pests and or disease
Good	Above typical. Excellent. Full canopy density	Negligible	Better than typical	Negligible
Fair	Typical vigour. >80% canopy density	Minor or expected. Little or no dead wood	Typical. Minor deficiencies or defects could be present.	Minor, within damage thresholds
Fair to Poor	Below typical - low vigour	More than typical. Small sub-branch dieback	Exhibiting deficiencies. Could be thinning, or smaller	Exceeds damage thresholds
Poor	Minimal - declining	Excessive, large and/or prominent amount & size of dead wood	Exhibiting severe deficiencies. Thinning foliage, generally smaller or deformed	Extreme and contributing to decline

Dead	N/A	N/A	N/A	N/A
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Tree Report Alexandra Parade Median Carpark, Fitzroy

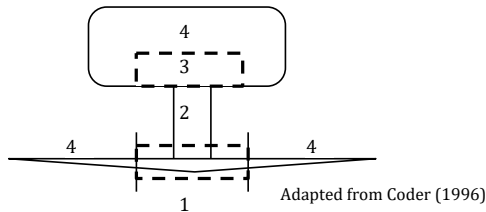
6. Structure

Assesses principal components of tree structure (Diagram 2).

Descriptor	Zone 1 - Root plate & lower stem	Zone 2 - Trunk	Zone 3 - Primary branch support	Zone 4 - Outer crown and roots
Good	No obvious damage, disease or decay; obvious basal flare / stable in ground	No obvious damage, disease or decay; well tapered	Well formed, attached, spaced and tapered. No history of failure.	No obvious damage, disease, decay or structural defect. No history of failure.
Fair	Minor damage or decay. Basal flare present.	Minor damage or decay	Generally, well attached, spaced and tapered branches. Minor structural deficiencies may be present or developing. No history of branch failure.	Minor damage, disease or decay; minor branch end-weight or over-extension. No history of branch failure.
Fair to Poor	Moderate damage or decay; minimal basal flare.	Moderate damage or decay; approaching recognised thresholds	Weak, decayed or with acute branch attachments; previous branch failure evidence.	Moderate damage, disease or decay; moderate branch end-weight or over-extension. Minor branch failure evident.
Poor	Major damage, disease or decay; fungal fruiting bodies present. Excessive lean placing pressure on root plate	Major damage, disease or decay; exceeds recognised thresholds; fungal fruiting bodies present. Acute lean. Stump re-sprout	Decayed, cavities or has acute branch attachments with included bark; excessive compression flaring; failure likely. Evidence of major branch failure.	Major damage, disease or decay; fungal fruiting bodies present; major branch end-weight or over-extension. Branch failure evident.
Very Poor	Excessive damage, disease or decay; unstable / loose in ground; altered exposure; failure probable	Excessive damage, disease or decay; cavities. Excessive lean. Stump re-sprout	Decayed, cavities or branch attachments with active split; failure imminent. History of major branch failure.	Excessive damage, disease or decay; excessive branch end-weight or over-extension. History of branch failure.

Diagram 2: Tree structure zones

1. Root plate & lower stem
2. Trunk
3. Primary branch support
4. Outer crown & roots



Structure ratings will also take into account general branching architecture, stem taper, live crown ratio, crown symmetry (bias or lean) and crown position such as tree being suppressed amongst more dominant trees.

The lowest or worst descriptor assigned to the tree in any column could generally be the overall rating assigned to the tree. The assessment for structure is limited to observations of external and above ground tree parts. It does not include any exploratory assessment of underground or internal tree parts unless this is requested as part of the investigation. Trees are assessed and then given a rating for a point in time. Generally, trees with a poor or very poor structure are beyond the benefit of practical arboricultural treatments.

The management of trees in the urban environment requires appropriate arboricultural input and consideration of risk. Risk potential will consider the combination of likelihood of failure and impact, including the perceived importance of the target(s).

7. Age class

Relates to the physiological stage of the tree's life cycle.

Category	Description
Young	Sapling tree and/or recently planted. Approximately 5 or less years in location.
Semi-mature	Tree increasing in size and yet to achieve expected size in situation. Primary developmental stage.
Early-mature	Tree established, generally growing vigorously. > 50% of attainable age/size.
Mature	Specimen approaching expected size in situation, with reduced incremental growth.

Over-mature	Mature full-size with a retrenching crown. Tree is senescent and in decline. Significant decay generally present.
-------------	---

8. Useful life expectancy

Assessment of useful life expectancy provides an indication of health and tree appropriateness and involves an estimate of how long a tree is likely to remain in the landscape based on species, stage of life (cycle), health, amenity, environmental services contribution, conflicts with adjacent infrastructure and risk to the community. It would enable tree managers to develop long-term plans for the eventual removal and replacement of existing trees in the public realm. It is not a measure of the biological life of the tree within the natural range of the species. It is more a measure of the health status and the trees positive contribution to the urban landscape.

Within an urban landscape context, particularly in relation to street trees, it could be considered a point where the costs to maintain the asset (tree) outweigh the benefits the tree is returning.

The assessment is based on the site conditions not being significantly altered and that any prescribed maintenance works are carried out (site conditions are presumed to remain relatively constant and the tree would be maintained under scheduled maintenance programs).

Useful Life Expectancy	Typical characteristics
<1 year (No remaining ULE)	Tree may be dead or mostly dead. Tree may exhibit major structural faults. Tree may be an imminent failure hazard. Excessive infrastructure damage with high risk potential that cannot be remedied.
1-5 years (Transitory, Brief)	Tree is exhibiting severe chronic decline. Crown is likely to be less than 50% typical density. Crown may be mostly epicormic growth. Dieback of large limbs is common (large deadwood may have been pruned out). Major structural defects that cannot be remedied. Tree may be over-mature and senescing. Infrastructure conflicts with heightened risk potential. Tree has outgrown site constraints.
6-10 years (Short)	Tree is exhibiting chronic decline. Crown density will be less than typical and epicormic growth is likely to present. The crown may still be mostly entire, but some dieback is likely to be evident. Dieback may include large limbs. Structural defects present that influence the tree's risk rating, amenity or vitality. Over-mature and senescing or early decline symptoms in short-lived species. Early infrastructure conflicts with potential to increase regardless of management inputs.
11-20 years (Moderate)	Tree not showing symptoms of chronic decline, but growth characteristics are likely to be reduced (bud development, extension growth etc.). Developing structural defects that reduce viability with limited scope for management. Tree may be over-mature and beginning to senesce. Potential for infrastructure conflicts regardless of management inputs.
21-40 years (Moderately long)	Trees displaying normal growth characteristics, but vitality is likely to be reduced (bud development, extension growth etc.). Structural issues relatively minor and manageable with arboricultural input. Tree may be growing in restricted environment (e.g. streetscapes) or may be in late maturity. Semi-mature and mature trees exhibiting normal growth characteristics. Juvenile trees in streetscapes.
>40 years (Long)	Generally juvenile and semi-mature trees exhibiting normal growth characteristics within adequate spaces to sustain growth, such as in parks or open space. Could also pertain to maturing, long-lived trees. No observable major structural defects. Tree well suited to the site with negligible potential for infrastructure conflicts.

Note that ULE may change for a tree dependent on the prevailing climatic conditions, sudden changes to a tree's growing environment creating an acute stress or impact by pathogens.

The ULE may not be applicable for trees that are manipulated, such as topiary, or grown for specific horticultural purposes, such as fruit trees.

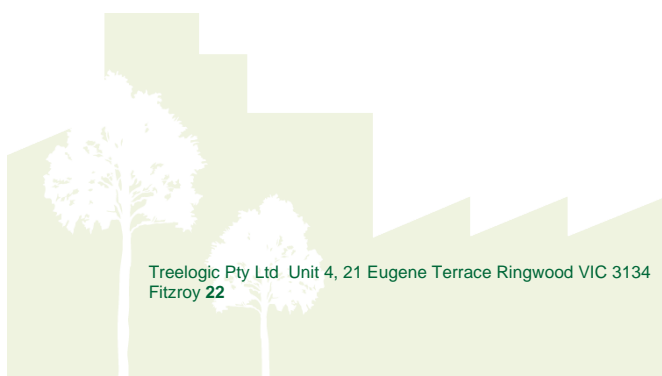
There may be instances where remedial tree maintenance could extend a tree's ULE.

9. Arboricultural Rating

Relates to the combination of assigned tree condition factors, including health and structure (arboricultural merit) and ULE, and conveys an amenity value (An amenity tree can occupy a site that complements its surroundings in a useful manner which culminates in the aid, protection, comfort and emotional response of humans. Adapted from Coder, 2004). Amenity relates to the trees biological, functional and aesthetic characteristics (Hitchmough, 1994) within an urban landscape context. The presence of any serious disease or tree-related hazards that would impact risk potential are considered.

The arboricultural rating can be used by applying only the main category high, moderate, low or very low without using the sub categories. The sub-categories can assist in differentiating a trees value and/or characteristic in more detail within the specific tree assessment context, such as a development site.

Arboricultural rating			
Category	Description		
High (colour coded – See QGIS Layer Styles Quick Guide v1.1 (14 Jan 2018))	Exemplary specimen due to multiple factors which could include; good condition and vitality, large size/canopy and prominence in the landscape. Likely to be a very long-term component in the landscape with a long ULE. Other factors that could contribute to a high rating: <ul style="list-style-type: none"> Particularly good example of the species; rare or uncommon. Tree has visual importance as a landscape feature; provides substantial contribution to landscape character. Tree may have significant ecological or conservation value. *Tree has historical, commemorative or other distinct social/cultural significance. Trees in this category must be considered for retention and/or incorporated within design proposals.		
Category	Description	Sub category	Description
Moderate (colour coded – See QGIS Layer Styles Quick Guide v1.1 (14 Jan 2018))	Tree of moderate quality, in fair or typical condition. Tree may have a condition, and or structural problem that will respond to arboricultural treatment. These trees have the potential to be moderate- to long-term components of the landscape (moderate to long ULE) if managed appropriately. The sub-categories relate predominately to age, size and amenity. Trees in this category should be considered for retention and/or incorporated within design proposals.	A	Moderate to large, maturing tree. Suited to the site & contributes to the landscape character. Tree may have conservation or other cultural/social value.
		B	Moderate sized, established tree, > 50% of attainable age/size. Suited to the site & contributes to the landscape character (other attributes covered under 'Moderate' description)
		C	<ul style="list-style-type: none"> Young to semi-mature, generally a smaller tree, established, >15 cm DBH, >5 years in the location. Not a dominant canopy. No significant qualities currently but has the potential to become a higher value tree & long-term component of the landscape. Replacement of tree is likely to take up to 6 - 10 years to attain similar attributes. Semi- to mature tree with accumulating deficiencies and reducing ULE, trending towards Low arboricultural value.
Category	Description		



Treelogic Pty Ltd Unit 4, 21 Eugene Terrace Ringwood VIC 3134 Fitzroy 22

Tree Report Alexandra Parade Median Carpark,

<p>Low (colour coded – See QGIS Layer Styles Quick Guide v1.1 (14 Jan 2018))</p>	<p>Unremarkable tree of low quality or little amenity value. Tree in either poor health and/or with poor structure. Short to transitory useful life expectancy (<10 years).</p> <ul style="list-style-type: none"> • Tree is not prominent in the landscape due to its size or age, such as young trees with a stem diameter below 15 cm. Tree < 5 years in location. These trees are easily replaceable or capable of being transplanted. • Tree (species) is functionally inappropriate to the specific location. Is causing excessive damage/nuisance to adjacent infrastructure or would be expected to be problematic if retained (i.e. palm tree under power lines). • Unremarkable tree of no material landscape, conservation or other cultural value. Not visible from surrounding landscapes. • Tree infected with pathogens that could lead to its decline. • Tree has potential to be an environmental woody weed (may be dependent on location of tree in an urban landscape). • Tree impacting or suppressing trees of better quality. <p>Retention of such trees may be considered if not requiring a disproportionate expenditure of resources for a tree in its condition and location.</p>
<p><i>Category</i></p>	<p><i>Description</i></p>
<p>Very low (colour coded – See QGIS Layer Styles Quick Guide v1.1 (14 Jan 2018))</p>	<p>Trees of low quality with a brief to no remaining ULE (<5 years).</p> <ul style="list-style-type: none"> • Tree has either a severe structural defect or health problem or combination that cannot be sustained with practical arboricultural techniques and the loss of the tree or tree part would be expected in the short term. • Tree whose retention would not be viable after the removal of adjacent trees, such as trees that have developed in close spaced groups and would not be expected to adapt to severe and sudden alterations to environmental & site conditions, e.g. removal of adjacent shelter trees. • Small or young tree, <5m in height, <10cm DBH. Easily replaced in short-term or capable of being transplanted. • Acknowledged environmental woody weed species. Tree has a detrimental effect on the environment, for example, the tree has weed potential and is likely to spread into waterways or natural areas if nearby. • Tree infected with pathogens that will lead to decline and has potential to spread to adjacent trees. • Tree is dead (dead tree may offer habitat values) or is showing signs of significant, immediate, and irreversible overall decline. <p>Tree cannot realistically be retained and should be considered for removal.</p>

Other considerations - Even though a tree may be declining or dead, a tree could be retained for other purposes such as habitat or soil stabilisation. These trees would still need to be managed appropriately to reduce risk.

*A tree may have (attract) a high value by the community for historical, commemorative or other distinct social/cultural significance factors, albeit the tree may not be in good condition. In the context of an assessment, for multiple reasons, but more so for development, if it is a noted 'significant' tree it should receive higher consideration during the planning process.

Trees have many values, not all of which are considered when an arboricultural assessment is undertaken. However, individual trees or tree group features may be considered important community resources because of unique or noteworthy characteristics or values other than their age, dimensions, health or structural condition. Recognition of one or more of the following criteria is designed to highlight other considerations that may influence the future management of such trees.

Significance	Description
Horticultural Value/ Rarity	Outstanding horticultural or genetic value; could be an important source of propagating stock, including specimens that are particularly resistant to disease or exposure. Any tree of a species or variety that is rare.
Historic, Aboriginal Cultural or Heritage Value	<p>Tree could have value as a remnant of a particular important historical period or a remnant of a site or activity no longer in action. Tree has a recognised association with historic aboriginal activities, including scar trees.</p> <p>Tree commemorates a particular occasion, including plantings by notable people, or having associations with an important event in local history.</p>

Ecological Value	Tree could have value as habitat for indigenous wildlife, including providing breeding, foraging or roosting habitat, or is a component of a wildlife reserve. Remnant Indigenous vegetation that contribute to biological diversity
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Coder, K D. (1996) Construction damage assessments: trees and sites, University of Georgia, USA

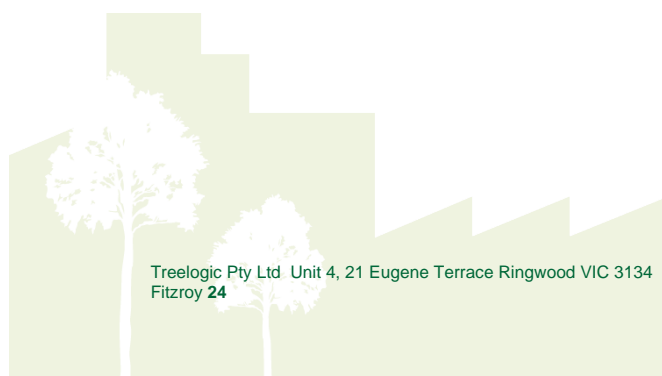
Coder, K. D. (2004). Amenity trees: Defining Concepts in Use. University of Georgia. Warnell School of Forest Resources, Publication SFR04-4. May 2004

Hitchmough, J.D. (1994) Urban landscape management, Inkata Press, Australia

Gooding, R.F., Ingram, J.B., Urban, J.R., Bloch, L.B., Steigerwaldt, W.M, Harris, R.W. and Allen, E.N. (2000) Guide for plant appraisal, 9th edition, International society of Arboriculture, USA

Pollard, A. H. (1974) Introductory statistics: a service course, Pergamon Press Australia, Australia.

Standards Australia (2009) Australian Standard AS 4970-2009 Protection of trees on development sites.



Tree Report Alexandra Parade Median Carpark,

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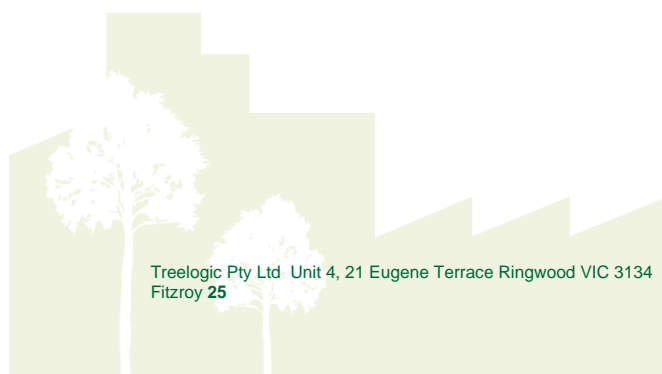
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There is no warranty or guarantee, expressed or implied by Tree Logic Pty. Ltd., that problems or deficiencies of the plants or site in question may not arise in the future. Tree condition can change quickly in response to environmental conditions or altered growing conditions.

There can be no guarantees provided for on-going tree safety. It should be noted that not all of the potential structural concerns associated with trees can be eliminated and that there will always be a residual risk following any mitigation works. Also, not all tree defects are observable and extreme weather events are unpredictable. Since trees are complex, living organisms, it is difficult to quantify and precisely measure all variables when inspecting a standing tree for hazard.

Trees should be reassessed on a regular basis; the scheduled period of reassessment will be dependent on the characteristics of the tree, the landscape context and perceived targets, and resources available to maintain them.



Tree Report Alexandra Parade Median Carpark,



Department of Transport
and Planning

GPO Box 2392
Melbourne, VIC 3001 Australia
www.transport.vic.gov.au

Noah Johnston
Project Manager
Development Victoria
Via email Noah.Johnston@development.vic.gov.au

Dear Noah Johnston

**ALEXANDER PARADE ROAD RESERVE, FITZROY NORTH
LETTER OF CONSENT**

We refer to Development Victoria's correspondence regarding proposed planning application for Alexander Parade road reserve, Fitzroy North

We understand that the application seeks approval for roadworks within Alexander Parade road reserve in Fitzroy North

Pursuant to the Yarra Planning Scheme, the land is within the Transport Zone 2 and in accordance with Clause 36.04-3 an application for a permit by a person other than a relevant transport manager must be accompanied by the written consent of the Head, Transport for Victoria (**Head, TfV**).

Pursuant to Clause 36.04-3 of Yarra Planning Scheme, the Head, TfV consents to the application for permit being made.



Note that this letter only provides the Head, TfV's consent to lodge a planning permit application and **is not**:

- A referral response where the Head, TfV is a referral authority for the planning permit application.
- The Head, TfV's approval of the development proceeding. Additional approvals from the Head, TfV or other public authorities may be required.

Should you have any queries, please contact Kylie Jeremiah on kylie.jeremiah@roads.vic.gov.au

Yours sincerely

Chantelle Lovell

Chantelle Lovell
Property Leasing & Land Manager
Delegate of Head, Transport for Victoria

19 / 12 / 2023



Department of Transport
and Planning

GPO Box 2392
Melbourne, VIC 3001 Australia
www.transport.vic.gov.au

Our Ref: 629

28 March 2024

Noah Johnston
Project Manager, Civil Infrastructure
Development Victoria
9/8 Exhibition Street
MELBOURNE VIC 3000

Dear Noah

**PROPOSED WORKS: CAR PARK WORKS
ADDRESS: ALEXANDRA PARADE, BETWEEN SMITH STREET AND GEORGE STREET, FITZROY
PROJECT NO. 629**

I am writing to you on this occasion to assist you with your planning permit application with Yarra City Council regarding the proposed works at the above address.

Department of Transport and Planning (DTP) does not object to the removal of DTP managed trees required to facilitate the proposed roadworks, that will provide for additional parking opportunities within the Alexandra Parade central median. This no objection is provided on the basis that:

- Only trees that are preventing the safe and practical implementation of the roadworks would be removed.
- The extent of tree removal is minimised wherever practical.
- The roadworks will incorporate construction techniques that minimise the impact on trees that are being retained and every effort will be made to do so.
- Any permission or formal approval that may be required from Council is obtained prior to the removal of any trees/vegetation.
- The final approval for the proposed roadworks will be provided by DTP's External Works Delivery Team.

Yours sincerely

DIMITRIOS CHRYSIS
TEAM LEADER
PROJECT ADVICE – EXTERNAL WORKS
27/3/24





12 March 2024

Nish Goonetilleke
Yarra City Council
333 Bridge Rd
RICHMOND VIC 3121

Dear Nish,

Proposal: Planning permit for development - works associated with the construction of car parking spaces (roadworks) including fencing
Site location: Road Seg (Partial), Alexandra Pde, Fitzroy North VIC 3068
Melbourne Water reference: MWA-1317100
Council reference: EREF24/00004
Date referred: 17/01/2024

Our Decision

Following discussions with applicant (Niche Studio), Melbourne Water accepts applicant's response dated 20 February 2024 whereby it is agreed that the initial further information requested could be addressed as permit conditions which needs to be satisfied prior to any works commencing.

Therefore, Melbourne Water retracts its previous request for further information letter dated 14 February 2024 and corresponding email dated 26 February 2024 and provides the following below revised response to the referral of planning permit application PLN23/0819 from Council.

Melbourne Water, pursuant to Section 56(1) of the Planning and Environment Act 1987, does not object to the proposal, subject to the following conditions:

Conditions

1. Prior to the endorsement of plans under this permit, amended plans to the satisfaction of Melbourne Water and Council must be submitted to and approved by Melbourne Water and Council. The plans must be generally in accordance with the plans submitted with the application but modified to include:
 - a) Ground and surface levels to Australian Height Datum (AHD);
 - b) Detailed elevation plans with carpark and road pavement finished levels;
 - c) The exact location of Melbourne Water's drain, determined by a licensed Land Surveyor, or suitably qualified Engineer. The plans must show the location of the drain in relation to any proposed permanent structures or footings which are proposed and demonstrate compliance with Melbourne Water's requirements for siting of structures near easements/ drains
2. Prior to commencement of works, a separate Buildover application must be made directly to Melbourne Water's Asset Services Team for approval of





works/structures over or near Melbourne Water's assets.

Advice

Information available at Melbourne Water indicates that the property is subject to flooding from Melbourne Water's drainage system, based on a rainfall event which has a 1% Annual Exceedance Probability (AEP), that is, a 1% probability of being equalled or exceeded in any one year. The applicable 1% AEP flood level grades from 22.65m to 22.22m Australian Height Datum (AHD) across the site.

Melbourne Water has the following assets within the location of the proposed works:

1. Alexandra Parade Main Drain - this asset consists of 4880mm wide pipe constructed of concrete bluestone in 1944.
2. Alexandra Parade Relief Drain - this asset consists of 1980mm wide pipe constructed of unreinforced concrete drain 1928.

To access more information regarding other services or online applications that Melbourne Water offers please visit our [website](#).

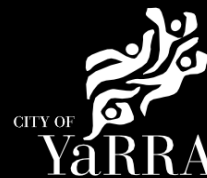
For general development enquiries contact our Customer Service Centre on 131 722.

Regards,

Sanket Gurikar
Statutory Referral Permit Services



Development Engineering Formal Referral Response



Application Information:

Referral Officer:	Artemis Bacani
Officer:	Nish Goonetilleke
Council Reference:	PLN23/0819
Address:	Road Seg (Partial), Alexandra Parade, Fitzroy North
Proposal:	Buildings and works associated with the construction of car parking spaces, roadworks, including fencing on land within the Special Building Overlay.
Comments Sought:	<ul style="list-style-type: none">• The proposed car parking spaces/configurations within the median strip;• All vehicle access arrangements; and• Clarify if swept path diagrams are required.
Disclaimer:	Council's Development Engineering unit, provides the following advice based on information provided in the referral request memo referenced above.

Council's Engineering Referral team provides the following information which is based on the information provided by Statutory Planning referenced above.

Comments and Recommendations

Drawings and Documents Reviewed

	Drawing No. or Document	Rev	Dated
Creo Consultants	CRE-CV-DR-0120 <i>Proposed Civil Functional Layout Plan</i>	C	13 December 2023
Vicroads	SD 3143 <i>Standard Drawing Fence Welded Mesh</i>	A	1 July 2005
Niche Studio	<i>Proposed Roadworks</i>	1.3	9 January 2024

SECTION 1: Engineering requirements – Issue to the applicant

The applicant must satisfy the engineering items outlined in **Table 2** below. A written response must be provided for each requirement, and the action is to be completed prior to resubmission.

Any amendments to plans/drawings or updates to reports/documents must be highlighted using a *red cloud* around the relevant section. In the written response, indicate the relevant sheet/pages of each document which have been amended.

Table 1 - Engineering requirements for applicant

Item	Engineering requirement	Action for applicant
1	Submit swept path diagrams to demonstrate vehicle turning movements into and out of the car parks.	Submit swept path diagrams
2	Dimension the width of the car spaces.	Update the relevant drawings accordingly
3	Dimension the width of the aisles.	Update the relevant drawings accordingly
4	Submit swept path diagrams to demonstrate entry and exit movements into and out of the car spaces.	Submit swept path diagrams
5	Submit swept path diagrams to demonstrate turning movements into and out of the median strip from the slip lanes.	Submit swept path diagrams
6	Confirm the use of the car spaces at the end of the car parking areas and whether the spaces will be used as a turnaround area for vehicles.	Update the relevant drawings accordingly
	Submit swept path diagrams to demonstrate adequate turning movements at the end of the car parking areas.	Submit swept path diagrams

SECTION 2: Engineering conditions – Planning Permit

The conditions outlined in **Table 3** below must be included in the Planning Permit to ensure the specific engineering requirements are complied with.

Note: further conditions may be required if any of the items in Table 2 are not fulfilled prior to the issuing of the Planning Permit.

Table 2 - Engineering conditions to be included in the Planning Permit

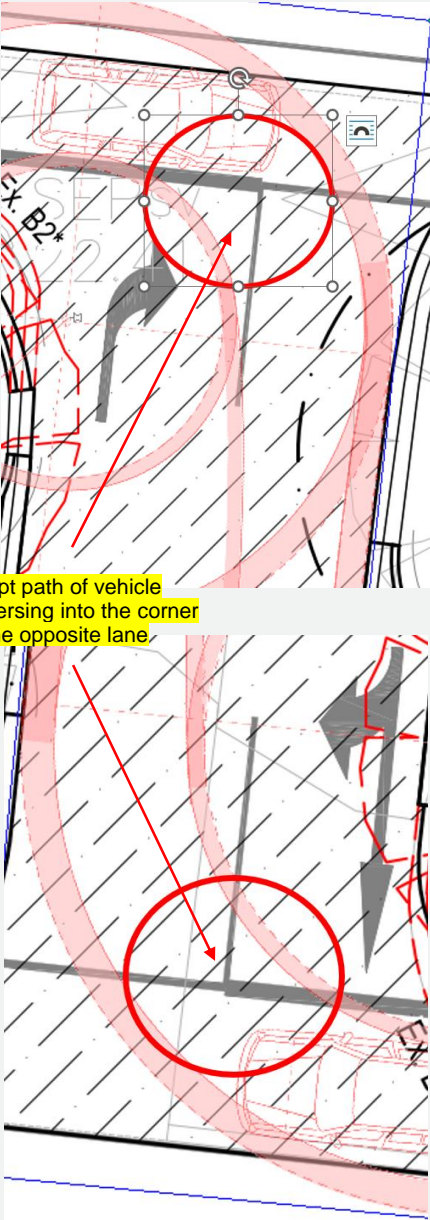
Condition related to...	Engineering condition
Reinstatement of damages caused during development works	<p>Within 2 months of the completion or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:</p> <ul style="list-style-type: none"> (a) In accordance with Yarra Standard Drawings Yarra City Council (b) at the permit holder's cost; and (c) To the satisfaction of the Responsible Authority.


SECTION 3: Engineering detailed assessment

DEVELOPMENT LAYOUT DESIGN

Layout Design Assessment

Item	Assessment
Access Arrangements	
Width of Vehicle Accessways	<p>The vehicle accessway for the east and west car parks are located off Gore Street.</p> <p>The accessways have a width of 5 metres.</p>
Vehicle Turning Movements – Car Park Entry and Exit	Swept path diagrams have not been provided to demonstrate vehicle turning movements into and out of the car parks.
Car Parking Modules	
Car Spaces	<p>The depth of the car spaces is 4.9 metres.</p> <p>The width of the car spaces is not dimensioned on the drawings.</p>
Aisle	The aisle width is not dimensioned on the drawings.
Vehicle Turning Movements – Car Spaces	Swept path diagrams have not been provided to demonstrate turning movements into and out of the car spaces.

Item	Assessment
Other Items	
Vehicle Turning Movements – Alexandra Parade Slip Lane	<p>Swept path diagrams have not been provided to demonstrate turning movements into and out of the Gore Street via the Alexandra Parade slip lanes.</p> <p>The diagrams below show the swept path for a B99 design vehicle traversing into the opposite traffic lane.</p>  <p>swept path of vehicle traversing into the corner of the opposite lane.</p>


Item	Assessment
Turnaround Area	<p>Will all or some of the spaces at the end of the car parking area be designated with No Stopping restrictions to allow vehicles to turnaround and exit the car park in a forward direction as shown in the diagrams below?</p> 

Engineering Advice for Design Items to be Addressed by the Applicant

Item	Details
Vehicle Turning Movements – Car Park Entry and Exit	The applicant is to submit swept path diagrams to demonstrate vehicle turning movements into and out of the car parks.
Width of Car Spaces	The applicant is to dimension on the drawings the width of the car spaces.
Width of Aisle	The applicant is to dimension on the drawings the width of the aisles.
Vehicle Turning Movements – Car Spaces	The applicant is to submit swept path diagrams to demonstrate entry and exit movements into and out of the car spaces.
Vehicle Turning Movements – Alexandra Parade Slip Lane	The applicant is to submit swept path diagrams to demonstrate turning movements into and out of the car parks from the slip lanes.
Turnaround Area – Parking Spaces at the End of Car Park	<p>The applicant is to confirm the use of the car spaces at the end of the car parking areas and whether the spaces will be used as a turnaround area for vehicles.</p> <p>Swept path diagrams are to be provided to demonstrate adequate turning movements at the end of the car parking areas to allow vehicles to exit the car park in a forward direction.</p>

SECTION 4: Acknowledgement

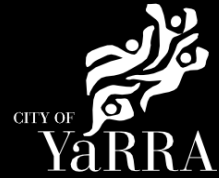
Engineer: Artemis Bacani

Signature: 

Date: 19 January 2024

Referral Response

City Strategy - Open Space Design



Application Information:

Referral Officer:	RefUserID
Officer:	Nish Goonetilleke
Council Reference:	PLN23/0819
Address:	Road Seg (Partial), Alexandra Pde, Fitzroy North VIC 3068
Proposal:	Partial demolition, buildings and works associated with the construction of car parking spaces, roadworks, including fencing on land within the Special Building Overlay.
Comments Sought:	Click here to view referral memo:
Disclaimer:	Council's City Strategy Open Space Design team provides the following information which is based on the information provided in the referral request memo referenced above.
Prev. Responses:	

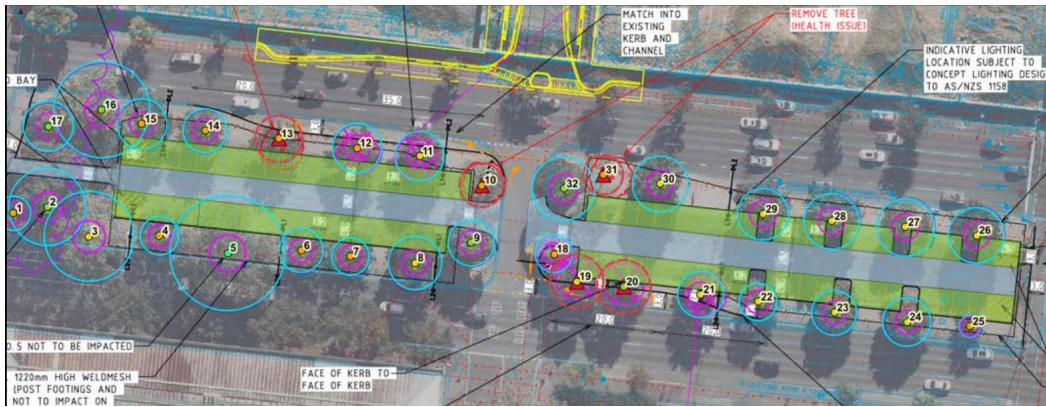
We were requested to make comments on the following:

- will the proposed car parking spaces/road works impact existing street trees;
- generally assess the Arborist Report, including proposed tree removal.

Comments and Recommendations:

These trees are owned by Vic Roads and do not fall under Councils local laws.

I have reviewed the Arboricultural report provided with the referral.



The report states that,

- Trees 10, 13 and 31 are recommended for removal due to wounds, the presence of borers and generally poor structure.
- Six trees will be removed due to impacts from the proposed design. Trees 11, 12, 18, 19, 20, 21.
- The SRZs of Trees 22, 23, 25, 26, 27, 28, and 29 are encroached by the footprint of the proposed carpark
- Trees 4, 5, 6, 8, 9, 10, 14, 15, 24 and 32 would have their TPZ's encroached by greater than 10% by the proposed design

Tree No.	Species	Age Class	DBH Ø (cm)	Basal Ø (cm)	H x W (m)	Health	Structure	Arb. Rating	ULE (yrs)	Comments	Recommended Works	TPZ radius (m)	SRZ radius (m)	Encroachment (%)	Impact	Permit trigger*	Outcome
1	<i>Eucalyptus melliodora</i> (Yellow Box)	Semi-mature	27	29	11 x 5	Fair to Poor	Fair	Mod.C	21-40 y	Minor dieback-Reduced foliage density		3.2	2	0			Retain
2	<i>Eucalyptus melliodora</i> (Yellow Box)	Maturing	60	70	22 x 11	Fair	Fair	Mod.A	21-40 y	trunk lean to north-east; over-extended branches to north; tear-out wound on west of main leader at approx. 7 m	Weight reduction of north-heading branches	7.2	2.8	7	Minor encroachment as per A54975	City of Yarra Significant Tree (DBH)	Retain
3	<i>Pisonia Kacerifolia</i> (London Plane)	Maturing	70	80	17 x 16	Fair	Fair	Mod.B	21-40 y			8.4	3	3	Major encroachment as per A54976	City of Yarra Significant Tree (DBH)	Retain
4	<i>Ulmus Kholandica</i> (Dutch Elm)	Semi-mature	30	33	10 x 9	Fair	Fair to Poor	Mod.B	21-40 y	decay in bark, possible borers in ascending branch to east	Remove seedling growing in primary union	3.6	2.1	11	Major encroachment as per A54970	Council managed tree	Retain
5	<i>Pisonia Kacerifolia</i> (London Plane)	Maturing	90	104	21 x 20	Good	Fair	High	21-40 y	<i>Coprosma repens</i> seedling growing in primary union		10.8	3.4	25	Major encroachment as per A54970	City of Yarra Significant Tree (DBH)	Retain
6	<i>Ulmus Kholandica</i> (Dutch Elm)	Semi-mature	34	37	10 x 8	Fair	Fair	Mod.C	21-40 y	foliage less developed than others on site		4.1	2.2	15	Major encroachment as per A54970		Retain
7	<i>Ulmus Kholandica</i> (Dutch Elm)	Semi-mature	29	35	10 x 9	Fair	Fair	Mod.C	21-40 y	decay in ascending limb to south (over west-bound lanes of Alexandra Parade)	Aerial inspection	3.5	2.1	8	Minor encroachment as per A54978		Retain
8	<i>Ulmus Kholandica</i> (Dutch Elm)	Semi-mature	35,22	45	10 x 10	Fair	Fair	Mod.B	21-40 y	over-extended limb to north with small dead wood	Deadwood; Reduce over-extended branch	5	2.4	20	Major encroachment as per A54970	City of Yarra Significant Tree (DBH)	Retain
9	<i>Ulmus Kholandica</i> (Dutch Elm)	Semi-mature	36	40	10 x 10	Good	Fair	Mod.A	21-40 y			4.3	2.3	15	Major encroachment as per A54970	City of Yarra Significant Tree (basal)	Retain
10	<i>Ulmus Kholandica</i> (Dutch Elm)	Semi-mature	34	43	12 x 9	Fair	Fair to Poor	Mod.C	11-20 y	Congested primary union; included bark forks; flaking bark, appearance of decay or borers below, occurs frequently through upper crown at branch joints		4.1	2.3	22	Major encroachment as per A54970	City of Yarra Significant Tree (basal)	Remove - permit required
11	<i>Ulmus Kholandica</i> (Dutch Elm)	Early-mature	38	44	11 x 10	Fair	Fair	Mod.B	21-40 y			4.6	2.3	45	Major encroachment as per A54970	City of Yarra Significant Tree (basal)	Remove - permit required
12	<i>Ulmus Kholandica</i> (Dutch Elm)	Early-mature	38	45	10 x 10	Fair	Fair to Poor	Mod.C	11-20 y	flaking bark, borer holes beneath; lopsided crown from past pruning		4.6	2.4	46	Major encroachment as per A54970	City of Yarra Significant Tree (basal)	Remove - permit required
13	<i>Ulmus Kholandica</i> (Dutch Elm)	Semi-mature	37	38	10 x 10	Fair	Fair to Poor	Mod.C	11-20 y	flaking bark, appearance of borer damage throughout main leader		4.4	2.2	40	Major encroachment as per A54970	Council managed tree	Remove - permit required
14	<i>Ulmus Kholandica</i> (Dutch Elm)	Semi-mature	34	40	10 x 10	Fair	Fair to Poor	Mod.C	11-20 y	as per previous tree; pruning wound showing incipient decay		4.1	2.3	12	Major encroachment as per A54970		Retain
15	<i>Ulmus Kholandica</i> (Dutch Elm)	Semi-mature	39	41	10 x 10	Fair	Fair to Poor	Mod.C	11-20 y	Partly suppressed - crown bias		4.7	2.3	15	Major encroachment as per A54970	City of Yarra Significant Tree (basal)	Retain

Tree No.	Species	Age Class	DBH Ø (cm)	Basal Ø (cm)	H x W (m)	Health	Structure	Arb. Rating	ULE (yrs)	Comments	Recommended Works	TPZ radius (m)	SRZ radius (m)	Encroachm't (%)	Impact	Permit trigger*	Outcome
16	<i>Platanus Xacerifolia</i>	Maturing	75	90	18 x 14	Fair	Fair	Mod.A	21-40 y	decaying stub occluding slowly		9	3.2	2	Minor encroachment as per A54970	City of Yarra Significant Tree (DBH)	Retain
17	<i>Eucalyptus melliodora</i>	Semi-mature	39	47	12 x 8	Fair	Fair	Mod.A	21-40 y	some deadwood through crown	Deadwood	4.7	2.4	0		City of Yarra Significant Tree (basal)	Retain
18	<i>Ulmus</i>	Semi-mature	29	33	9 x 7	Fair	Fair to Poor	Mod.C	11-20 y	bark decay with borers		3.5	2.1	31	Major encroachment as per A54970	Council managed tree	Remove - permit required
19	<i>Ulmus procera</i>	Early-mature	42	47	12 x 10	Fair	Fair	Mod.B	21-40 y			5	2.4	66	Major encroachment as per A54970	City of Yarra Significant Tree (DBH)	Remove - permit required
20	<i>Ulmus</i>	Early-mature	42	48	12 x 10	Fair	Fair	Mod.A	21-40 y			5	2.4	85	Major encroachment as per A54970	City of Yarra Significant Tree (DBH)	Remove - permit required
21	<i>Ulmus procera</i>	Early-mature	36	44	12 x 10	Fair	Fair	Mod.B	21-40 y			4.3	2.3	67	Major encroachment as per A54970	City of Yarra Significant Tree (basal)	Remove - permit required
22	<i>Ulmus</i>	Semi-mature	29	36	10 x 9	Fair	Fair	Mod.B	21-40 y			3.5	2.2	14	Major encroachment as per A54970		Retain
23	<i>Ulmus</i>	Semi-mature	35	36	9 x 9	Fair	Fair	Mod.B	21-40 y	flaking bark, borers/decay beneath		4.2	2.2	13	Major encroachment as per A54970		Retain
24	<i>Ulmus</i>	Early-mature	32,20	38	10 x 10	Fair	Fair	Mod.B	21-40 y	flaking bark, decay above and below pruning wound on south side of ascending stem		4.5	2.2	12	Major encroachment as per A54970	City of Yarra Significant Tree (DBH)	Retain
25	<i>Ulmus procera</i>	Semi-mature	11,9,8,8,7	23	7 x 6	Fair	Fair	Mod.C	21-40 y			2	1.8	7	Minor encroachment as per A54970	City of Yarra Significant Tree (DBH)	Retain
26	<i>Ulmus procera</i>	Early-mature	43	53	13 x 10	Fair	Fair	Mod.B	21-40 y			5.2	2.5	29	Major encroachment as per A54970	City of Yarra Significant Tree (DBH)	Retain
27	<i>Ulmus</i>	Early-mature	45	53	11 x 10	Fair	Fair	Mod.B	21-40 y	congested union with included bark fork on west;		5.4	2.5	30	Major encroachment as per A54970	City of Yarra Significant Tree (DBH)	Retain
28	<i>Ulmus procera</i>	Early-mature	43	53	14 x 12	Fair	Fair	Mod.B	21-40 y	over-extended branch to west	Reduce over-extended branch	5.2	2.5	32	Major encroachment as per A54970	City of Yarra Significant Tree (DBH)	Retain
29	<i>Ulmus procera</i>	Early-mature	40	51	13 x 9	Fair	Fair	Mod.B	21-40 y			4.8	2.5	30	Major encroachment as per A54970	City of Yarra Significant Tree (DBH)	Retain
30	<i>Ulmus procera</i>	Early-mature	43	51	12 x 11	Fair	Fair	Mod.B	21-40 y			5.2	2.5	10	Minor encroachment as per A54970	City of Yarra Significant Tree (DBH)	Retain
31	<i>Ulmus</i>	Early-mature	31	36	10 x 17	Fair	Fair to Poor	Mod.C	21-40 y	large wound on south-west of trunk, some occlusion beginning; borer damage rising up main leader		3.7	2.2	0		Council managed tree	Remove - permit required

Tree No.	Species	Age Class	DBH Ø (cm)	Basal Ø (cm)	H x W (m)	Health	Structure	Arb. Rating	ULE (yrs)	Comments	Recommended Works	TPZ radius (m)	SRZ radius (m)	Encroachm't (%)	Impact	Permit trigger*	Outcome
32	<i>Ulmus</i>	Early-mature	49	64	14 x 10	Fair	Fair to Poor	Mod.A	21-40 y	2 x 50 mm branches lost in recent storm		5.9	2.7	25	Major encroachment as per A54970	City of Yarra Significant Tree (DBH)	Retain

* for all Council managed trees, authority for removal rests with Council's Director City Strategy and Services.

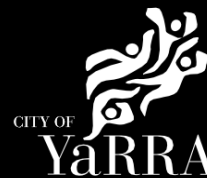
City Works

Relevant to this business unit and this application, please be aware that there are capital works are approved / proposed within the area of the subject site (as relevant to the planning application). Click here to view more details:

Open Space Services Officer: Rob Hill
Date: 23 January 2024

Referral Response

City Strategy - Open Space Design



Application Information:

Referral Officer:	RefUserID
Officer:	Nish Goonetilleke
Council Reference:	PLN23/0819
Address:	Road Seg (Partial), Alexandra Pde, Fitzroy North VIC 3068
Proposal:	Partial demolition, buildings and works associated with the construction of car parking spaces, roadworks, including fencing on land within the Special Building Overlay.
Comments Sought:	Click here to view referral memo:
Disclaimer:	Council's City Strategy Open Space Design team provides the following information which is based on the information provided in the referral request memo referenced above.
Prev. Responses:	D24/26549 (HILLR 23/01/2024) Note: This file has been added to the application as an attachment named 'Referral No. eRIRCWorks 19663976.PDF' (ESERVICES 27/02/2024)

We were requested to make comments on the following:

We require further clarification of the comments provided earlier. Please clearly address the following in your re-referral comments:

- a) The SRZs of Trees 22, 23, 25, 26, 27, 28, and 29 are encroached by the footprint of the proposed carpark and Trees 4, 5, 6, 8, 9, 10, 14, 15, 24 and 32 would have their TPZ's encroached by greater than 10% by the proposed design:
 - i. Does this mean these trees will no longer be viable or is further information required from a qualified arborist?
- b) The original referral comments show a total of 26 trees being impacted. Please confirm the exact (correct) numbers:
 - ii. Nine (9) trees proposed to be removed;
 - iii. The SRZs of (X) trees will be impacted; and
 - iv. The TPZ of (X) trees will be impacted.
- c) Are any of the trees affected by the proposed development Native Trees? The applicant has confirmed that the proposed 9 trees to be removed are non-native. However, we would like to know if the remaining trees (SRZ and TPZ) are non-native.

Comments and Recommendations:

- A. The SRZs of Trees 22, 23, 25, 26, 27, 28, and 29 are encroached by the footprint of the proposed carpark and Trees 4, 5, 6, 8, 9,14, 15, 24 and 32 would have their TPZ's encroached by greater than 10% by the proposed design. A suitably qualified Arborist would have to demonstrate that the trees would remain viable after the works have finished.
- B. As above, a suitably qualified Arborist would have to demonstrate that the trees would remain viable after the works have finished.
- C. There is some overlap with impact to trees and removals. If the removals do not go ahead for the following, then trees 13, 12, 11,10,18 will have an impact to their TPZ's and 19,20,21 will have an impact to their SRZ's. A suitably qualified Arborist would have to demonstrate that the trees would remain viable after the works have finished.
- Nine (9) trees proposed to be removed;
 - The SRZs of (7) trees will be impacted; and
 - The TPZ of (9) trees will be impacted
- D. None of the trees that could potentially be affected are native.

Open Space Services Officer: Rob Hill
Date: 20 March 2024

7.2 Secret Garden - Ballarat St Collingwood

Reference	D24/97989
Author	Sam Hewett - General Manager Infrastructure and Environment
Authoriser	General Manager Infrastructure and Environment
Disclosure	The authoriser, having made enquiries with members of staff involved in the preparation of this report, asserts that they are not aware of any general or material conflicts of interest in relation to the matters presented.

Purpose

1. To provide an update on the Secret Garden in Ballarat St Collingwood and the Department of Transport and Planning's request of Council to consider taking management responsibility (through a licence) of the space directly.

Critical analysis

History and background

2. In late 2023, Council was informed by the licence holder of a parcel of Department of Transport & Planning (DTP) land at the northern end of Ballarat St Collingwood (and adjacent to Alexandra Pde) that a new licence for the land would not be offered.
3. A community group had been granted a licence for the land from DTP commencing 16 October 2017 for 5 years and the licence expired on 24 September 2022. The licence agreement has remained in overholding conditions ever since.
4. The community group calls the site the Secret Garden. In summary:
 - (a) It is a small, fenced and padlocked parcel of DTP land (less than 100m²);
 - (b) The proponent pays rent to DTP of \$385 per annum;
 - (c) There are six paying plot-holders;
 - (d) Other members of the community can access the garden if they ask or if the gate is open; and
 - (e) It has a code of conduct for all garden users.
5. The Secret Garden community group boasts that it has '*transformed a weedy wasted lot into a beautiful community space*'. It also states that '*The garden is utilised by a diverse range of locals who enjoy the opportunity to connect with nature and neighbours. We provide surplus crops, seeds, seedlings and compost free of charge, collect food scraps, maintain two well stocked seasonal herb boxes, have planted public fruit trees and a have climbing tree!*'
6. The Secret Garden is located on DTP owned land directly adjacent to Alexandra Pde and is accessible via Ballarat St Collingwood (figure #1 below).



Figure #1

7. DTP wrote to the licence holder in December 2023 to advise:
“Following a review of its landholdings and the land’s status as road reserve, DTP decided not to offer a new term, but committed to working with yourself and City of Yarra (Council) to determine if there were any other nearby suitable (non-road) locations.”
8. According to DTP, an alternative space in Hotham St Collingwood was offered to the licensee but was rejected as it was too far away.
9. DTP wrote to Council in December 2023 to advise:
“The existing agreement for this land expired in September 2022 and DTP made the decision not to renew the licence, based on consideration of the compatibility of the proposed land use with the status of the land, which is Road Reserve, and noting the ongoing issues raised by other local residents that appear to be unresolved.”
10. At its Ordinary Council Meeting of 12 December 2023, when considering a general business item, Council resolved:
 1. *That a report be presented to the Ordinary Council Meeting in March 2024 that considers options with respect to the lease of the road reserve at the northern end of Ballarat Street, Collingwood. The report should include officers’ advice in relation to:*
 - (a) *the Department of Transport and Planning (DTP) offering the lessee a new lease for the space, as Council’s first preference, and how Council might support this, or alternatively any other options for the site;*
 - (b) *engaging with DTP in line with Council’s existing policies on increasing green space in Collingwood, and otherwise encouraging planting and urban agriculture; and*
 - (c) *writing to the Minister for Infrastructure and Transport, The Hon. Danny Pearson MP and Paul Younis, Secretary DTP expressing Council’s interests in the value of open space in Collingwood.*
11. Officers presented a report and recommendation to Council in March 2024 at which point Council elected to defer the matter until April 2024. The matter was further deferred to give the relevant State Government Minister time to consider Council’s correspondence.
12. Officers sought a further extension to the short term licence offered by DTP to the Secret Garden (which was to expire on 22 March 2024) to allow Council to consider the matter. DTP has confirmed that an extension has been granted until the end of May 2024.
13. Officers made contact with the licence holder of the Secret Garden and DTP in early February 2024. When inspecting the site, another Secret Garden member provided access to the space for a full inspection – the gate was locked which prevented access.

14. Officers also wrote to one neighbour with whom it is alleged that some conflict existed. There appears to be some history of conflict which is summarised at **Confidential Attachment A**.
15. Council is advised that in early 2024 the neighbour put the property up for sale. It appears that the property is no longer for sale but it is unclear if it was sold or has been withdrawn from sale.

Discussion

Department of Transport and Planning

16. The land in question is owned by DTP and it has responsibilities for managing its land.
17. Council has no obligations for this land. DTP could easily offer a new licence to the current licensee but has chosen not to renew the licence.
18. DTP has written to Council to say while it could not offer a new licence for the Secret Garden because the land use is inconsistent with the status of the land, it is prepared to offer a licence to Council to then sub-licence to the existing community group. DTP's logic in this context seems flawed (that the space cannot be a community garden but is happy for Council to manage it as a community garden).
19. Officers have corresponded with DTP on a number of occasions over the past month or two.
20. It appears that part of DTP's decision not to offer a new licence for the Secret Garden is due to the ongoing conflict between the parties and the effort required of DTP to manage this conflict.
21. It appears that the neighbour's property was recently listed for sale but was subsequently withdrawn from sale. As stated earlier, it's unclear if the property was sold or simply withdrawn from sale.
22. Officers asked DTP to reconsider its decision when it was learnt that the property was for sale and the neighbour may leave (and therefore, the conflict was likely to end). DTP has indicated it is not prepared to offer a new licence even after learning of the neighbour's possible departure.
23. The draft DTP licence presented to officers for consideration includes the clause that the space cannot be exclusively used by the licensee. This clause may require the lock to be removed from the front gate and the space opened up to broader community access.
24. Further, the draft DTP licence transfers risks to the licensee (Council would be responsible if it was to agree to sign the licence). Risks associated with contaminated soil (growing vegetables in such conditions can pose risks), drainage and underground services would become Council's obligations and these have not been mapped or assessed by officers.
25. The Mayor has written to the Minister for Infrastructure and Transport, The Hon. Danny Pearson MP and Paul Younis, Secretary DTP in relation to part (c) of the resolution and has also made enquiries of representatives at DTP in relation to a new licence and greening its excess land in Yarra.
26. On 26 April 2024, the Minister for Roads and Road Safety (to whom the Mayor's correspondence was referred) wrote to the Mayor to advise that she is prepared to support a further short term licence extension if Council either directly manages the site or sub-licences it for a community garden. In other words, a new licence will not be offered from DTP to the Secret Garden. DTP is prepared to, instead, licence the space to Council to then be sub-licensed to the Secret Garden.
27. DTP has indicated that 2 small parcels of its land in Yarra might be suitable for greening (Hotham St Collingwood and Regent St Richmond) and has indicated further parcels in Nicholson St Fitzroy and Lulie St Clifton Hill might also be suitable to be planted out by DTP with trees or rewilded (subject to further officer discussion and due diligence). Officers have indicated that Council would consider DTP gifts of land to Yarra, offers to purchase land or offers to lease or licence land. These will be further explored by officers with DTP but will take some time to explore.

Secret Garden Licensee

28. Officers have communicated on numerous occasions with the licensee of the Secret Garden over the last couple of months. Officers are also in possession of correspondence between DTP and the licensee.
29. The licence was terminated by DTP in October 2023 and has subsequently been extended until 22 March 2024 pending Council's consideration and decision. Officers asked for a further extension to allow Council to consider this matter on 9 April 2024 (which was agreed by DTP).
30. DTP has acknowledged some community benefit the garden has brought to the area but states that the garden does not have universal support of all members of the local community.
31. The existing licence signed by the licensee also states that exclusive use is not permitted. The lock on the front gate may be in breach of the current licence agreement.

Financial Sustainability Strategy

32. In December 2023, Council adopted its Financial Sustainability Strategy (FSS).
33. The FSS includes 7 strategic levers which, when implemented, will help to assure Council's long term financial viability.
34. A feature of the FSS is to arrest the cost shifting from other levels of government as stated:
"Cost shifting occurs where local government provides a service to the community on behalf of the State and Federal Government. Over time the funds received by local government do not increase in line with the real cost increases."
35. Council also adopted its Advocacy Action Plan in November 2023 and it also references the cost shifting from other levels of government.
36. Should Council agree to licence the space directly from DTP and then sub-licence the space to the current proponent, this may be considered another example of shifting costs and burden from the State Government to local government.

Options

37. Council has a number of options open to it in relation to the future of the Secret Garden:
 - (a) Council continues its advocacy efforts to DTP as owner of the land and the Minister for Roads and Road Safety to offer a new licence with similar conditions to the existing community group that currently licences the Secret Garden from DTP. There appears no good reason for DTP not to offer a new licence.
This option is recommended;
 - (b) Council could accept DTP's offer and enter into an agreement to licence the space from DTP and then sub-licence the space to the community group to run the Secret Garden. Given Council's recently adopted Financial Sustainability Strategy and Advocacy Action Plan, accepting cost and burden shifting obligations from other levels of government appears inconsistent with those earlier decisions.
This option is not recommended;
 - (c) Council could accept DTP's offer to licence the space and then open the space up by removing the front fence (on Ballarat St) and using the space as a pocket park. This would comply with the draft licence for non-exclusive use and provide open space to locals (Council's open space strategy indicates additional open space in this precinct is desirable). Given Council has not done due diligence for the space (soil testing, underground service detecting and mapping etc).
This option is not recommended; and

- (d) Council could accept DTP's offer for 12 months only while it attempts to find other suitable DTP land that could be used for a community garden of this nature. Given DTP's statement of compatibility of the use with the status of the land, this option has no guarantee of success.

This option is not recommended.

Community and stakeholder engagement

- 38. Officers have communicated with:
 - (a) The existing proponent and another community member who sub-licences part of the space;
 - (b) A neighbour who does not support the Secret Garden; and
 - (c) DTP who licences the land currently.
- 39. Council has written to the State Government to ask it to offer a new licence to the existing licensee.
- 40. Depending on Council's decision on this matter, further consultation may be required.

Policy analysis

Alignment to Community Vision and Council Plan

- 41. The Council Plan 2021 – 2015 includes the following strategic objectives which align to elements of the matters in this report:
 - (a) Strategic objective 2 – Social equity and health (build a more resilient, inclusive safe and connected community which promotes social, physical and mental wellbeing); and
 - (b) Strategic objective 4 – Place and nature (protect and enhance the biodiversity values, connectivity and resilience of Yarra's natural environment).

Climate emergency and sustainability implications

- 42. The pocket of green space in Collingwood provides obvious benefits for some locals in Collingwood and is a good demonstration of local food production and self-sustainability. The cooling of the area through provision of green space has benefits for the local community.

Community and social implications

- 43. The licensee advises that some of the produce that is grown in the Secret Garden is made available free of charge to passersby. This creates a cohesive local community where connections between people is valued.

Operational analysis

Financial and resource impacts

- 44. The existing licence holder pays \$385 annually to lease the space in Ballarat St known as the Secret Garden. All costs to manage the land are borne by the licence holder.
- 45. It appears that for DTP, management of the licence has become resource intensive given the neighbourhood conflict that has existed.
- 46. Council has been asked by DTP if it would be prepared to licence the space for a community purpose (to then sub-licence to the existing licence holder) at zero consideration.
- 47. Council can expect costs to manage a sub-licence with a community group. These costs include human resource costs to administer and manage a licence (and sub-licence) and probable legal fees to draft and review a licence and sub-licence. Should issues present throughout the licence (e.g. soil contamination and underground services) additional costs can be expected. The non-exclusive use clause is likely to cause some consternation and will require additional resourcing.

Economic development implications

48. There are no economic development implications in relation to this decision.

Human rights and gender equality implications

49. Creating safe and inclusive spaces in the City for vulnerable groups, for women and for young people aligns with Council's vision for the City.

Legal Implications

50. The legal and other risks Council may be faced with includes:

- (a) Possible legal costs for the licence and sub-licence;
- (b) Any ongoing risks associated with conflict with neighbours opposed to the Secret Garden;
- (c) Risks associated with contamination, underground services and drainage; and
- (d) Managing compliance with licence conditions.

Conclusion

51. The Secret Garden has operated from DTP land in Ballarat St Collingwood for over 6 years. The licensee has been advised by DTP, the owner of the land, that a new licence for the space will not be offered. DTP has also advised the licensee that it would be willing to licence the space to Council who could then licence the space back to the Secret Garden.
52. Council is not the owner of the land and has no control over it. DTP's request of Council to licence the space to then be sub-licensed to the Secret Garden is cost and burden shifting from the State Government to local government. DTP's decision appears to be, in part, due to the effort required to manage the neighbourhood dispute.

RECOMMENDATION

1. That Council:
 - (a) continues its advocacy efforts to the Department of Transport and Planning, as owners of the land, and the Minister for Roads and Road Safety to offer a new licence to the current licensee operating the Secret Garden so that they may continue operating a community garden in Ballarat St Collingwood;
 - (b) receives a further update from officers once the Minister has made her decision; and
 - (c) continues working with the Department of Transport and Planning in relation to its plans to green its excess land for community benefit within the City of Yarra's municipal boundary.

Attachments

- 1 Confidential Attachment A - Secret Garden - *Confidential*

7.3 Wellington Street Stages three and four - Community engagement and data collection

Reference	D24/130282
Author	Peter Eckersley - Senior Active Transport Project Officer
Authoriser	General Manager City Sustainability and Strategy
Disclosure	The authoriser, having made enquiries with members of staff involved in the preparation of this report, asserts that they are not aware of any general or material conflicts of interest in relation to the matters presented.

Purpose

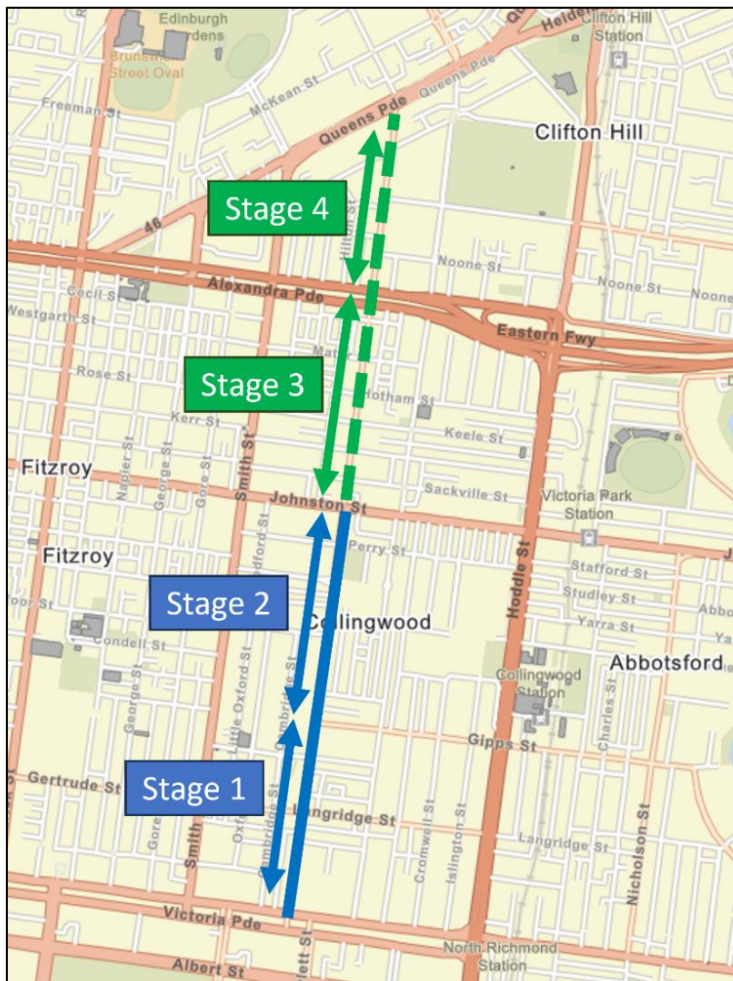
1. To inform Council of the results of initial community engagement and data collected to guide decision making on an upcoming options assessment and concept design work for Wellington Street Stages 3 – 4 as part of the New Deal for Cycling.

Critical analysis

History and background

2. Wellington Street in Collingwood and Clifton Hill has been identified as an important cycling route at local, regional and metropolitan levels for many decades. It is now one of the busiest on-road cycling corridors in inner Melbourne.
3. The popularity of Wellington Street for riding bikes/scooters is due to a range of factors. These include, safer cycling infrastructure being delivered on the southern half of Wellington Street between 2015 and 2019, a lack of attractive alternative routes in the area, the installation of temporary protected bike lanes on Heidelberg Road in 2020 which connects into Wellington Street, increased traffic congestion, a lack of a distance-based public transport fare structure, rising public transport fares, rising petrol prices adding to cost-of-living pressures, local high-density development and broader general population growth.
4. Most recently, Council endorsed the Yarra Transport Strategy 2022-32 (YTS) which includes the New Deal for Cycling (NDC) as one of three flagship transport programmes. Once delivered the NDC will provide a network of high-quality bike routes throughout Yarra that are consistently safe, comfortable to use and attractive for all members of the community.
5. The section of Wellington Street south of Johnson Street (Stages 1 and 2) is NDC compliant having been upgraded over a 5 year period to 2019. However, the YTS identifies Wellington Street north of Johnston Street (Stages 3 and 4) as continuing to be non NDC compliant.
6. In response to this issue, Council allocated \$100,000 for planning, consultation and early investigation work in the 2023-24 Budget. A commitment to upgrading Wellington Street is also contained in Council's Transport Action Plan which was adopted by Council in March 2024.
7. Major bike corridor projects particularly in the inner city are complex, subject to significant stakeholder interest and are often contentious as they involve road space reallocation.
8. Wellington Street north of Johnson Street is particularly challenging due to its existing design, function, and surrounding land-use mix. The opportunities and benefits of getting better outcomes are significant given existing and potential cyclist/scooter volumes. The NDC process learns from previous projects and seeks to address the broader question of how best to encourage more cycling more often and for active transport projects to be moved forward more quickly in Yarra. A key feature of the NDC process is for all options on a specific corridor to be considered in a consistent and transparent way to support decision makers.

Figure 1 – Stages 1 to 4 of Wellington Street Cycling Upgrades (blue are completed sections, green are planned)



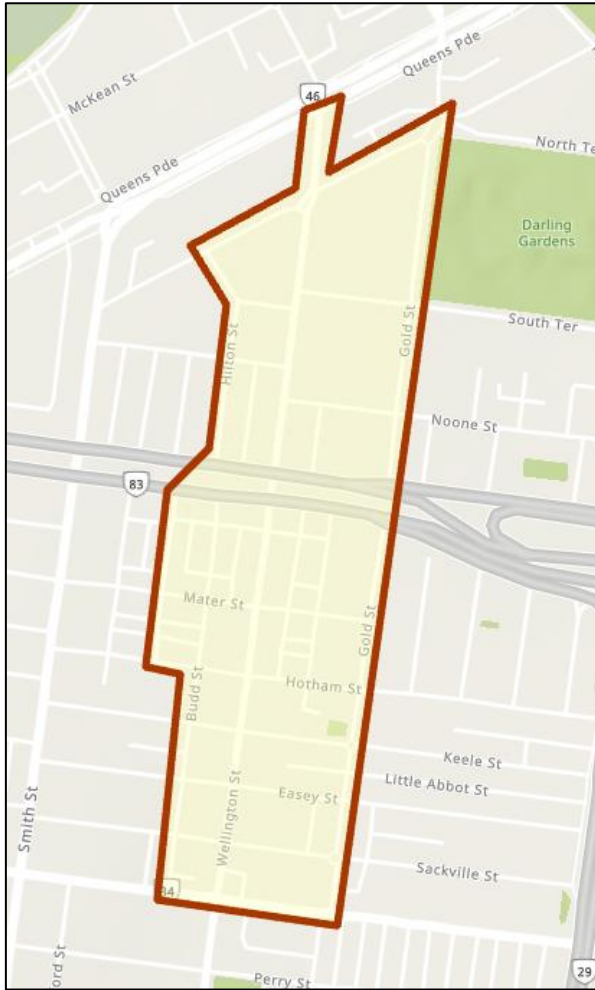
Discussion

9. This report provides an overview of the following:
 - (a) the outputs of the first phase of community engagement;
 - (b) findings from the comprehensive data collection process; and
 - (c) next steps.
10. The first phase of community engagement focused on strategic issues and opportunities. It informs upcoming concept design work and further discussions regarding street outcomes with internal and external stakeholders including Councillors.
11. The comprehensive baseline data collection exercise covers the following 14 topics.
 - (a) Air quality;
 - (b) Bicycle speeds and volumes;
 - (c) Car parking inventory and usage over 1,194 spaces;
 - (d) Crash statistics;
 - (e) Economic, health and wellbeing analysis;
 - (f) Noise pollution;
 - (g) Origin-destination traffic surveys;
 - (h) Parking permit eligibility;
 - (i) Planned and upcoming Council works;

- (j) Planning and upcoming third-party works;
- (k) Planning applications;
- (l) Road safety audit;
- (m) Traffic speeds and volumes;
- (n) Tree canopy; and
- (o) Walking volumes.

12. The study area for this work is shown in Figure 2 below:

Figure 2 – Wellington Street Stages 3 & 4 data collection study area



Community and stakeholder engagement

- 13. The community engagement was conducted by independent consultants and ran over a four-week period from Monday 9 October 2023 to Monday 6 November 2023.
- 14. The objectives of this process were to:
 - (a) Inform the local and wider community of the latest Wellington Street NDC project and how it connects to broader Council transport priorities and policy;
 - (b) Give community members background information on the project including its relationship with major bike upgrade works completed south of Johnson Street in 2015 and 2019;
 - (c) Identify the current issues and pain points for people living on Wellington Street and/or travelling on it; and

- (d) Gather community ideas on ways to improve the street, particularly those travelling by active transport modes or wanting to.
15. The engagement had a 'blank page' structure to gather community views for consideration by officers as per the NDC process. At this stage we were not seeking feedback on specific concepts or asking the community to comment on a specific proposal as this will come later in the process.
16. The following engagement and promotional methods were used to reach as many people as possible:
- (a) Online Your Say Yarra page with an interactive map and comment form;
 - (b) Your Say Yarra email newsletter;
 - (c) Promotion in Yarra Life;
 - (d) Social media posts;
 - (e) News item on corporate Council website;
 - (f) Email sent to all followers of the Yarra Transport Strategy Your Say Yarra page;
 - (g) 3 x in-person 'pop-up' sessions (1 x Perry Street / Wellington Street on Wednesday 25 October 2023, 1 x Darling Gardens on Saturday 28 October 2023, and 1 x Queens Parade shopping strip as part of Councillor engagement program on Saturday 4 November 2023);
 - (h) In-person doorknocks of every business in the study area on Wellington Street;
 - (i) Direct outreach to community groups;
 - (j) Direct outreach to relevant Council advisory committees and networks; and
 - (k) Approximately 9,000 letters sent to all residents, property owners, businesses, community facilities and education facilities on Wellington Street and nearby streets, including beyond the formal study area boundaries.
17. Strategies to engage 'hard to reach' groups and CALD communities were also used. This includes using a variety of media, direct outreach where needed, and having multilingual staff present at in-person consultations.
18. Over 300 contributions were made by over 200 people across online and in-person engagement. This is higher than any other recent cycling project contemplated by Council.

Consultation Outputs

19. Both proposed ideas and existing 'pain points' were collected as part of this engagement.
20. Feedback commonly raised by the community included:
- (a) The existing road carriageway width is too narrow causing safety issues such as close passing of cyclists by drivers, narrow, crowded bike lanes and a lack of space for people on bikes to overtake one another or react to hazards (e.g. opening car doors);
 - (b) Support for the 30km/h speed limit trial due to safety benefits. Some drivers expressed frustration with lower speed regulations as they felt that it unnecessarily slowed down their journey in a vehicle;
 - (c) A desire for better walking conditions, new pedestrian crossing points and more refuge islands;
 - (d) Safety issues are caused by cars turning into, out of or crossing Wellington Street which blocks bicycle lanes and makes cyclists feel anxious.
 - (e) Some community members were concerned that cyclists do not comply with road rules;
 - (f) The existing on-street car parking bays are too narrow particularly for larger vehicles;

- (g) Consideration needs to be given to various parking needs including accessible spaces, business parking and potential spillover car parking onto narrow side streets when Wellington Street is 'parked out';
 - (h) The poor quality of the painted bike lanes north of Johnson Street contrast sharply with the high-quality protected bike lanes provided to the south;
 - (i) There is too much traffic on Wellington Street; and
 - (j) The road surface is in poor condition and features potholes, cobblestones, tree roots, other debris and service pit covers.
21. The issues raised were largely as expected and correlate with previous consultations and data collected from various other local and Yarra wide study work.
22. Overall community sentiment was positive towards improving outcomes for cyclists on Wellington Street albeit there were some contradictory views regarding practical outcomes sought given space is limited and the list of wants is long (refer to Attachment 1).

Data Collection Outputs

23. More data has been collected to support decision making on this corridor than any other cycling project in Yarra. This will provide a comprehensive baseline from which to identify issues and solutions and evaluate success once changes are made so it is NDC compliant.
24. Key findings from the data collection exercise are outlined below. Details of the data collected are provided in Attachment 2.

Movement

25. Wellington Street has the fourth-highest traffic volumes of any Council-owned road in Yarra. At its busiest point (Mater Street) it carries an average of 10,097 vehicles per day. This is significantly higher than the typical maximum design volume for a local collector road which is between 3,000 and 7,000 vehicles per day. Pre-COVID (2019), Wellington Street carried approximately 14,000 vehicles per day, which made it the busiest Council road in Yarra. There is nothing to suggest the road will not carry more than 14,000 again in the not too distance future given the forecasted population, economic and travel demand growth.
26. Traffic volumes on Wellington Street north of Alexandra Parade are significantly lower than those south of Alexandra Parade, particularly on weekdays. Origin-destination data shows that many vehicles enter or exit Wellington Street from Alexandra Parade. The vast majority of these vehicles are making through movements and have no destination or origin on Wellington Street or within the study area.
27. There is also evidence of significant 'rat running' on other local streets. For example, 55% of traffic on Easey Street in the AM Peak had turned from Wellington Street having entered from Alexandra Parade, and 73% of traffic that entered Gold Street at Johnston Street did not stop in the study area. The data suggests there is a general traffic management issue in the area with local streets operating more like arterial roads.
28. There are approximately 2000 daily bike trips on Wellington Street. Since protected bicycle lanes were installed on Wellington Street south of Johnston Street there has been a 56% increase in the number of bicycles using Wellington Street north of Johnston Street. It is likely that there is significant suppressed demand for cycling on Wellington Street as a result of the unappealing painted bike lanes in the study area which put people off, particularly less confident cyclists.
29. In addition, noise levels north of Alexandra Parade are also generally lower than those south of Alexandra Parade confirming that traffic is the primary noise generator in the area.
30. Fridays and Saturdays are the busiest times for pedestrians comprising 3,300 trips or 27% of all movements. This is due primarily to evening commercial activities around Johnston Street.

Safety

31. Nearly 70% of all recorded crashes on this section of Wellington Street between 2018 and 2022 involved at least one person riding a bicycle and that cyclist being injured. Six per cent of all crashes resulted in at least one pedestrian being injured.
32. Cyclists and pedestrians are overrepresented in the crash statistics relative to their volumes compared to car drivers. Someone riding a bicycle is at least twice as likely as someone driving a car to be in a crash and then seriously injured on this street.
33. The intersections on Wellington Street account for 64% of all crashes involving a motor vehicle (be it a car, van or truck) turning at an intersection. Clustering of accidents around an intersections is relatively common and highlights the issues of safety and accessibility at intersections generally.
34. This safety data only includes 'official' incidents reported to Victoria Police. It does not include 'near misses' or any incidents where a police report was not filed. Incidents like car dooring are particularly likely to not be reported.

Car parking

35. There are 1,221 on-street car parking spaces within the study area which are a mix of permit, time restricted and unrestricted spaces.
36. 83% of spaces in the study area are unrestricted on a Sunday, 59% on a Saturday, and 11% on a weekday, with unrestricted sections of car parking generally having the highest occupancy rate which is as expected.
37. On Wellington Street between Queens Parade and Johnston Street, peak on-street car parking occupancy was at 9pm on a Saturday at 87% occupancy. This compares to an average occupancy across the study area of 75% which means that there are on average approximately 305 car parking spaces available on or in the vicinity of Wellington Street at any one time.

Other

38. A comprehensive, independent socio-economic analysis was undertaken for the first time in Yarra on Stages 1 and 2 of the corridor to the south. There have been significant benefits since the installation of protected bike lanes, including reduced traffic, improved public health and reduced road trauma.
39. It found that there has been a total of \$11.7 million worth of socio-economic benefits associated with the cycling upgrades on Wellington Street to date. The full report of this analysis is provided in Attachment 3.

Next Steps

40. Community engagement and the data collected will inform designs for this multi-year project that will deliver on Council's objectives and policies.
41. The initial design process is comprehensive and will take approximately 12 months to complete. It involves options assessment, concept designs, peer reviews, service checking, and state government approval processes.
42. In anticipation of this initial design process, Council's Caretaker Period and other considerations during the 2024 election period, the next round of community consultation is provisionally scheduled for early 2025. This will test concept designs with the community before a council endorsed position on the preferred design is obtained and detailed design work commences so the project is shovel ready for delivery.
43. Advocacy to State Government to raise awareness of the project and encourage external funding is ongoing but will increase as the project is progressed and its scope of works finalised.

Policy analysis

Alignment to Community Vision and Council Plan

44. This project aligns with the Yarra Community Vision 2036 component of “Create a transport system that is innovative, efficient, sustainable and accessible”.
45. This project aligns with the Yarra Council Plan 2021-2025 objectives to “prioritise sustainable and active transport” and “help people move safely and sustainably through and within our municipality”.

Climate emergency and sustainability implications

46. Transport is the third-largest and fastest-growing source of emissions in Yarra. In 2023, the vast majority of these emissions were generated by privately owned motor vehicles.
47. The Victorian Cycling Strategy, Yarra Transport Strategy 2022-32 and the draft Yarra Climate Emergency Plan 2024 all identify that mode shift away from private cars and towards sustainable modes of transport are essential for climate mitigation and adaptation.

Community and social implications

48. This project seeks to make Yarra’s transport network more equitable, inclusive and accessible.
49. This is the first of multiple stages of community engagement with varying degrees of negotiable and non-negotiable aspects. This will include specific outreach to communities that are traditionally underrepresented in project consultations. Details of the methodology and results are included in this report.

Economic development implications

50. Projects that make it easier and safer for people to ride by bicycle or scooter have consistently shown economic benefits. Improving facilities for people riding bikes or scooters has ancillary benefits, such as improved street amenity and increased human activity, as well as direct benefits, such as more customers visiting businesses nearby.
51. There will be direct outreach to relevant businesses during this consultation phase. Specific needs for businesses in the area will be considered in the engagement results and future designs.

Human rights and gender equality implications

52. This project has been assessed under The Charter of Human Rights and Responsibilities Act 2006 and Gender Equality Act 2020 and no implications have been identified.
53. The Community Engagement Plan has been developed in line with Council’s community engagement policies and strategies.

Operational analysis

Financial and resource impacts

54. Council has committed \$100,000 in the 2023-24 Financial Year to plan and design upgraded bicycle facilities along Wellington Street between Alexandra Parade and Queens Parade. This report details work undertaken using this funding as per the New Deal for Cycling methodology.
55. There is high potential for construction and future stages to be partly or fully funded from external sources if the necessary preparatory work is completed. Grants from the Transport Accident Commission (TAC) contributed significantly to the construction of Stages 1 and 2. The new Transport Action Plan will assist with maximising the potential for Council to secure this funding.

[Legal Implications](#)

56. There are no known legal implications of conducting community engagement on this project. Council retains the necessary powers under legislation including the Road Management Act 2004 and Local Government Act 1989.

[Conclusion](#)

57. This project delivers on a key local, regional and metropolitan cycling corridor identified by Council in the New Deal for Cycling and by the State Government through the Principal Bicycle Network and Strategic Cycling Corridors.
58. Community engagement and the data collected will inform designs for this multi-year project that will deliver on Council's objectives and policies.

[RECOMMENDATION](#)

1. That Council note the report and findings of the initial community engagement and data collection for Wellington Street Stages 3 and 4.

[Attachments](#)

- [1](#) Attachment 1 - Wellington Street Community Engagement Summary Report
- [2](#) Attachment 2 - Wellington Street Stages 3 and 4 Baseline Data Report
- [3](#) Attachment 3 - Wellington Street Stages 3 and 4 Socio-Economic Analysis

Building a safer Wellington Street



Engagement Report

Yarra City Council

15 December 2023

Giving every person a voice.

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Capire acknowledges
and deeply respects the
Wurundjeri people and
the Traditional Owners
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Consultation

Unless otherwise stated, all feedback documented by Capire Consulting Group and any person(s) acting on our behalf is written and/or recorded during our program/consultation activities.

Capire staff and associates take great care while transcribing participant feedback but unfortunately cannot guarantee the accuracy of all notes. We are however confident that we capture the full range of ideas, concerns and views expressed during our consultation activities.

Unless otherwise noted, the views expressed in our work represent those of the participants and not necessarily those of our consultants or our clients.

VERSION	AUTHOR	AUTHORISED	DATE
1.0	Emily Mellon	Denise Francisco	1.12.23
2.0	Emily Mellon	Denise Francisco	15.12.23

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1 Introduction

1.1 Background

Over 2,000 people travel on Wellington Street, Collingwood by bike every day. Despite bikes making up around 20 per cent of all vehicles, cyclists are significantly overrepresented in crashes on Wellington Street. Between 2014 and 2019, 76 per cent of crashes on Wellington Street between Johnston Street and Queens Parade resulted in at least one cyclist being severely injured.¹

Yarra City Council (YCC) is committed to making walking, riding bikes and using scooters safer and more accessible for people of all ages and abilities. As part of this plan, YCC are completing the Wellington Street Strategic Cycling Corridor that has been more than ten years in the making. Stage 1 (between Victoria Parade and Gipps Street) was completed in 2015, while Stage 2 (between Gipps Street and Johnston Street) was completed in 2019. YCC engaged Capire to deliver an engagement program for Stages 3 and 4 of the four-stage project which will complete a safer and improved active transport route along the Wellington Street corridor.

1.1.1 Stage 1 and 2: Victoria Parade to Johnston Street

Council conducted extensive engagement to inform the first two phases. The subsequent upgrades, completed by YCC and funded by the Victorian Government, included:

- replacement of existing painted bike lanes with physically protected lanes
- treatments at intersections to improve safety
- installation of concrete separators
- kerb outstands
- tree planting
- additional pedestrian crossings
- signal retiming.

Following these upgrades, the number of cyclists using Wellington Street has increased by 56 per cent (compared to 2012), and the intersection of Wellington and Johnston Street is now the City of Yarra’s busiest site for bicycles.

1.1.2 Stage 3 and 4: Johnston Street to Queens Parade

Building this section of the Wellington Street cycling corridor is the first flagship project initiated by the new Yarra Transport Strategy 2022-32.

Stage 3 covers between Johnston Street and Alexandra Parade. This area contains multiple businesses as well as housing. Stage 4 covers from Alexandra Parade to Queens Parade. This area is more residential and intersects with two primary schools. The areas are “staged” to help better inform these diverse and individual needs and appropriately stage financing in future years.

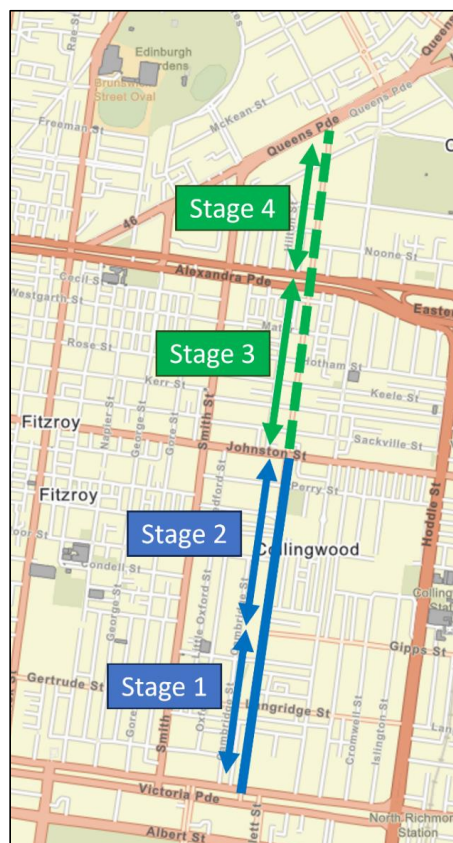


Figure 1: Wellington Street corridor with project stages marked

¹ Crash Stats - Transport Accident Commission, accessed September 2023

4 City of Yarra, Building a safer Wellington Street

1.2 Purpose of the Report

The purpose of this report is to summarise and share the key findings from first phase of the stage 3 and 4 community engagement. The feedback gathered through this engagement process will help inform the development of designs for the Wellington Street corridor across two stages of construction.

After the completion of the active transport infrastructure, there is potential for further streetscape upgrades including road re-sheeting, increasing canopy cover and improving the quality of footpaths. This can be incorporated to a degree within the design process and advocated for as part of future urban design upgrades but has not been a key focus of this consultation.

2 Engagement overview



Figure 2: A person riding down Wellington Street, Collingwood

2.1 Engagement Objectives

The objectives of the engagement program were to:

- Inform the wider community on the work in Wellington Street and connect it to broader Council transport priorities and policy.
- Reintroduce community members to the project and the background behind its implementation.
- Identify the current issues and pain points for all users travelling on and via Wellington Street.
- Gather community ideas on ways to improve the street for active transport users.

The key outcome of the engagement was to seek input on key issues and ideas from community members and stakeholders, including active transport users, residents, traders, drivers and other people who visit the area. This feedback will help inform the design of the Wellington Street bike lanes and streetscape between Johnston Street and Queens Parade.

2.2 Engagement Methodology

2.2.1 Engagement activities

Engagement activities were designed to maximise the opportunities for community stakeholders to provide feedback. Engagement activities were undertaken between 9 October to 6 November 2023. Members of the community and businesses were encouraged to participate via the engagement methods outlined below.

Online survey and map

The online survey was the principal method of gathering community feedback, accessible via the Your Say Yarra webpage. The objective of the survey was to understand people’s experiences travelling on the northern half of Wellington Street, to inform initial designs.

Participants were invited to drop a pin on a map of Wellington Street (indicating the relevant location) and to answer one or both of the following questions:

- What are the current issues and pain points for anyone travelling via Wellington Street?
- How can we improve the street for active transport users like cyclists and pedestrians?

The survey received 283 contributions and gathered demographic information.

To complement and promote the online engagement, the engagement program included two community pop-up events, as well as direct outreach to relevant organisations and chairs of active transport groups.

Pop-up events

Two pop up events were hosted during the engagement period at sites along the corridor (refer).

Community members and passers-by were asked to provide feedback on issues and ideas to improve Wellington Street between Johnston Street and Queens Parade. Posters showing project information and maps helped people to understand the rationale behind the project and identify pain points. Postcards with project information and a QR code linking to the online survey were handed out to people who were too busy to stop and chat.

Table 1: Timing, locations and level of participation for pop up events

Event	Reach
Wednesday 25 October – Corner of Perry Street and Wellington Street, Collingwood	Approximately 12 conversations and 40 postcards handed out
Saturday 28 October – Darling Gardens Playground, Clifton Hill	Approximately 30 conversations and 20 postcards handed out



Figure 3: An image from the Perry Street Pop Up

Business ‘doorknocks’

The engagement included in-person doorknocking and conversations with businesses, community organisations and education facilities on Wellington Street for Sections 3 and 4 and relevant nearby areas (Table 2). Owners and representatives of organisations on and around Wellington Street were asked about issues, ideas for improvement and how they receive deliveries. When a conversation was unable to take place on the spot, contacts were encouraged to complete the online survey. Several surveys were subsequently completed by phone and email.

Table 2: Timing and level of participation for business doorknocks

Event	Reach
Tuesday 17 October	16 surveys completed and approximately 20 additional postcards handed out

Direct outreach to active transport groups

Communication via email was sent to the chairs of 15 active transport groups, asking them to provide feedback via the online survey and to promote the engagement amongst their groups.

2.3 Limitations

The engagement methodology while robust, also had several limitations that should be acknowledged when reading this report. These are outlined below.

- Capire has reported on information documented by participants and interpreted the information to represent the views of participants as closely as possible.
- The engagement program included multiple opportunities for participants to contribute. Some people may have taken part in multiple engagement activities, for example completed the survey and participated in a one-to-one discussion. Their views may have been captured more than once.
- People who participated in the engagement self-selected to take part. As such, whilst every effort has been made to gather the views of stakeholders and the community the information in this report does not reflect the views of a representative sample.
- Demographic data was captured through the survey and sought through the other engagement activities.
- All feedback received through the engagement program and included in this report has been summarised to reflect key themes. The key themes reflect issues and ideas that were frequently raised. It does not provide a quantitative analysis of all feedback provided by participants.

3 Summary of survey participants

The online survey asked respondents to answer a series of demographic questions, to help understand the characteristics of those responding and the reach of the engagement. Over the engagement period, 283 online survey responses were received from 177 unique participants (based on supplied screen names and email addresses, described as respondents for clarity).

This section of the report provides an overview of who was reached through the online survey method, their connection to the Wellington Street corridor and their primary modes of transport. The next section of the report shares consolidated feedback from all the engagement activities; survey, pop-up and business doorknock participants.

3.1.1 Connection to the City of Yarra

As shown in Figure 4 below, respondents' connection to the City of Yarra was through being a local resident (72 per cent). A third owned property in the City of Yarra (34 per cent), 28 per cent worked in the area, and 25 per cent were a visitor to the area. Less represented groups included those renting (14 per cent), business owners (7 per cent) and students (7 per cent). For this question, respondents could select multiple results.

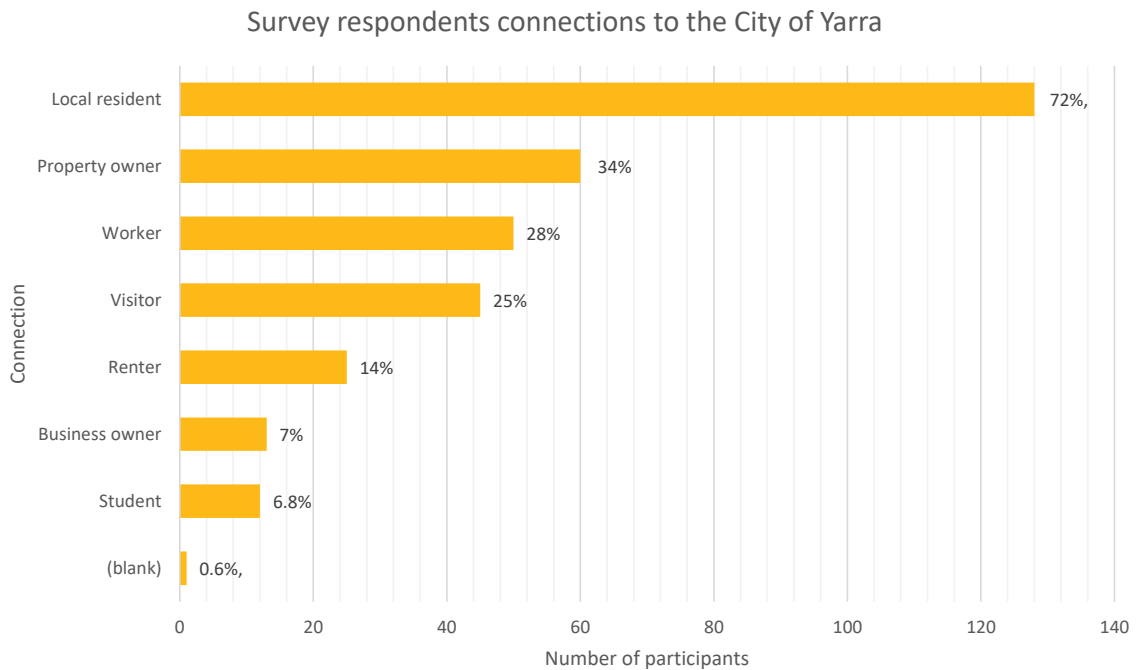


Figure 4: Survey respondents' connections to the City of Yarra (n=177).

3.1.2 Gender

As shown in Figure 5 below, 55 per cent of respondents were men, 34 per cent were women and two per cent identified as non-binary. A total of eight per cent of participants preferred not to state their gender.

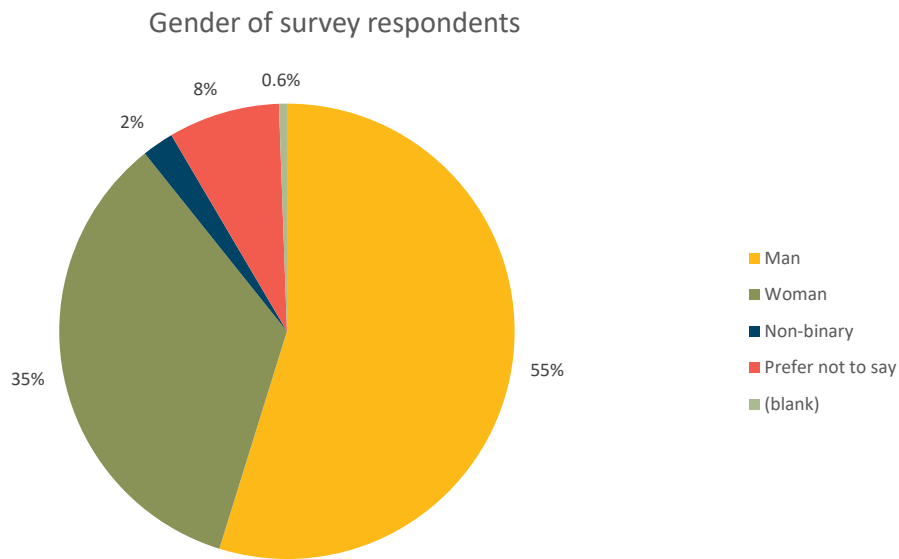


Figure 5: Gender of respondents (n=177)

3.1.3 Age

As shown in Figure 6 below, 35–49-year-olds were the most represented respondents (41 per cent). The 25–34-year-olds represented 22 per cent of respondents, while 50–59-year-olds represented 17 per cent. The 60–69 years-olds (12 per cent), 70–84 years-olds (5 per cent) and 18-24 years-olds (4 per cent) were less represented. Four per cent of respondents did not provide their age.

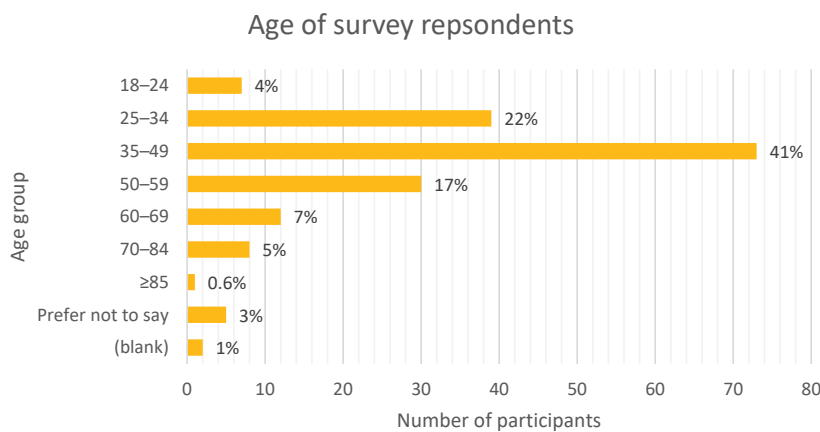


Figure 6: Age of respondents (177 participants).

3.1.4 Location

As shown in Figure 7 and Table 3 below, over a third of the survey respondents were residents of Collingwood (36 per cent). Clifton Hill was also well represented (20 per cent). Other represented suburbs include Fitzroy North (8 per cent), Fitzroy (4 per cent), Abbotsford (3 per cent), Fairfield (3 per cent) and Richmond (2 per cent). Twenty per cent of responses came from outside the City of Yarra.

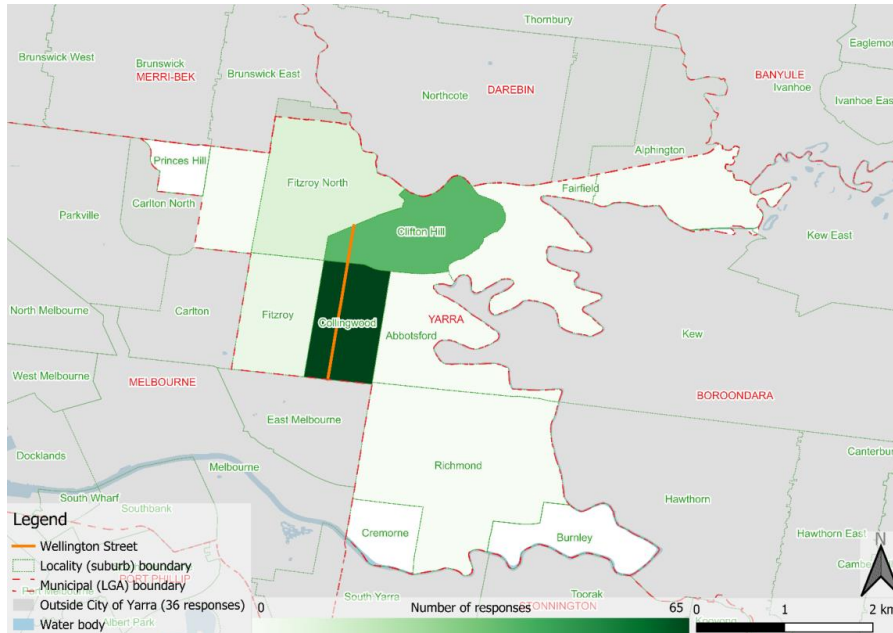


Figure 7: Map of the participants' localities (suburbs) of residence within the City of Yarra. Note that Alphington, Fairfield and Fitzroy North are only partly within the City of Yarra and participants may not respond consistently to this question. (Map data: © Department of Energy, Environment and Climate Action (Victoria), CC BY 4.0)

Table 3: Survey respondents' Location by suburb within Yarra

Locality	Number of responses	per cent
Collingwood	64	36.2
Clifton Hill	40	22.6
Fitzroy North	14	7.9
Fitzroy	7	4.0
Abbotsford	5	2.8
Fairfield	5	2.8
Richmond	3	1.7
Alphington	1	0.6
Carlton North	1	0.6
Outside City of Yarra	36	20.3
(Left blank)	1	0.6

3.1.5 Diverse community representation

The City of Yarra recognises the diversity of their community and seeks to understand whether groups which may be underrepresented at times are included within engagement. Close to 14 per cent of participants identified as being part of the LGBTIQ+ community, 12 per cent identified as not having English as their primary language and five per cent identified as living with a disability. None of the survey participants identified as Aboriginal and/or Torres Strait Islander. A total of 60 per cent of participants stated that they were not part of any of these groups while 13 per cent preferred not to say.

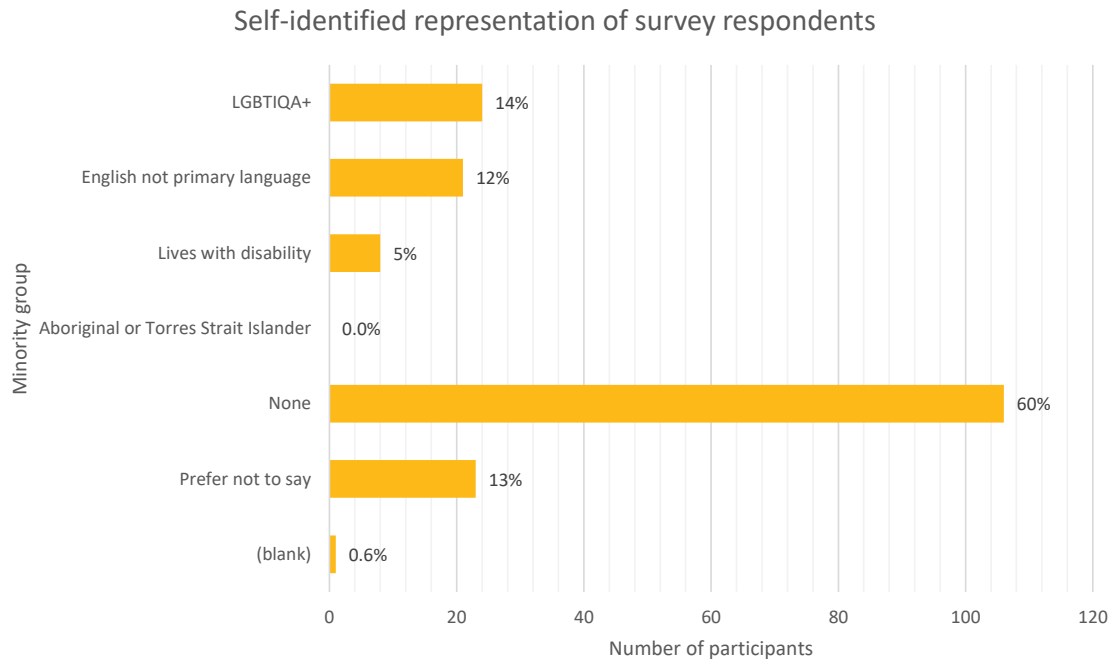


Figure 8: Respondents self-identified representation in survey dataset (n=177)

3.1.6 Mode of travel

As shown in Figure 9 below, multiple modes of transport were popular for those travelling in the City of Yarra. Respondents were asked to select all the modes of transport that applied to them.

Walking was the most popular mode of transport for survey respondents (85 per cent), while cycling (81 per cent), public transport (71 per cent) and driving (64 per cent) were other popular options. Other modes such as via scooter (9 per cent) were not highly represented.

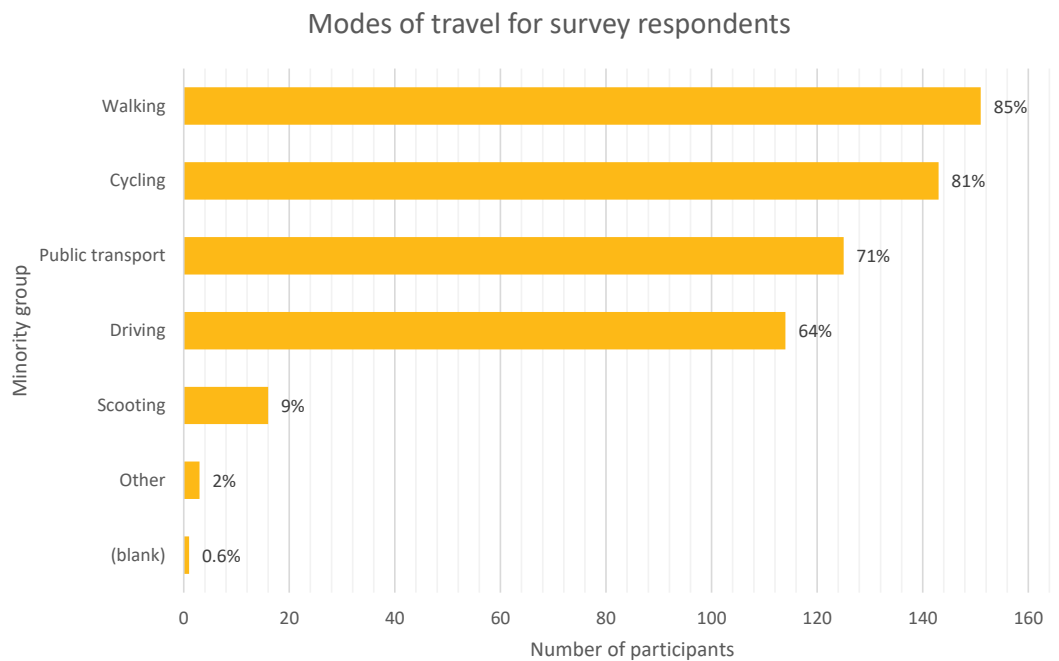


Figure 9: Respondents' modes of travel (n=177).

4 Engagement findings

4.1 What are the current issues and pain points for anyone travelling via Wellington Street?

The following information outlined in *Table 4* describes a summary of the issues and pain points along the Wellington Street corridor drawn from the engagement data gathered across all the engagement activities. A total of 250 responses (n=250)² regarding issues were received across all engagement activities.

The information relates to both Stage 3 and Stage 4; however, there were some geographical points highlighted by participants and outlined below that pertain to Stage 3 or 4 respectively. All quotes have been sourced from survey respondents.

Table 4: Issues and pain points: Wellington Street corridor (stage 3 & 4)

Response Category	Summary of responses
Road width	<p>Many participants said that the road and/or bike lanes were too narrow. Road width concerns included:</p> <ul style="list-style-type: none"> • cyclists forced to ride close to parked cars, placing them at risk of ‘dooring’ • dangerous for families and kids to ride side by side • no room for bikes to overtake • not much room to react safely to a pot hole or a parked car’s opening door. <p><i>“People riding are watching for doorings, road imperfections and motorists passing all in a very narrow piece of rideable roadspace.”</i></p>
Speed limit	<p>There were many comments concerning speed limits; there was a general feeling that cars and cyclists ignore the speed limit. While most respondents supported the new 30km/h speed limit, others expressed frustration. Additionally, the various active transport users going at different speeds along the bike lanes was identified as adding to this pain point.</p> <p><i>“30km/h speed limit has also made a huge improvement to ease of cycling and walking and the feeling of having more time as you cross the street/signal to turn off Wellington Street on a bike.”</i></p> <p><i>“The bikes have a dedicated lane so it should not be necessary to limit the speed in this way.”</i></p>
Pedestrian crossings	<p>Many respondents commented on the need for more pedestrian crossings and the need to make the existing crossings safer. It appeared that pedestrian crossings were a pain point for active transport users, pedestrians and car users. Participants expressed that:</p> <ul style="list-style-type: none"> • It felt dangerous to cross roads as a pedestrian, and pedestrians felt ‘rushed’ by bikes and cars • It can be challenging for cyclists to see pedestrians

² While 250 responses were received regarding issues, some of the data may also be drawn from the 105 responses regarding ideas as some respondents provided both issues and ideas in one comment.

Response Category	Summary of responses
	<p><i>“When riding in a stream of cyclists, it’s hard to see if there’s someone about to cross when cars are backed up.”</i></p> <p><i>“Too many pedestrians are required to run across the street risking getting hit by both cars and bikes.”</i></p> <p>Notably, there were comments regarding issues around the safety of pedestrians crossing across Wellington Street to almost every side street along the corridor.</p>
Cars from side streets	<p>Participants expressed that cars turning onto Wellington Street from side streets is a major issue, as they need to pull across the bike lane to see traffic. The key concerns included:</p> <ul style="list-style-type: none"> • Cars regularly ‘turn blindly’ or drive across the bike lane due to visibility issues and queue over the bike lane to see oncoming traffic more clearly. • Cars (including Ubers, couriers and taxis) often stop in the ‘no stopping’ area, blocking the bike lane forcing cyclists out into traffic. <p><i>“I’ve been hit twice by drivers thinking the stop sign is at the side of the car lanes, not the side of the bike lane.”</i></p> <p><i>“As someone riding a bike I hate the cars pulling in/out of side streets – especially when there’s backed up traffic.”</i></p> <p><i>“Left-turning cars are a threat to bikes at all intersections. It’s great when bikes get the green light first.”</i></p>
Bike lanes	<p>Many respondents raised concerns regarding the current bike lanes alongside strong support for protected bike lanes (see ideas and improvements section).</p> <ul style="list-style-type: none"> • Current bike lanes are too narrow. • There is a high risk of car dooring due to parallel on-street parking, particularly during morning and afternoon peak hour. <p><i>“This whole part of Wellington Street is a death trap. I drive and ride here and it desperately needs protected bike lanes before someone gets killed.”</i></p> <p><i>“It would be great to have protected separated bike lanes the whole way, they make me feel much safer riding.”</i></p> <p>Still, some participants raised issues with Stages 1 and 2:</p> <ul style="list-style-type: none"> • Traffic flow has increased through neighbouring streets, as cars are not able to turn at Alexandra Parade. • The separated lanes have impeded motorist’s sight lines when turning into the street.
Cyclists and road rules	<p>Some participants noted that cyclists do not always obey road rules, commenting that cyclists:</p> <ul style="list-style-type: none"> • ride too fast • do not ring a bell • think they have right of way • go through red lights, don’t indicate, ride on footpaths

Response Category	Summary of responses
	<ul style="list-style-type: none"> • need to consider the varying speeds within bike lanes with bikes, e-bikes and scooters.
<p>Car parking</p>	<p>Participants noted the issues parked cars raise for cyclists:</p> <ul style="list-style-type: none"> • The narrow street/bike lanes means that cyclists often have to ride close to parked cars, placing them at risk of dooring. • Cars regularly park outside the lines, further narrowing the space available for cyclists. • People often park in the bike lane (e.g., out front of construction sites). <p>However, there were also concerns raised about removing parks, the key issues raised included:</p> <ul style="list-style-type: none"> • People with disabilities need accessible parking spaces. • Some businesses require parking/access on Wellington Street for deliveries, customers and patients (especially those with accessibility issues). • Removing car parks would push parking onto narrow side streets.
<p>Road surface</p>	<p>There were several comments related to the poor road surface, including:</p> <ul style="list-style-type: none"> • There are potholes, cobblestones, tree roots, litter, leaf fall, glass and other debris. • Travelling north from Johnston Street there are inspection covers, manholes and grates making it bumpy and dangerous, forcing cyclists to swerve close to traffic. <p><i>“You have to slow down significantly to cross the cobblestones, which makes it dangerous when there’s a queue of cyclists behind you. It’s also hard to turn onto Wellington St from this rough surface, as your wheels get caught between the cobblestones.”</i></p> <p><i>“The surface of the bike lane for most of the length between Alexander Parade and Victoria Parade is uneven and poorly maintained.”</i></p>

4.2 How can we improve the street for active transport users like cyclists and pedestrians?

The following information outlined in *Table 5* provides a summary of the 105 ideas for improving the street for active transport users drawn from the engagement data gathered across all engagement activities (n=105)³. The information in table five relates to both Stage 3 and Stage 4, unless otherwise specified. All quotes have been sourced from survey respondents.

Table 5: Ideas for improvement: wellington street corridor (stage 3 & 4)

Category of responses	Summary of responses
Pedestrian access and crossings	<p>From those offering ideas regarding pedestrian access and movement, there was a high-level of support for more crossings to help pedestrians and cyclists get across Wellington Street safely. Ideas included:</p> <ul style="list-style-type: none"> • zebra crossings across bike lanes, so that pedestrians can safely cross • ensuring all pedestrian crossings are clearly visible to motorists and are not obstructed in any way • making sure all crossings give people enough time to cross, including those with mobility issues, children etc. • widening the pedestrian footpath and increasing opportunities for activating the street via the bars and cafes already along the street. <p>Two people specified wombat crossings, while one suggested raised safety platforms for pedestrians to safely cross the road.</p> <p><i>“Yarra is significantly under investing in walking infrastructure and consistently misses the opportunity to provide holistic active, travel upgrades instead of cycle only upgrades.”</i></p> <p><i>“Plenty of opportunity to include footpath widening at the various bars and restaurants (the Gem etc) when building separated bike lanes. Vibrant and active streets are good for passive surveillance and make the street safer for everyone.”</i></p> <p><i>“A different kind of permanent surface treatment would really help differentiate pedestrian footpaths and cycling lanes. It also enhances local aesthetics. Iconic surface treatment is like interesting facades and you could really differentiate Yarra or parts of Wellington Street’s suburbs to create local vibes.”</i></p>
Signage	<p>Many respondents suggested adding signage including illuminated signs for nighttime for both drivers and cyclists. Overall, participants wanted clearer information regarding road rules in the area to reduce conflict points and potential collisions between road users, suggestions included:</p> <ul style="list-style-type: none"> • Add signs for cyclists about bike lane etiquette, such as ‘Keep left unless overtaking’ and ‘Use your bell to overtake’.

³ While 105 responses were received regarding ideas for improvements, some of the data may also be drawn from the 250 responses regarding issues as some respondents provided both issues and ideas for resolving issues in one comment.

Category of responses	Summary of responses
	<ul style="list-style-type: none"> • Include signs to discourage motorists using Wellington Street as a through road. • Provide 'Keep clear' signs in driveways. <p><i>"The only time I've ever been hit by a car in 30 years of cycling the city is by left-turning cars while I was riding straight on Wellington Street. It is unclear legally who has right of way. You MUST signpost clearly for cars and cyclists WHO HAS RIGHT OF WAY."</i></p> <p><i>"People are confused as to who has right of way and I personally have seen multiple accidents with cars not knowing if they are to give way to bikes or not."</i></p>
<p>Cars and cyclists sharing the road</p>	<p>Many respondents suggested introducing more rules for cars to improve safety in the area and to ensure bike lanes are kept clear. However there were also some comments to the contrary; that rules and restrictions for cyclists would make the shared road safer for all.</p> <p><i>"Get rid of cars driving through here. Most aren't locals anyway and it means that you can keep car parking. Make it like Canning St or Napier Street."</i></p> <p><i>"Get Bike riders off main road and on side street where there is less or no traffic."</i></p> <p><i>"Cyclists need to follow road rules and be policed regarding speeds along Wellington St, wear reflective gear, helmets and have lights, use hand signals."</i></p>
<p>Parking</p>	<p>Many respondents suggested removing parking to improve visibility, although not everyone agreed. Those who were in favour of removing car parking from the street had the following suggestions:</p> <ul style="list-style-type: none"> • Remove one lane of car parking to better share the road with other transport modes. • Clear zones or remove car parking spaces at intersections, to improve visibility for cars and cyclists. <p>Notably, the advocates on both sides said that any solution must consider both residents' and businesses' needs, as many do not have off-street parking.</p> <p>Other ideas participants had included dedicated drop-off zones for Ubers/taxis and school drop off.</p> <p><i>"There needs to be some mechanism to prevent Ubers and others from dangerously pulling in wherever they want illegally to let out/pick up passengers"</i></p>
<p>Protected bike lanes</p>	<p>Participants were overwhelmingly in support of protected bike lanes along Wellington Street. Other than comments calling for a duplication of the design in Stages 1 & 2, ideas included:</p> <ul style="list-style-type: none"> • raised bike lanes to the same level as pedestrian walkways, making these lanes more obvious to motorists

Category of responses	Summary of responses
	<ul style="list-style-type: none"> • wider bike lanes • maintaining a central median to assist cyclists merging / crossing over traffic • ensuring bike lanes are not over speed humps and that speed humps are tapered off before the bike lane. <p><i>“It would be great to be able to ride two abreast and still allow overtaking comfortably. This makes cycling so much friendlier. Humans are social and socialising is fun. It’s also fantastic for the social development of children and particularly adolescents...”</i></p> <p><i>“This section of Wellington needs protected bike lanes. The bike run too close to parked cars, and I have narrowly missed hitting opening car doors on many occasions.”</i></p>
Speed limit/ traffic calming	<p>Most respondents were supportive of the 30km/h speed limit and advised to add additional traffic calming measures (e.g. speed humps, speed cameras). Some participants, however, did not see the necessity of reducing the speed limit to 30km/h and believed the focus should be on maintaining good traffic flow.</p> <p><i>“30km/h speed limit has also made a huge improvement to ease of cycling and walking and the feeling of having more time as you cross the street/signal to turn off Wellington Street on a bike.”</i></p>
Trees / landscaping	<p>Many participants wanted landscaping to be considered in the new design and to see it as an integral component to enhance the aesthetic feel and connection to nature. Suggestions included:</p> <ul style="list-style-type: none"> • building separated bike lanes with trees between parking bays to offset trees lost in the centre median • more mature trees along this route. <p><i>“As the climate boils, it will be increasingly difficult for active transport users. Cooling the street with taller growing trees could help reduce temperatures by a significant amount.”</i></p> <p><i>“it would be a disaster if the work done by Council to green the streetscape was in any way destroyed or that trees that are only now establishing themselves were removed or damaged.”</i></p>

4.3 Location specific comments: Issues and Improvements

There are some specific locations along the corridor that were highlighted by respondents as having numerous issues and pain points, equally, participants provided various ideas for improvement. The primary locations identified by participants are outlined below.

4.3.1.1 ALEXANDRA PARADE/WELLINGTON STREET

Around 30 per cent of respondents highlighted this area (Figure 10), which was described as a “terrible pinch point”. Participants frequently criticised the median strip and noted that the street is too narrow, cars drive in bike lanes, and left-turning traffic is hazardous. There was a mixture of support and criticism for the restrictions on cars turning.

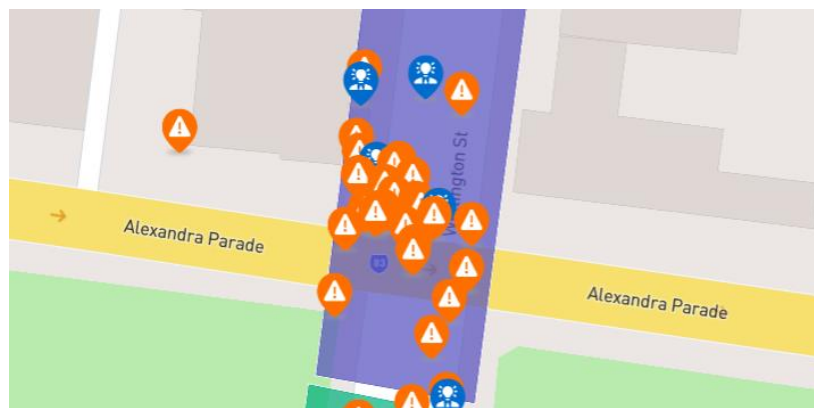


Figure 10: Pins provided on the map, intersection of Alexandra Parade and Wellington Street

Further issues highlighted included:

- cars not following road rules, speeding, parking and turning when they are not meant to be
- cars not being able to turn right at Alexandra Parade or at Smith Street to access Alexandra Parade; therefore, cars must go over Alexander Parade and into the back streets of Collingwood.

Comments from survey respondents included:

"Pinch point created by the first couple of parked motor vehicles is uncomfortable and dangerous... please remove these parking spots immediately."

"Blocking all turns from wellington to Alexandra pde has forced the cars down tiny side streets negatively impacting pedestrians, residents and parked cars. Please fix this!"

"The median encourages cars to drive further away from the median into the bike lane. It does not serve the intended effect which is to slow drivers down."

Respondents also provided many ideas to improve this "pinch point", including removing car parks, improved signage and lights, reduced speed limits.

"The splitter island should be narrowed to minimum width for signal hardware and parking should be set back allowing bikes to run along the kerb longer with some separation up to the intersection."

"If it doesn't cause huge problems with locals/drivers it would be great to see the removal of one side of car parks to allow for safer, protected bike routes."

4.3.1.2 CLIFTON HILL PRIMARY SCHOOL AND CLOSE SURROUNDS

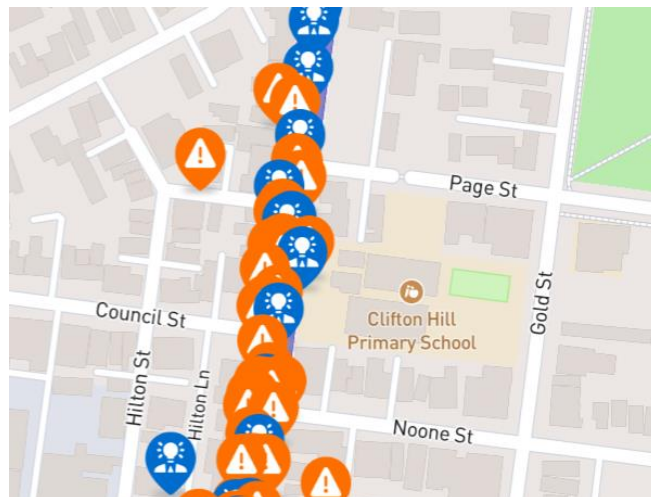


Figure 11: Pins provided on the map close to Clifton Hill Primary School

Clifton Hill Primary School is located at 185 Gold Street, Clifton Hill and has an entrance via Wellington Street.

There were approximately 18 responses received highlighting the needs of students, parents and teachers from the school, as well as how riders and drivers interact with those accessing the school along the corridor. Based on this data, the school would be considered a primary stakeholder for future engagement.

When discussing issues, participants noted that the school zone can be dangerous during pick-up and drop-off hours. Issues surrounding this location, included:

- Cyclists are vulnerable to cars swerving into the bike lane.
- It is difficult to see cyclists when turning left into Keele Street and Alexander Parade.
- It is a 'dangerous' and 'unpleasant' location for cyclists, riding close to parked cars and moving cars with no separation.
- Steep incline when stopping at the school crossing makes cycling difficult to resume and creates traffic hazards.

Comments from survey respondents included:

"For cyclists there is a risk of being doored as parents put kids in and out of cars. For parents/kids it is scary to have bikes travelling so close to cars where they are alighting."

"We find the crossing at the Gold Street Primary entry to be dangerous for pedestrians. Cars and cyclists are not required to stop ... We live in constant fear of someone being hit by a vehicle or cyclist."

"You can't see the crossing guard from the bike lane if cars are banked up. Guard should stand or hold sign so as to be visible from both lanes."

The ideas for Clifton Hill Primary School and children walking or cycling to school included:

"Could cars dropping off be moved to the school's Gold Street entrance in the mornings, and away from the bike lane in Wellington St, reducing the morning congestion?"

"It's hard to conceive of removing parked cars on Wellington Street here, as there isn't off street parking available, and it can't be made "one way" as people live in houses on both sides of the street."

4.3.1.3 JOHNSTON STREET/WELLINGTON STREET AND QUEENS PARADE/WELLINGTON STREET



Figure 12: Pins provided on the map at the Johnston Street/ Wellington Street intersection



Figure 13: Pins provided on the map at the Queens Parade/ Wellington Street intersection

The Johnston Street/ Wellington Street (Figure 12) and the Queens Parade/ Wellington Street (Figure 13) intersections were both identified as a challenge for cyclists and cars alike. Concerns included:

- turning both left and right from Wellington Street into Johnston Street
- faulty bike lights at the intersections
- vertical hazard bollards.

“Since getting rid of the left-hand turning lanes traffic is much worse as fewer cars get through each cycle. It worked better before when the bike lane was in the centre of the two lanes. This is coming from a local who rides a bike and drives a car.”
[Related to Wellington Street/ Johnston Street]

“Cars often go into the bike lane when turning left onto Johnston St as they mistake it for a left turn lane. This must be better protected with physical barriers and clearer marking that this is a bicycle lane.”

“Cyclists who turn left onto Wellington Street from the Queens Parade cut the corner by mounting the curb at the end of the service road and rounding the corner in front of the Clifton Hill Brew Pub. They are on the footpath and traveling at speed as they come around the corner.”

4.3.1.4 HODGKINSON STREET/WELLINGTON STREET

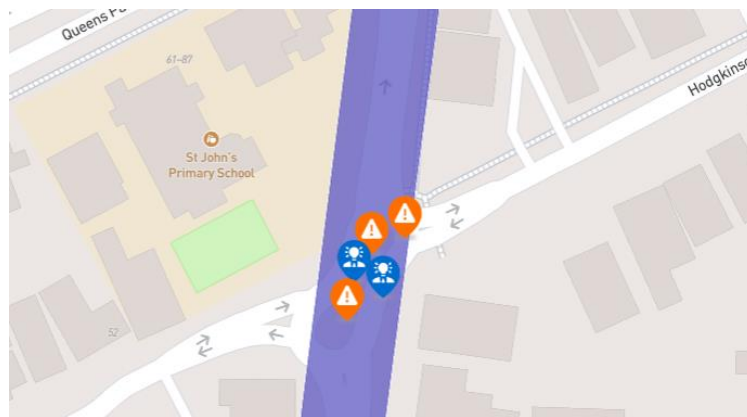


Figure 14: Pins dropped at Hodgkinson Street roundabout

Although there were only a comparatively small number of pins dropped at the Hodgkinson Street site (Figure 14), it is included in the report as the roundabout is an anomaly along the otherwise straight corridor and it was highlighted as dangerous by all those that commented, particularly for cyclists turning right north bound. Ideas also included road treatments and a pocket park.

Comments from survey respondents were:

“Visibility of incoming traffic southbound on Wellington from Hodgkinson is very bad.”

“This roundabout can be dangerous for cyclists turning right, as it's very hard to indicate while steering around the peanut... The shape of the roundabout also means cars are more likely to enter the bike lane while navigating it.”

“With this section of Wellington St consisting of small dwellings with usually no on-site parking, street parking is crucial and 100per cent utilised. Halving the parking can surely not be feasible... By instead adding a single central bike lane catering for both north and south bound cyclists, the required extent of road dedicated to bikes would be reduced significantly.”

5 Next steps

The community engagement findings included in this report will be used by YCC to inform the designs for the Wellington Street corridor, from Johnston Street to Alexandra Parade and Alexandra Parade to Queens Parade which will occur across two stages of construction, stage 3 and stage 4 respectively.

The expected timeline is provided in in Figure 15 below:

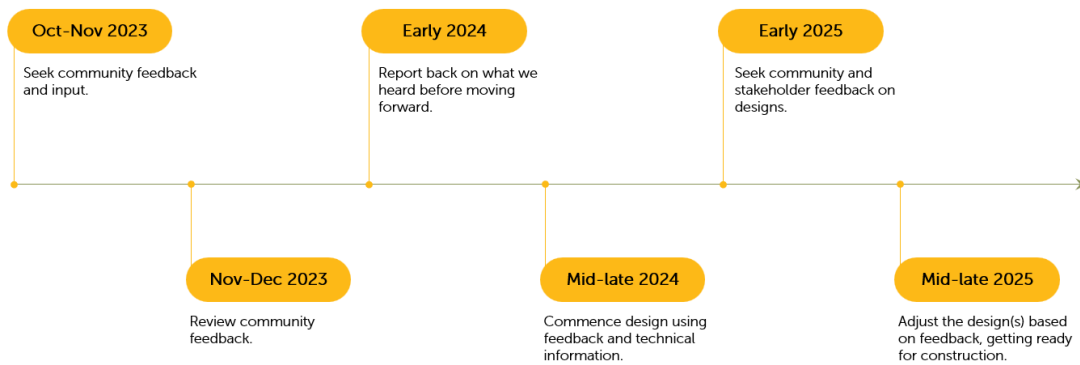


Figure 15: Yarra City Council project timeline

Additionally, as noted at the beginning of this report, while not a key focus of this consultation, the ideas and information pertaining to further streetscape upgrades are valuable as they can support future development and thinking.

6 Appendix

6.1.1 Survey questions

- What do you think are the current issues and pain points for anyone travelling via Wellington Street?
- How do you think we can improve Wellington Street for people who use active transport like cyclists and pedestrians?

Demographic questions:

- What's your connection to Yarra?
- What gender do you identify as?
- What is your age range?
- What suburb do you live in?
- Select all that apply. I am...
- How do you get around Yarra? Please tick all that apply
- What's your email address?

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Capire acknowledges
and deeply respects the
Wurundjeri people and
the Traditional Owners
of the Victorian land.

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Wellington St Baseline Data Summary Report

Wellington Street Stages 3 & 4

12.2023
Strategic Transport



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.

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Introduction

The purpose of this report is to provide a summary of baseline data collected as part of concept design work for Stages 3 & 4 of upgrading cycling infrastructure on Wellington Street in Collingwood and Clifton Hill.

Project background

Wellington Street Stages 3 & 4 is a project funded to deliver a compliant New Deal for Cycling and Strategic Cycling Corridor route on Wellington Street, Collingwood, between Johnston Street and Queens Parade in Collingwood and Clifton Hill.

The section of Wellington Street south of Johnson Street (stages 1 and 2) was upgraded to a NDC compliant standard over 5 years and was completed in 2015. However, the *Yarra Transport Strategy 2022 - 32* identifies Wellington Street north of Johnston Street (stages 3 and 4) as non-compliant route sections.

In response to this, Council allocated \$100,000 for planning, consultation and early design work in the 2023-24 Budget. This commitment is also reflected in Council's draft *Transport Action Plan*.

To inform project work, extensive data have been collected together with analysing existing relevant information. Combined with community engagement findings, these will form the main basis for the project progressing to next stages.

Data collection background

Given the scale and scope of the project, 14 different datasets have been collected. Not all are included in this report as they relate to operational details. For example, underground services and waste collection routes.

Data summary

Bicycle speeds and volumes

Several data sources have been used to collect information on bicycle speeds and volumes.

2023 camera data

Cameras have been mounted at the intersection of Johnston Street and Wellington Street in Collingwood since February 2023. It captures a wide range of data across six countlines covering all possible crossings of the intersection.

This technology records the speed and volume of different types of vehicles.

Data referenced in this report relates to the period of March 2023 to December 2023, unless otherwise stated.

'Super Tuesday' Bicycle Counts

Super Tuesday counts conducted by Bicycle Network measured 37 sites across the City of Yarra in peak times. This identified the intersection of Wellington Street and Johnston Street as the busiest site with 1,384 movements between 7am and 9am.

October 2023 Bicycle Counts

Bicycle counts were collected at the same time as other traffic counts. These data record the number, speeds and types of vehicles using Wellington Street and surrounding streets. This is achieved by placing tubes and associated electronic counters at various locations.

Tubes were placed at 26 sites across the area over a seven day period in October 2023.

Count locations are shown in Figure 2 and Table 1 below.

Observations

- On average, over 1,500 people travel on Wellington Street at Johnston Street by bike every day. This makes up around 19% of all vehicles.
- There has been a generally 56% increase in cyclist volumes on Wellington Street since the same time in 2022. This is attributed to improvements to the infrastructure in Stages 1 and 2, as well as subsequent improvements on feeder routes – particularly through the Popup Bike Lanes program.
- Bicycles make up a lower proportion of vehicle traffic on weekends than weekdays. This suggests that this section of Wellington Street north of Johnston Street is being used primarily for commuting and transport purposes.
- The 85th percentile speed for bicycles on Wellington Street at Easey Street was 28.1 km/h and 23.9 km/h on Wellington Street at Hodgkinson Street. This difference likely reflects the different road conditions and types of intersections present at the count locations.

Figure 1– Percentage of vehicles travelling on Wellington Street at Johnston Street between March and June 2023

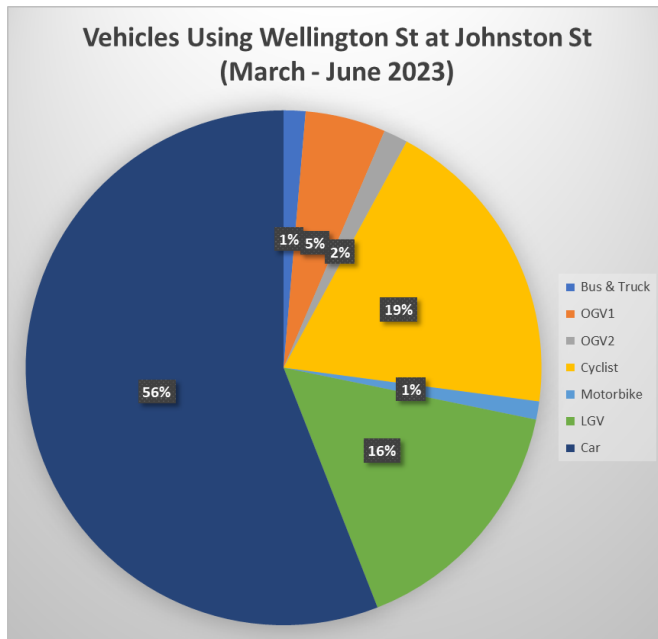
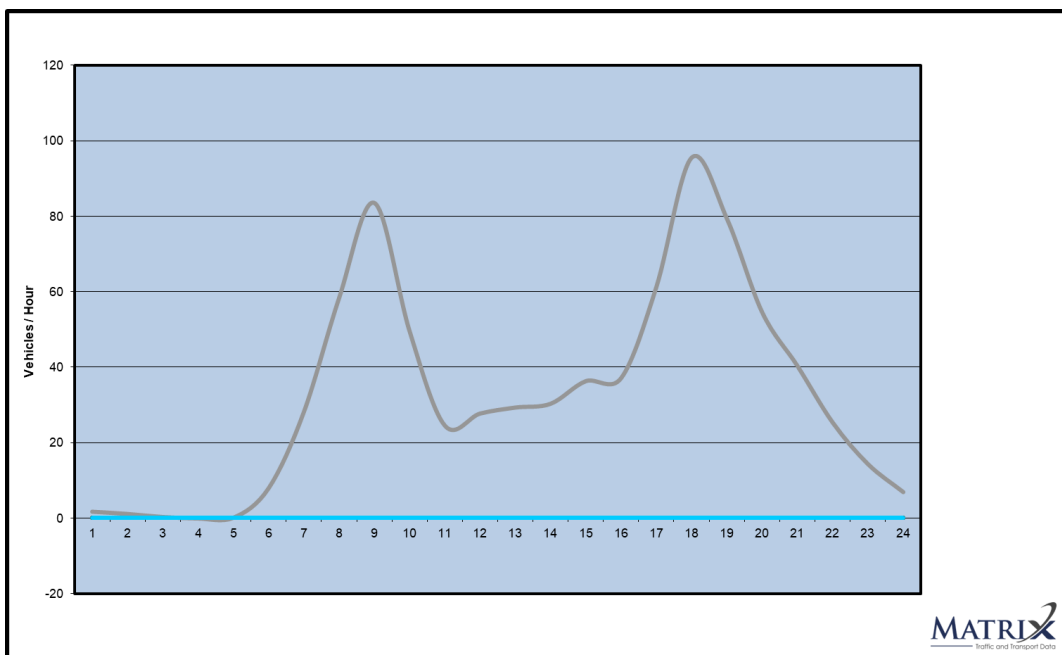


Figure 2 - Five day (weekday) bicycle volume average at site ATC2 on Wellington Street at Easey Street in October 2023



Motor vehicle counts

These data record the number and types of vehicles using Wellington Street and surrounding streets. This is achieved by placing tubes and associated electronic counters at various locations.

Tubes were placed at 26 sites across the area over a seven day period in October 2023.

Count locations are shown in Figure 3 and Table 1- Vehicle and bicycle traffic count locations list below.

Figure 3 - Vehicle and bicycle traffic count locations map

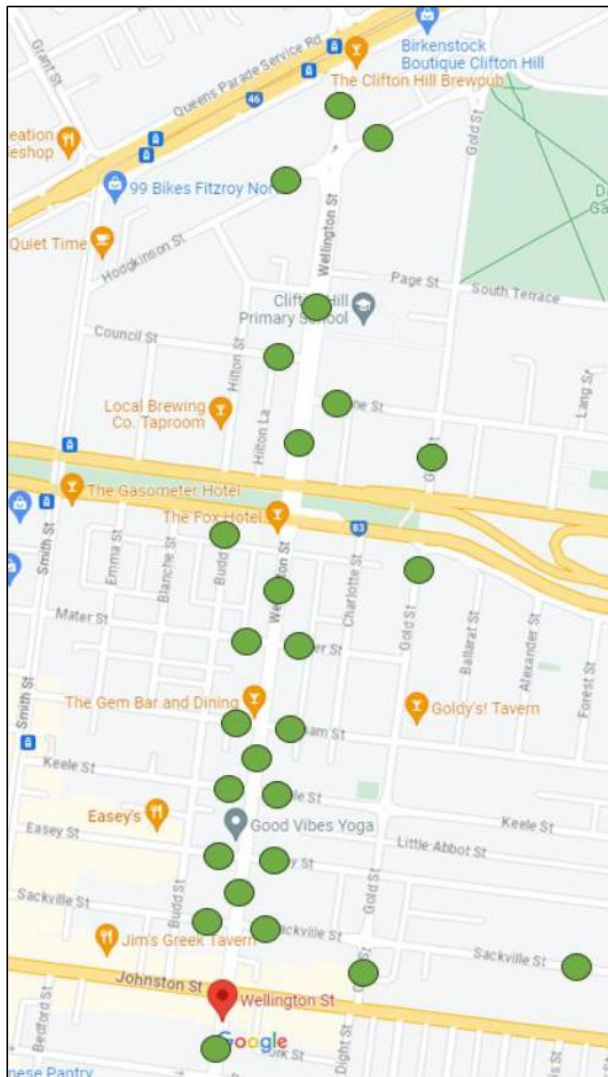


Table 1- Vehicle and bicycle traffic count locations list

SITE NO .	STREET	BETWEEN	SUBURB
-----------	--------	---------	--------

1	Wellington Street	Alexandra Parade	Mater Street	Collingwood
2	Wellington Street	Easey Street	Sackville Street	Collingwood
3	Wellington Street	Hodgkinson Street	Queens Parade	Clifton Hill
4	Wellington Street	Hodgkinson Street	Noone Street	Clifton Hill
5	Wellington Street	Hotham Street	Keele Street	Collingwood
6	Wellington Street	Otter Street	Perry Street	Collingwood
7	Gold Street	Alexandra Parade	Mater Street	Collingwood
8	Sackville Street	Gold Street	Hoddle Street	Collingwood
9	Easey Street	Gold Street	Wellington Street	Collingwood
10	Hotham Street	Blanche Street	Budd Street	Collingwood
11	Hotham Street	Charlotte Street	Wellington Street	Collingwood
12	Mater Street	Blanche Street	Budd Street	Collingwood
13	Easey Street	Budd	Wellington	Collingwood
14	Mater Street	Gold Street	Wellington	Collingwood
15	Noone Street	Wellington	Gold Street	Clifton Hill
16	Council Street	Hilton	Wellington	Clifton Hill
17	Hodgkinson Street	Hilton	Wellington	Clifton Hill
18	Hodgkinson Street	Gold Street	Wellington	Clifton Hill
19	Budd Street	Mater	Alexandra Parade	Collingwood
20	Wellington Street	Hilton	Gold Street	Clifton Hill

21	Gold Street	Alexandra Parade	Noone Street	Clifton Hill
22	Keele street	Budd Street	Wellington Street	Collingwood
23	Keele street	Wellington Street	Gold Street	Collingwood
24	Sackville Street	Budd Street	Wellington Street	Collingwood
25	Sackville Street	Wellington Street	Gold Street	Collingwood
26	Gold Street	Johnston street	Sackville Street	Collingwood

Observations

- Wellington St between Mater Street and Alexandra Parade (Site 1) on a Friday recorded the highest total vehicle count with 11,085 vehicles.
- While Sundays recorded significantly lower vehicle volumes overall, Saturdays recorded volumes comparable to weekdays (except Mondays which were also low).
- Wellington Street between Queens Parade and Alexandra Parade (Site 20) records significantly lower volumes than between Alexandra Parade and Johnston Street (Site 1).
- Noone Street (Site 15), Hodgkinson Street (Site 18) and Gold Street (Site 21) experience a third peak between approximately 2:30pm and 3:30pm on weekdays. This is probably due to school start and finish times.
- Wellington Street between Sackville Street and Easey Street (Site 2) carries significantly more traffic in PM than AM peak on weekdays and weekends. This is due to higher southbound volumes in PM peak than northbound volumes in AM peak (see Figure 4 and Figure 5 below).

Figure 4 - ATC2 Wellington St (btw Sackville St & Easey St) Northbound Average Weekday 24 hour Traffic Volumes

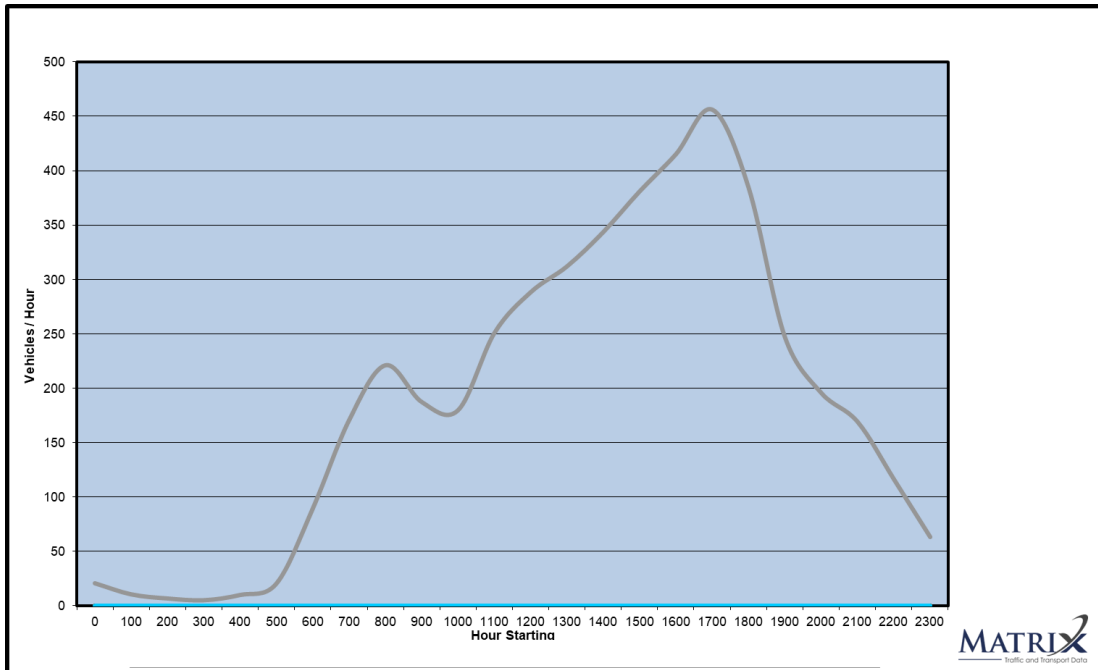
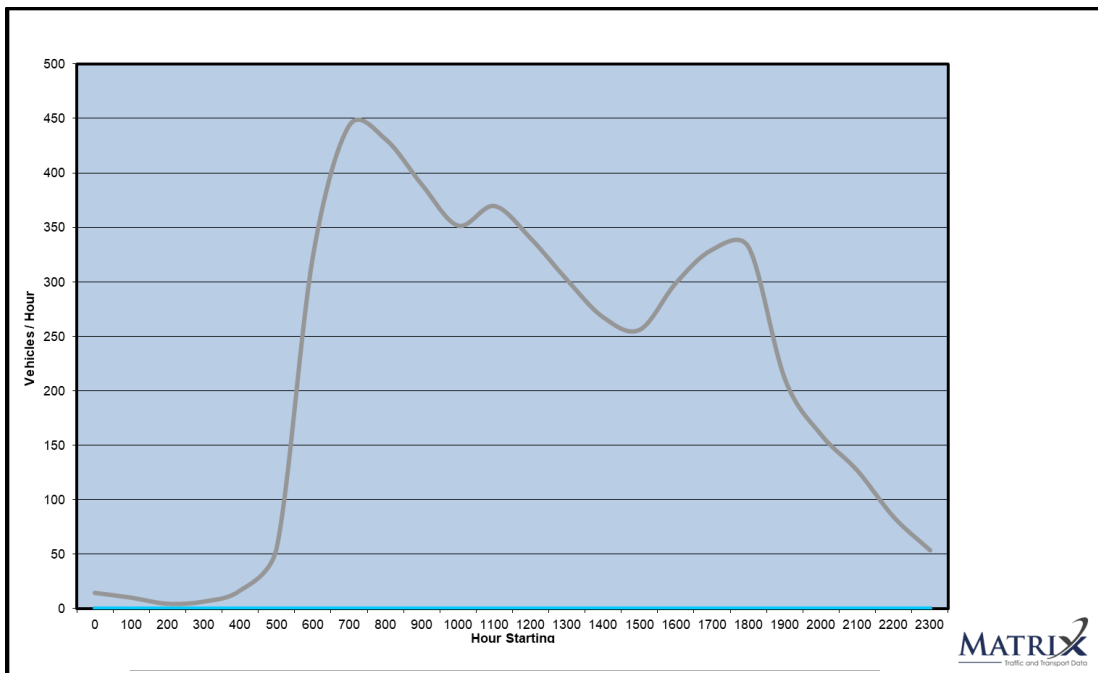


Figure 5 - ATC2 Wellington St (btw Sackville St & Easey St) Southbound Average Weekday 24 hour Traffic Volumes



Walking volumes

These data recorded the number of people walking. This used cameras set up that detect and count different transport modes.

One site was located at the intersection of Wellington Street and Johnston Street, set up and managed by an independent consultant. Data has been recorded for several months to give points of comparison. For ease of reading and more accurate comparison to other data, only the months of October and November 2023 are included in this report unless otherwise stated.

Observations

- Fridays and Saturdays record the highest numbers and percentages of total traffic for people walking, likely due to the nighttime commercial activities around Johnston Street in particular.
- On weekdays, there were more people riding bikes at this site on Wellington Street as a total number. However, on weekends, more people walking were recorded.
- The highest volume of people walking was recorded on Saturday 21 October 2023. This made up 27% of all traffic.

Figure 6 - Pedestrian volumes on Wellington Street by day of the week

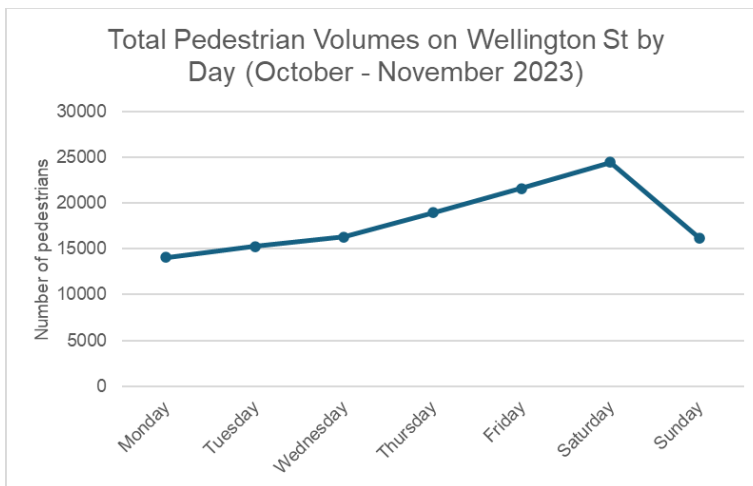
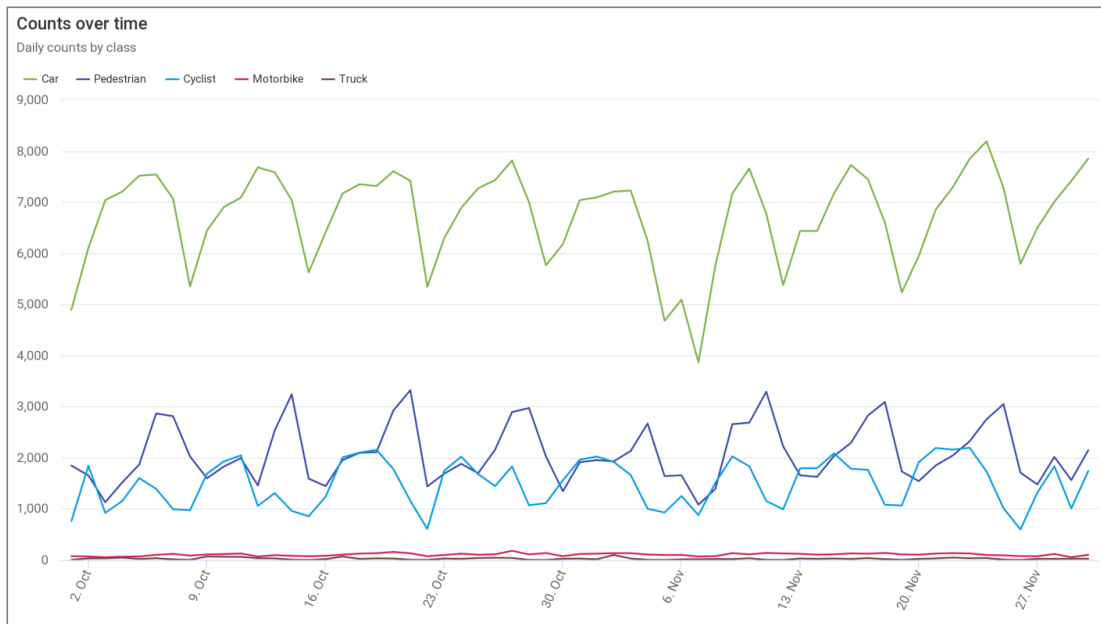


Figure 7 - Pedestrian volumes on Wellington Street as a proportion of total traffic



Origin-Destination Vehicle Counts

These data record the routes that vehicles take to get to and from Wellington Street and surrounding streets and the time taken to travel between each station. This is achieved by recording license plates of vehicles as they pass designated sites around the cordoned area.

No road disruptions, school or public holidays, or other significant disruptions occurred during the survey period.

The survey used video capture techniques to record vehicle number plates on weekdays and Saturdays in October 2023.

The information was recorded at 12 stations, covering movements in both directions. Number plate observations were classified into two vehicle classes:

- Light vehicles
- Heavy vehicles

The analysis of the survey presented here encompasses pairwise matching between all possible combinations of origin and destination stations, except for the matches from any station to itself.

Records of number plate observations were reviewed to identify if the number plate was complete during data processing. Number plates were matched to identify travel time distributions between logical station pairs. This process assists to identify possible problems with the data and to provide a set of minimum and maximum travel time cut-offs for 'trips'.

Destination stations are shown in Figure 8 and Table 2 below.

Figure 8 – Map of destination stations used for origin-destination data collection

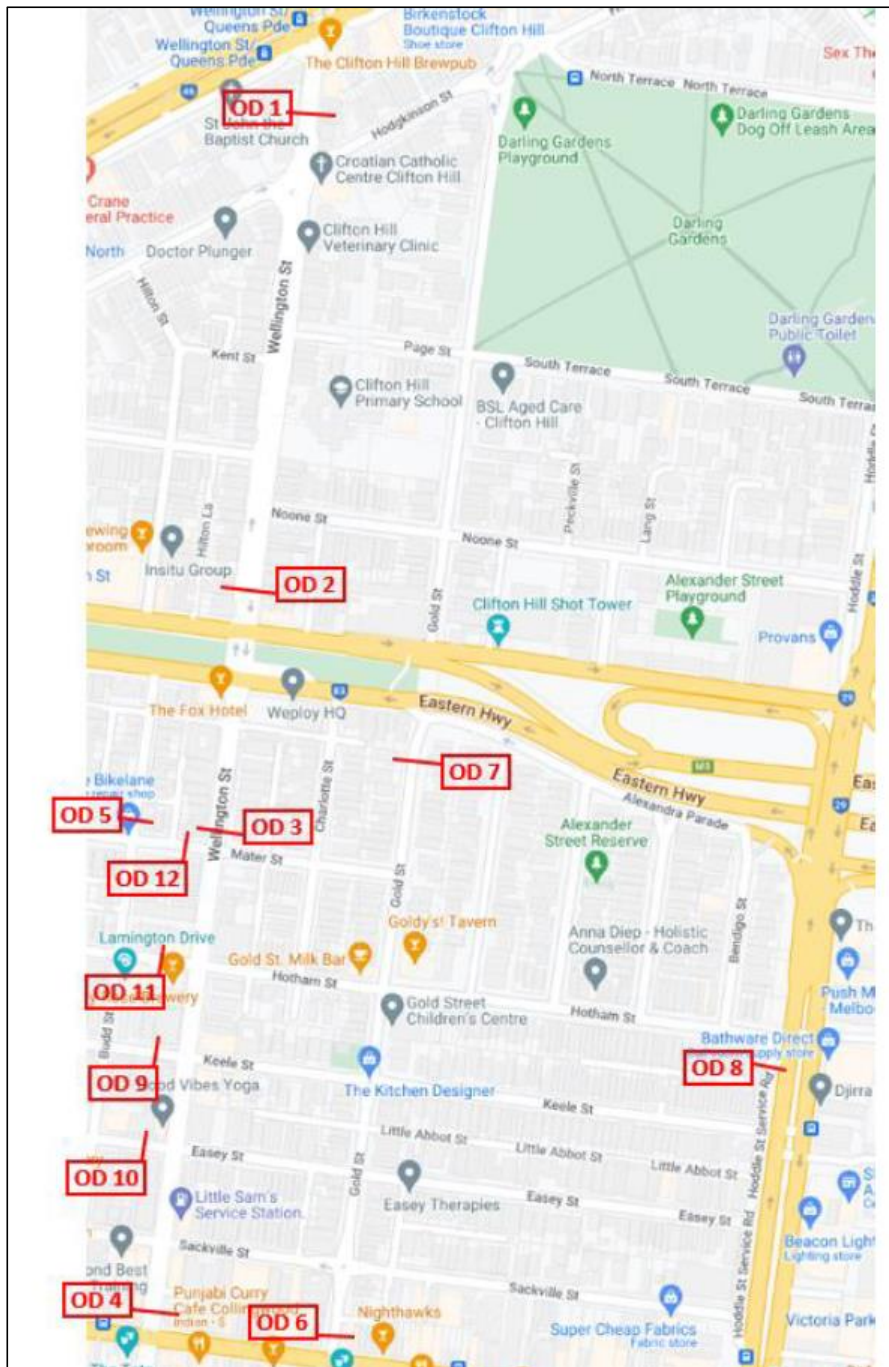


Table 2 - Table of destination stations used for origin-destination data collection

Station	Direction	Road	Location
1N	Northbound	Wellington Street	South of Queens Parade
1S	Southbound	Wellington Street	South of Queens Parade
2N	Northbound	Wellington Street	North of Alexandra Parade
2S	Southbound	Wellington Street	North of Alexandra Parade
3N	Northbound	Wellington Street	South of Alexandra Parade
3S	Southbound	Wellington Street	South of Alexandra Parade
4N	Northbound	Wellington Street	Between Sackville Street and Johnston Street
4S	Southbound	Wellington Street	Between Sackville Street and Johnston Street
5N	Northbound	Budd Street	Between Alexandra Parade and Mater Street
5S	Southbound	Budd Street	Between Alexandra Parade and Mater Street
6N	Northbound	Gold Street	Between Sackville Street and Johnston Street
6S	Southbound	Gold Street	Between Sackville Street and Johnston Street
7N	Northbound	Gold Street	Between Alexandra Parade and Mater Street
7S	Southbound	Gold Street	Between Alexandra Parade and Mater Street

8N	Northbound	Hoddle Street Service Rd	Between Hotham Street and Hoddle Street
9E	Eastbound	Keele Street	Between Budd Street and Wellington Street
9W	Westbound	Keele Street	Between Budd Street and Wellington Street
10E	Eastbound	Easey Street	Between Budd Street and Wellington Street
10W	Westbound	Easey Street	Between Budd Street and Wellington Street
11E	Eastbound	Hotham Street	Between Budd Street and Wellington Street
11W	Westbound	Hotham Street	Between Budd Street and Wellington Street
12E	Eastbound	Mater Street	Between Budd Street and Wellington Street
12W	Westbound	Mater Street	Between Budd Street and Wellington Street

Observations

Weekday AM Peak

- Most vehicles travelling along Wellington Street had no origin or destination within the study area. This percentage was particularly high in the Stage 3 area south of Alexandra Parade.
- 88% of all vehicles that entered Wellington Street at Alexandra Parade and travelled south did not stop within the survey area.
- 30 vehicles travelling south on Wellington Street made illegal left or right turns at Alexandra Parade.
- 29 vehicles were identified entering Gold Street and exiting onto Hoddle Street via Sackville, Easey or Keel Street, 19% of all vehicles in the Hoddle St service lane.
- There was significant evidence of 'rat running' traffic through neighbourhood streets within the study area. For example, 55% of westbound traffic on Easey Street entered from Alexandra Parade. A similar pattern was observed at Hotham Street, where 59% of the total westbound volume had entered from Alexandra Parade.

Weekday PM Peak

- Similar to AM Peak, most vehicles travelling along Wellington Street had no origin or destination within the study area. This percentage was particularly high in the Stage 3 area south of Alexandra Parade.
- 72% of all vehicles that entered Wellington Street at Johnston Street continued through to Alexandra Parade.
- 82% of all vehicles that entered Wellington Street at Alexandra Parade and travelled south did not stop within the survey area.
- 87% of all vehicles that entered Wellington Street at Johnston Street and travelled north did not stop within the survey area south of Alexandra Parade.
- 28 vehicles travelling south on Wellington Street made illegal left or right turns at Alexandra Parade.
- Again, there was significant evidence of 'rat running'. For example, 73% of all vehicles that entered Gold Street at Johnston Street did not stop within the survey area, and 22% of all vehicles that entered Gold Street at Johnston Street exited onto the Hoddle Street service lane.

Saturday

- While the proportion of vehicles travelling along Wellington Street without an origin or destination within the study area was less on a Saturday, this still made up a significant majority of motor vehicles.
- A lower proportion of total traffic on Wellington Street was recorded entering Wellington Street from Alexandra Parade than on weekdays – 56% on Saturday compared to 64% on Wednesday (AM).

Air pollution

These data record various air quality measures at two sites on Wellington Street. These sites were selected, installed and collected by an independent consultant in October 2023.

One site was located in the Stage 3 area (between Johnston Street and Alexandra Parade) with another site located in the Stage 4 area (between Queens Parade and Alexandra Parade). Data were recorded for a period of eight days to ensure sufficient data were collected and any external factors, such as weather, can be accounted for.

Observations

- The high PM_{2.5} and PM₁₀ levels are strongly correlated with low temperatures, particularly evenings. The independent expert advice is that this strongly suggests wood smoke pollution from nearby residences is the cause.
- PM_{2.5} levels exceeded Environmental Protection Authority (EPA) (n = >50 PM_{2.5}) levels for 'poor' air quality 18% of the time at the Mater Street site

Noise pollution

These data recorded noise levels at two sites on Wellington Street. These sites were selected, installed and collected by an independent consultant in early November 2023.

One site was located in the Stage 3 area (between Johnston Street and Alexandra Parade) with another site located in the Stage 4 area (between Queens Parade and Alexandra Parade). Data were recorded for a period of one week to ensure sufficient data were collected and any external factors, such as weather, can be accounted for.

The format and scope of data was collected in alignment with those required by VicRoads through the Department of Transport & Planning as part of State Government transport projects.

Several factors affect the levels of noise recorded. These include wind speed and direction, nearby construction noise and animals (e.g. cicadas). One of the most significant factors was wind direction carrying traffic noise from Alexandra Parade and the Eastern Freeway, together with traffic noise from Wellington Street directly.

This baseline data will be compared to post-implementation data as part of project monitoring and evaluation to draw other conclusions.

Observations

- Noise levels north of Alexandra Parade are generally lower than those south of Alexandra Parade, suggesting that traffic noise is a significant generator.
- Some short periods of data spikes may be the result of wind changes and cicada noises due to warm weather.

Table 3 – Noise pollution data summary (L_{eq} 24 hour period)

Day	Stage 3 Site (Mater St)	Stage 4 Site (Between Page St and Noone St)
Tuesday	60.3	55.4
Wednesday	62.4	58.9
Thursday	63.1	62.3
Friday	62.5	59.5
Saturday	61.9	57.3
Sunday	45.0	45.8

Car parking

These data were collected in two parts. The first was an inventory of car parking supply and restrictions. The second was to measure usage.

Data were collected on a Wednesday and Saturday in October 2023 on days of fine weather and outside of school holiday, public holiday or major transport disruption periods.

There are a total of 1,221 on-street car parking bays in the study area. 606 of these are located within the Stage 3 area (south of Alexandra Parade) while 615 are located within the Stage 4 area (north of Alexandra Parade).

According to 2021 Australian Census Data from the Australian Bureau of Statistics (ABS), the six Statistical Areas (SA1). There are a total of 1,260 cars owned by dwellings in the area. Note that due to their size, the SA1 numbers include areas that fall outside the study area.

Figure 9 - Map of car parking data collection area (October 2023)

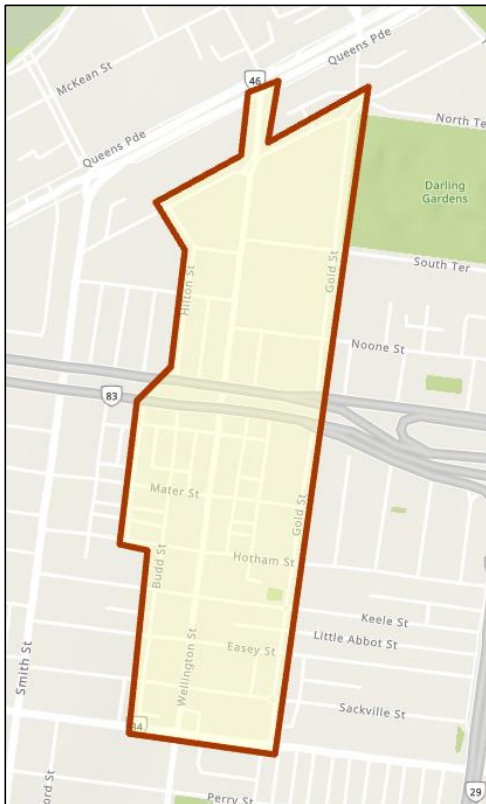
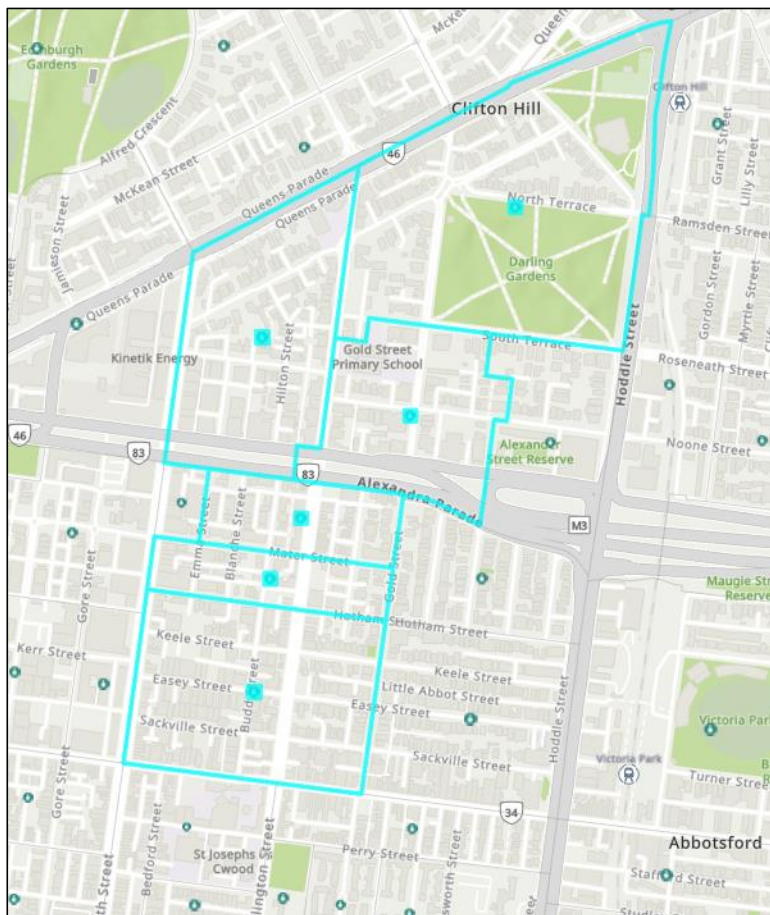


Figure 10 - Map of Australian Bureau of Statistics Statistical Area 1s within the Wellington Street Stages 3 and 4 study area



Observations

- Mean on-street car parking occupancy in the study area was recorded at 75%.
- There are different car parking occupancy characteristics north and south of Alexandra Parade. This is probably due to land use differences, with more commercial activity in the Stage 3 area. Mean occupancy at 7pm in the Stage 3 area on a weekday was recorded at 89% whereas in the Stage 4 area this was only 67% (see Figure 13).
- Peak on-street car parking occupancy on Wellington Street during the recorded period was at 9pm on Saturday.
- At the time of highest demand, there are 212 on-street car parking spaces available.
- There are significant areas of unrestricted parking. While 11% of all on-street car parking is unrestricted on weekdays, 59% of on-street car parking spaces are unrestricted on a Saturday and 83% of on-street car parking spaces on a Sunday (see Figure 14).
- Unrestricted sections of car parking experienced the highest demand.
- There are peaks in parking demand during start and finish times in the vicinity of education facilities in the study area.
- There are seven dedicated loading zones (0.6% of total spaces).

Figure 11 - On-street car parking occupancy (Wednesday)

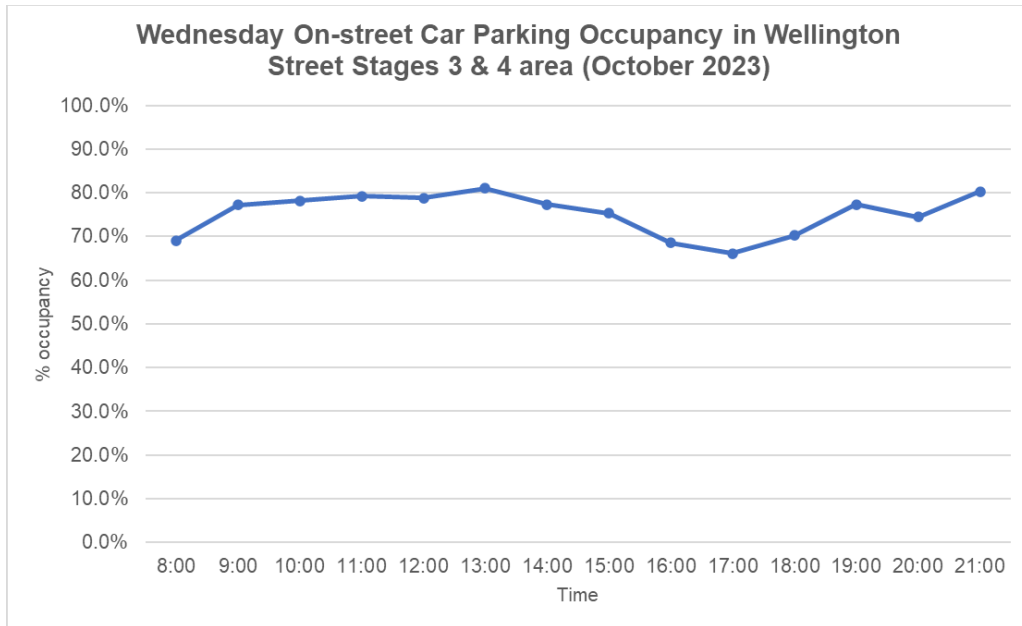


Figure 12 - On-street car parking occupancy (Saturday)

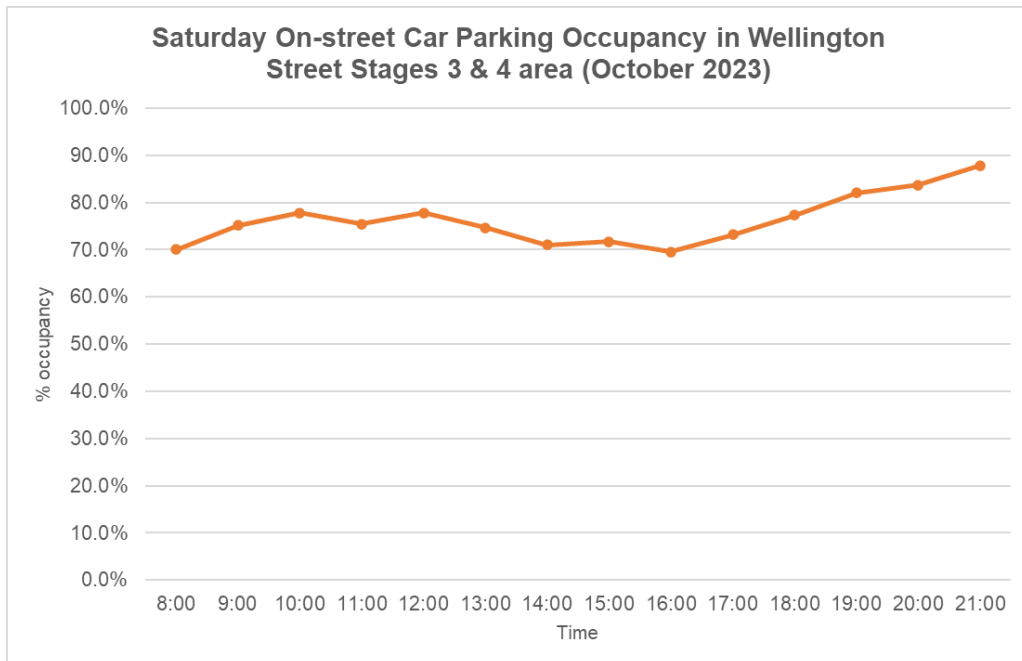


Figure 13 - Comparison of on-street car parking occupancy in Stage 3 vs Stage 4 area (October 2023)

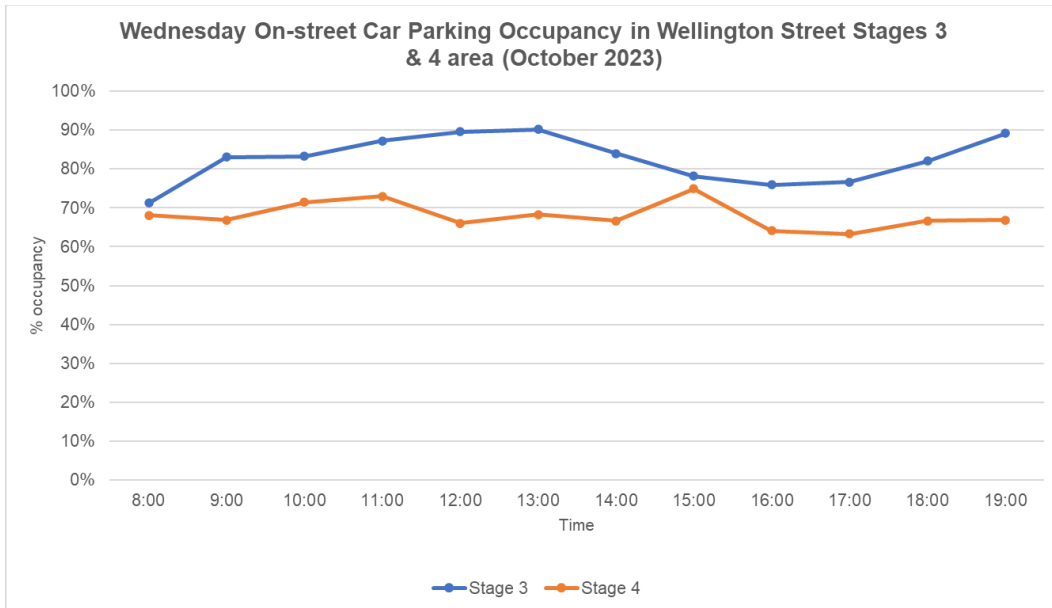
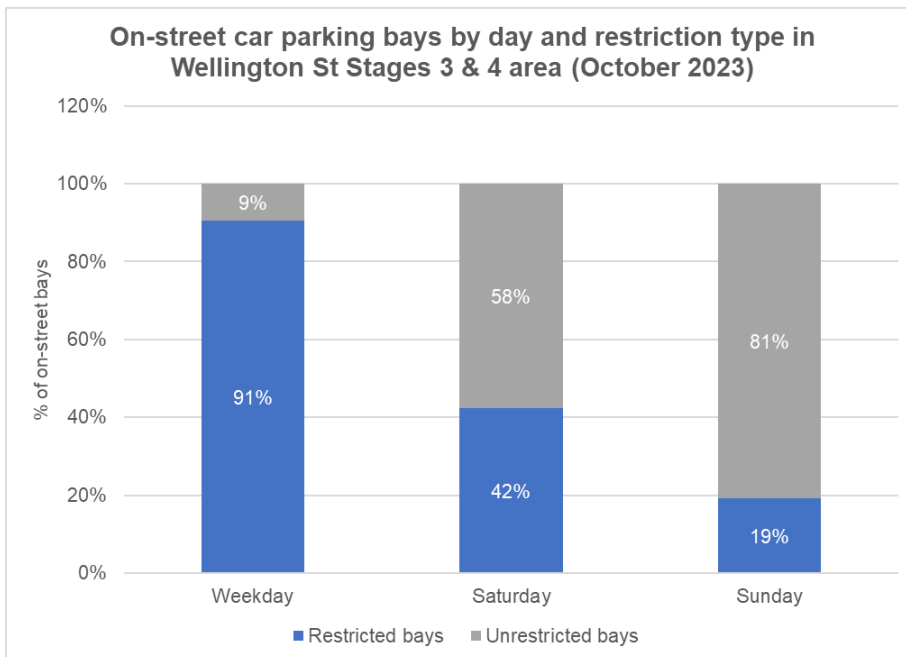


Figure 14 - Comparison of restricted and unrestricted on-street car parking bays by day



Crash statistics

These data are sourced from the 'Crashstats' database published by the State Government through the Transport Accident Commission (TAC) and Department of Transport & Planning (DTP).

The numbers only include incidents reported to Victoria Police. They do not include 'near misses' or any incidents where a police report was not filed. This results in underreporting, especially for people walking and cycling, as only around 1 in 10 of total incidents are found in these data.

Note that some data in this report may not correspond with earlier publications on this topic. This is due to a new data release being published by the State Government in November 2023 with new information that was not previously available to Council.

Note that these data only includes crashes between 2012 and 2022 on Wellington Street between Johnston Street and Alexandra Parade and not any adjacent streets or areas, unless otherwise specified.

Data for 2023 is incomplete. Therefore, only data up to 31 December 2022 (inclusive) is included in this analysis.

Observations

- There have been 98 crashes since 2012.
- Nearly 70% of all crashes between 2018 and 2022 resulted in at least one person on a bike being injured.
- More than half (51%) of crashes involving at least one cyclist was the result of a person driving a car turning in front of a person riding a bike.
- The third most common type of crash (9%) was a vehicle door being opened in the path of a person riding a bike ('dooring').
- The vast majority (92%) of crashes involving at least one cyclist occur on a weekday.
- 6% of all crashes resulted in at least one person walking being injured.
- 64% of all crashes involved a vehicle turning at an intersection.
- 2022 recorded the highest number of crashes involving at least one cyclist over the past ten years.
- Low numbers in 2020 and 2021 reflect lower volumes as a result of COVID-19 lockdowns.
- The increase in crashes is likely due to the significant increase in volumes north of Johnston Street after protected bicycle lanes were installed in Stages 1 and 2.

Tree canopy

Council holds a significant amount of data on street tree location, health and canopy. Wellington Street and the surrounding study area contains several street trees that provide benefits to local communities.

These data have been collected and will be analysed as part of the concept and detailed design process in consultation with communities and relevant council teams.

Next steps

These data and community engagement results will be presented to Council in 2024. Further data will be collected during work and after the project is completed to compare to this baseline data for evaluation and monitoring purposes.

The socio-economic benefits of the cycling infrastructure in Wellington Street

City of Yarra
Melbourne



DECISIO

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DECISIO

This report was created with the technical support of Decisio.

Decisio is one of the main consulting firms operating in the sector of programming, planning and evaluation of territorial, environmental and transport policies.

Founded in 1998 in Amsterdam, The Netherlands, the city and country 'par excellence' for cycling, we started an Italian venture in Torino, Italy, where we built an office who now employs 8 people full-time who focus solely on cycling. The combined knowledge of our Amsterdam and Torino team gives us the perfect work base to implement the Dutch lessons in less developed cycling cities and regions.

In 25 years of activity, DECISIO has successfully conducted over 1400 projects in Europe, the United States, South America, Asia and Australia, focusing mainly on the topics of cycling, walking and active mobility.

We contributed to develop the concept of bikenomics and walkonomics by applying the economic tools in the field of cycling, walking and sustainable transport. In addition, we are more and more involved in cycling planning and designing at all scales, from the regional plan to the single intersection.

Decisio collaborates with clients in the public sector - from the European Commission to the small local authority - and in the private sector, with a team of about 30 consultants whose skills cover a broad sphere of disciplines:

- Social and behavioral scientists (economists, sociologists, political scientists, anthropologists ...).
- Urban planners, geographers, architects, engineers.
- Law and regulation experts.

The key areas of work of Decisio concern territorial analyses, economic studies (social costs-benefits, economic impact, business case) and multi-criteria analyses concerning the planning and design of cycling infrastructure but also the diffusion of cycling and walking best practices and soft measures, such as the deployment of incentivization schemes.

In the last years, Decisio has also developed a specialization on the topics of participatory projects, stakeholders' involvement and shared design of mobility infrastructure and public space.



This report was financed and sponsored by the City of Yarra, Melbourne.

Title

The socio-economic benefits of the cycling infrastructure in Wellington Street
City of Yarra - Melbourne

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Version

8.1 (final) - 19/12/2023

Client

City of Yarra, Melbourne (AU)

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The socio- economic context



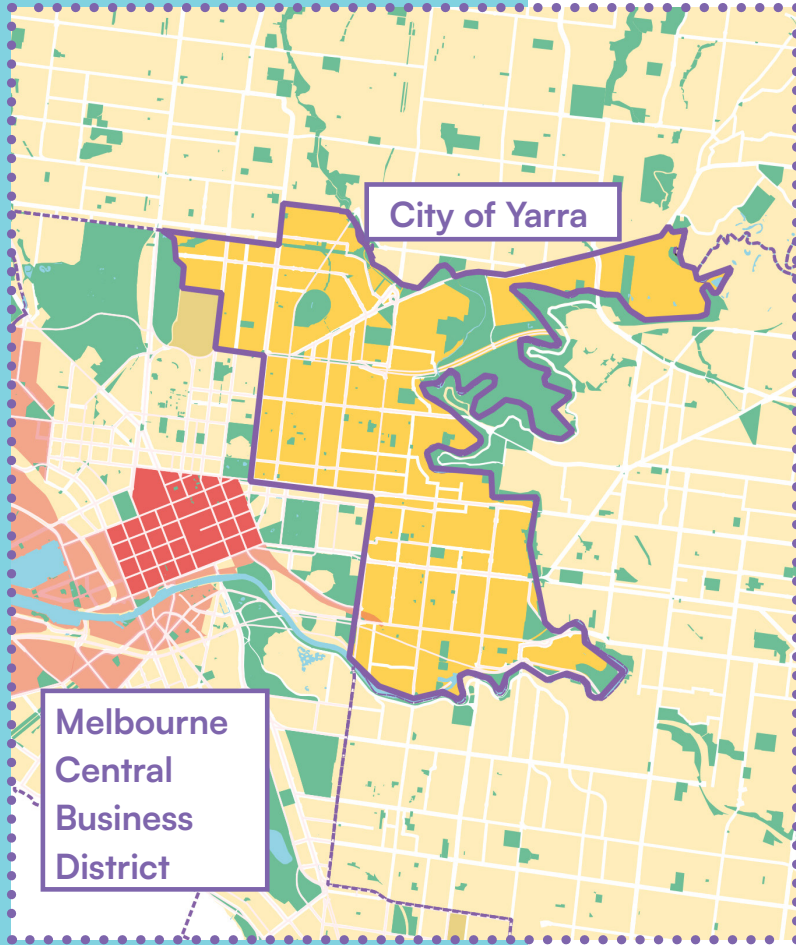
City of Yarra

Yarra, Melbourne, situated in Victoria, encompasses the inner eastern and northern suburbs; it has a population of approximately 93,000 residents, with a slight decline in recent years. From an age standpoint, the community skews younger than the Victorian average.

Remarkably, over 55% of the populace holds a bachelor's degree or higher, and more than 95% is employed. The majority, nearly 50%, works in the services sector, with 14% employed in healthcare and social assistance.

After Covid an increased inclination for travel was recorded, primarily by car, though walking, public transport, and cycling contribute significantly to the overall modal share. Notably, one-third of journeys are social/recreational, while another third is work-related.

Society and demography



2.061 ha
20 km²
Land area

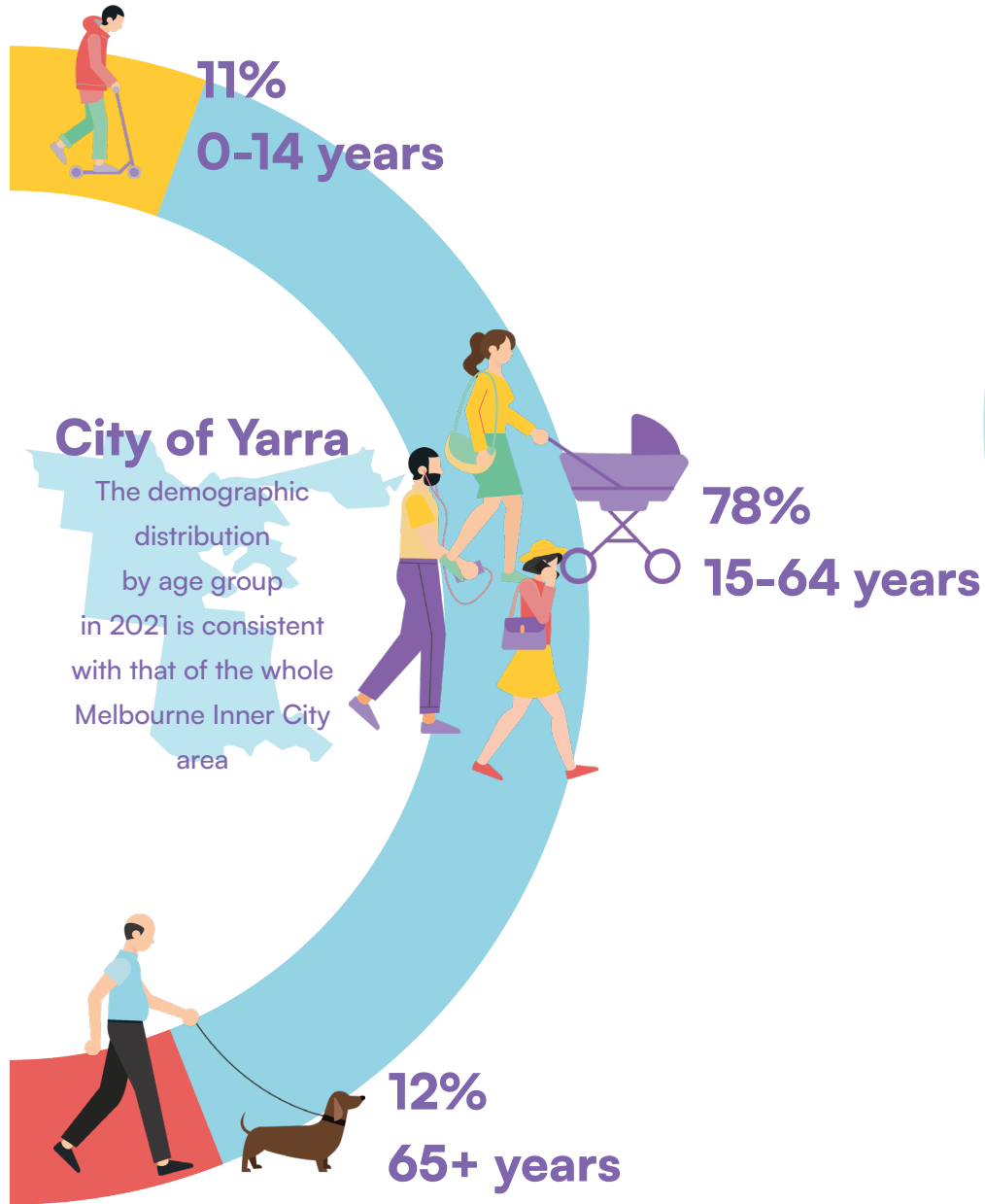
93.056
inhabitants
Estimated
resident
population

4.514
persons /km²
Population density



34 Years
Average age

Elaboration on data from ABS, 2021.



The population has decreased by 2% in the last five years, but **the younger age groups (up to 40 years) account for 61% of the total population.**

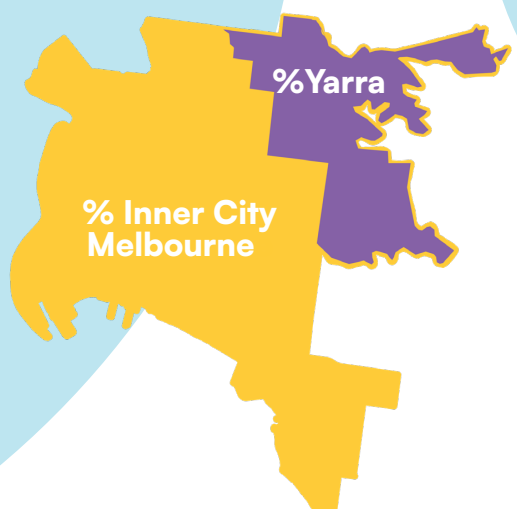
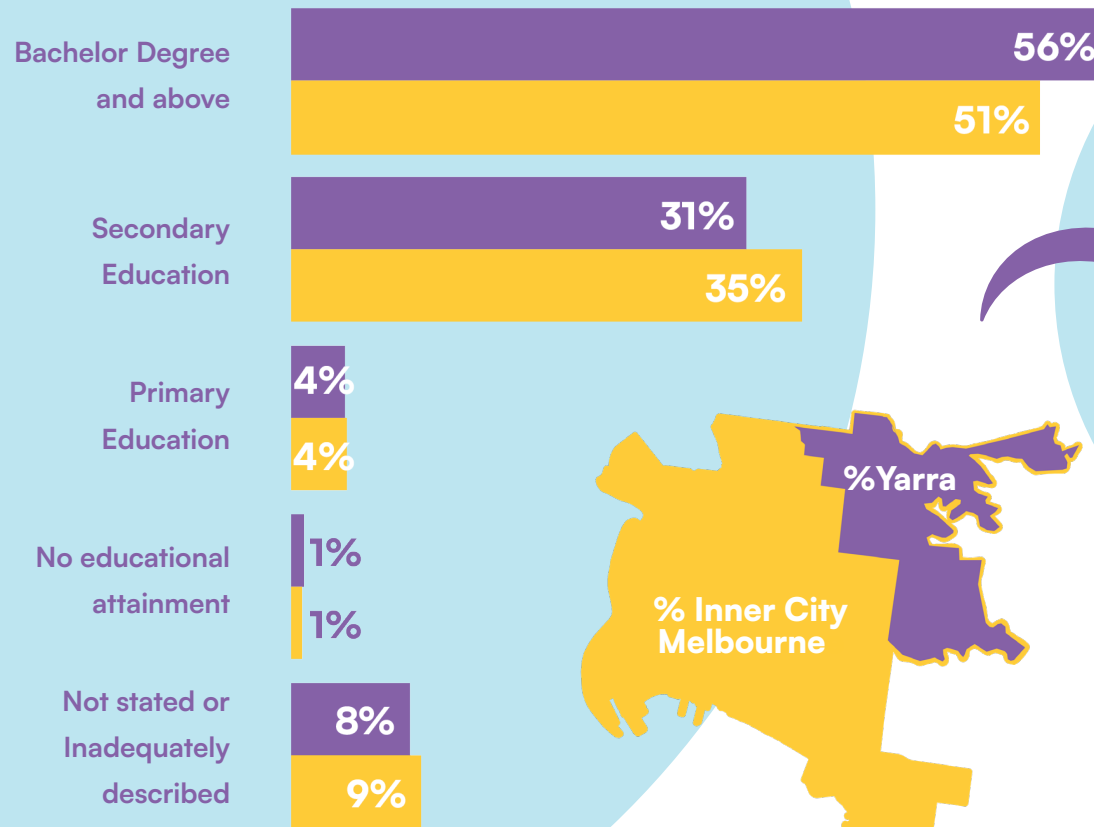
Avg. Population Growth Rate



Elaboration on data from ABS, 2021.

Education

Education level in residents aged 15 years and older



87% of the workforce in Yarra has a **professional qualification or degree.**

Elaboration on data from ABS, 2021.

Economy

Knowledge industry

Professional, scientific and technical services, financial and insurance services, information, media and telecommunications

Creative industry

Advertising and marketing, architecture, design and visual arts, film, television and radio, software and interactive content, music and performance arts, writing, publishing and print media, urban manufacturing (e.g. textiles)



Yarra's economy
diverse and dynamic economy, driven by four key areas

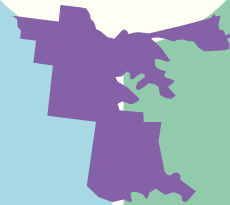
Health, education and public sector

Education and training, healthcare and social assistance, public administration and safety

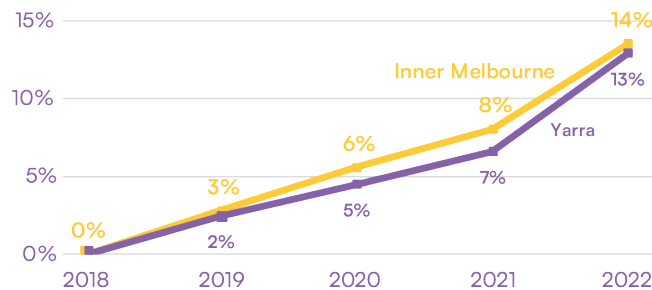


Services

Retail, hospitality, personal services, tourism, construction, transport



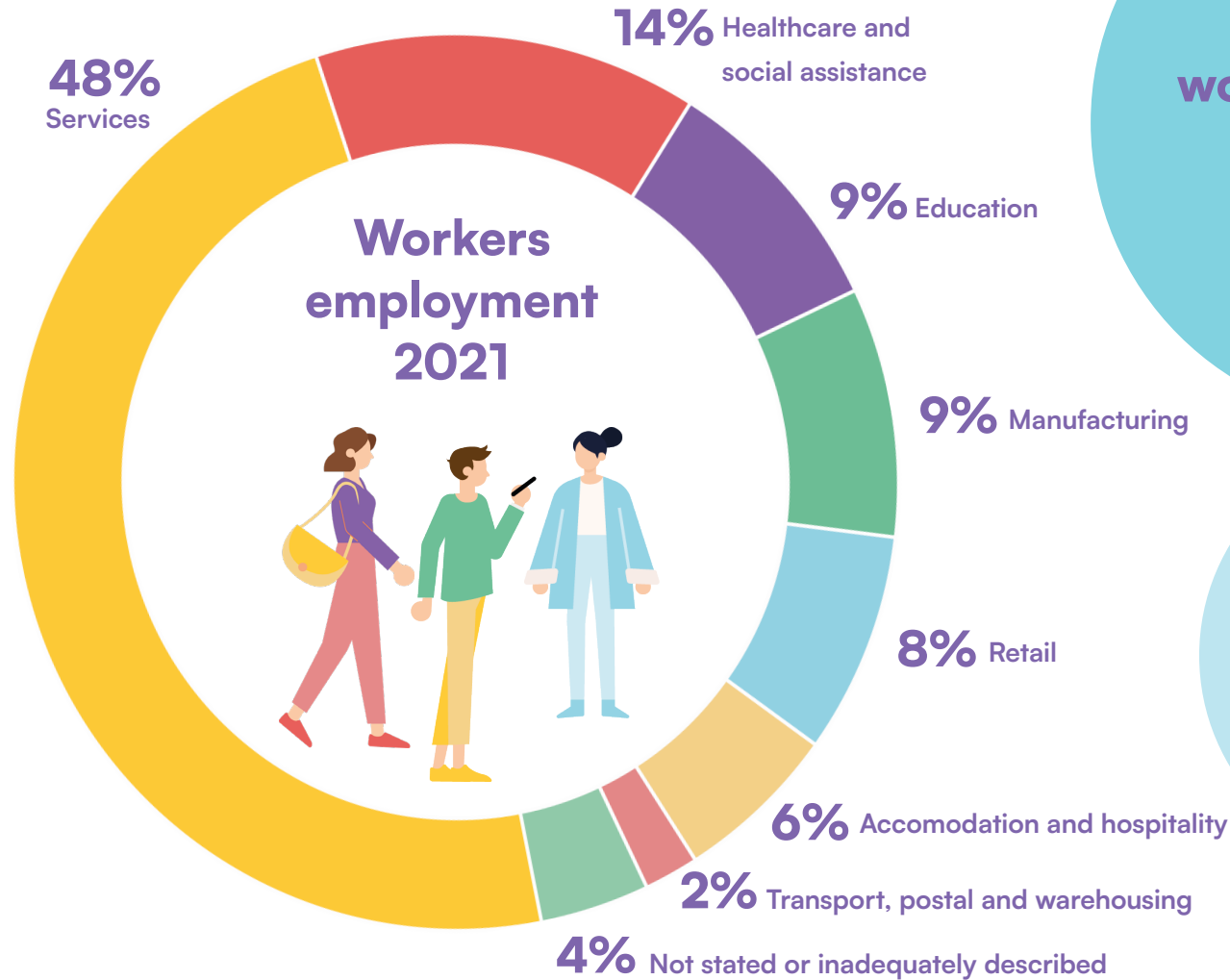
Annual growth in the number of companies compared to 2018



The number of companies in Yarra has increased by 14% over the last 5 years, in line with the trend in Inner Melbourne.

Elaboration on data from ABS, 2021.

Employment



In 2021, 47% of workers has worked from home.

An illustration of a person with dark hair sitting at a desk, working on a laptop. A coffee cup is on the desk next to the laptop. The background is a light blue circle.

96% of workforce has a job in 2021.

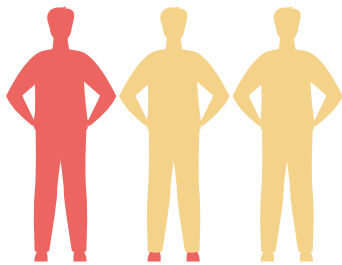
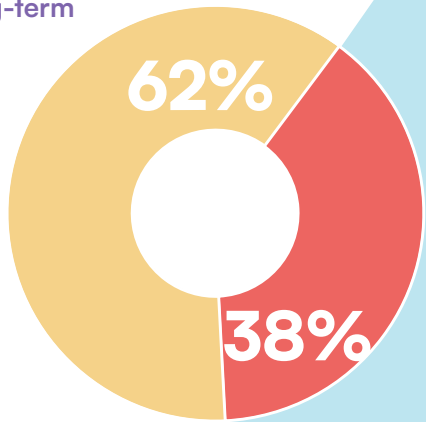
An illustration of two people standing together. On the left is a woman with dark hair wearing a pink top and green pants. On the right is a man with a stethoscope around his neck, wearing a light blue uniform, representing a healthcare worker. The background is a light blue circle.

Elaboration on data from ABS, 2021.

In 2023, 37% of Victoria's residents worked from home.

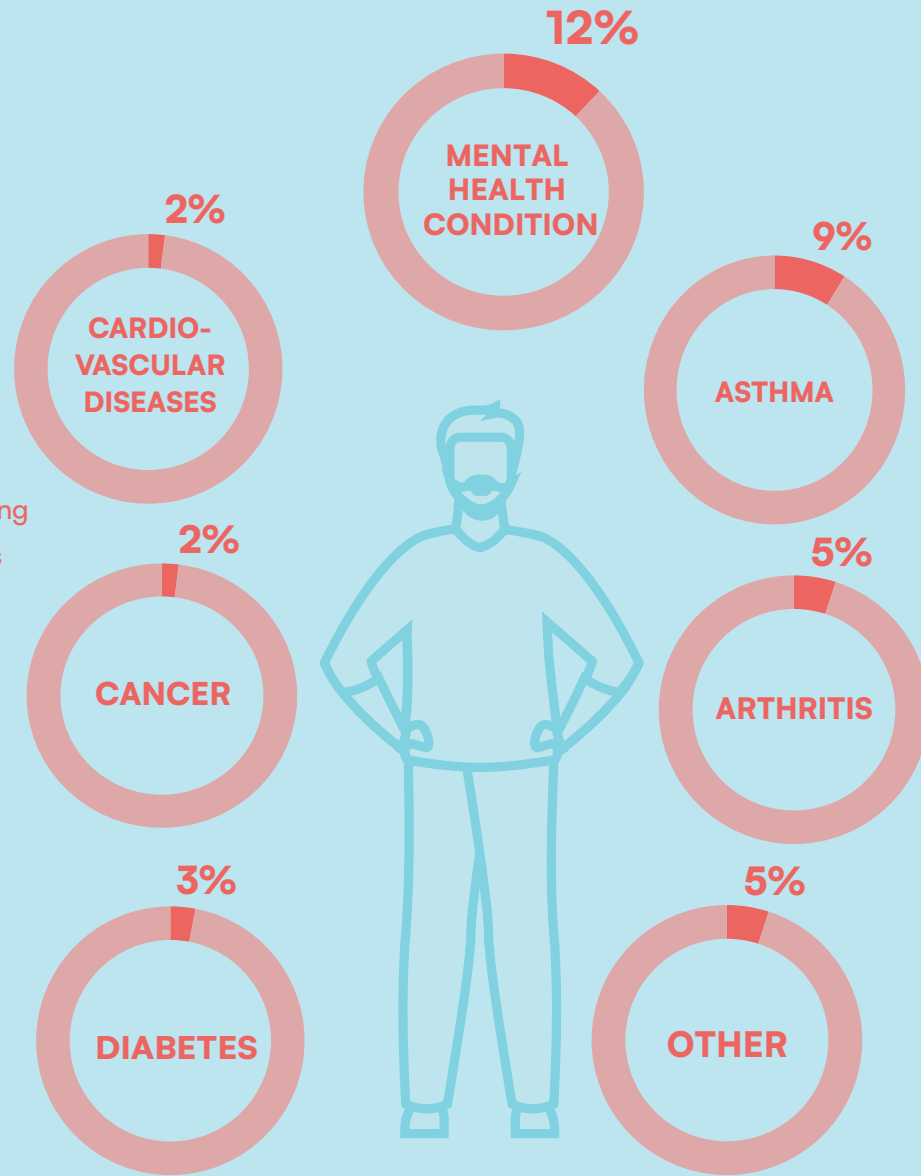
Health

No long-term illness



More than **one in three** have chronic diseases.

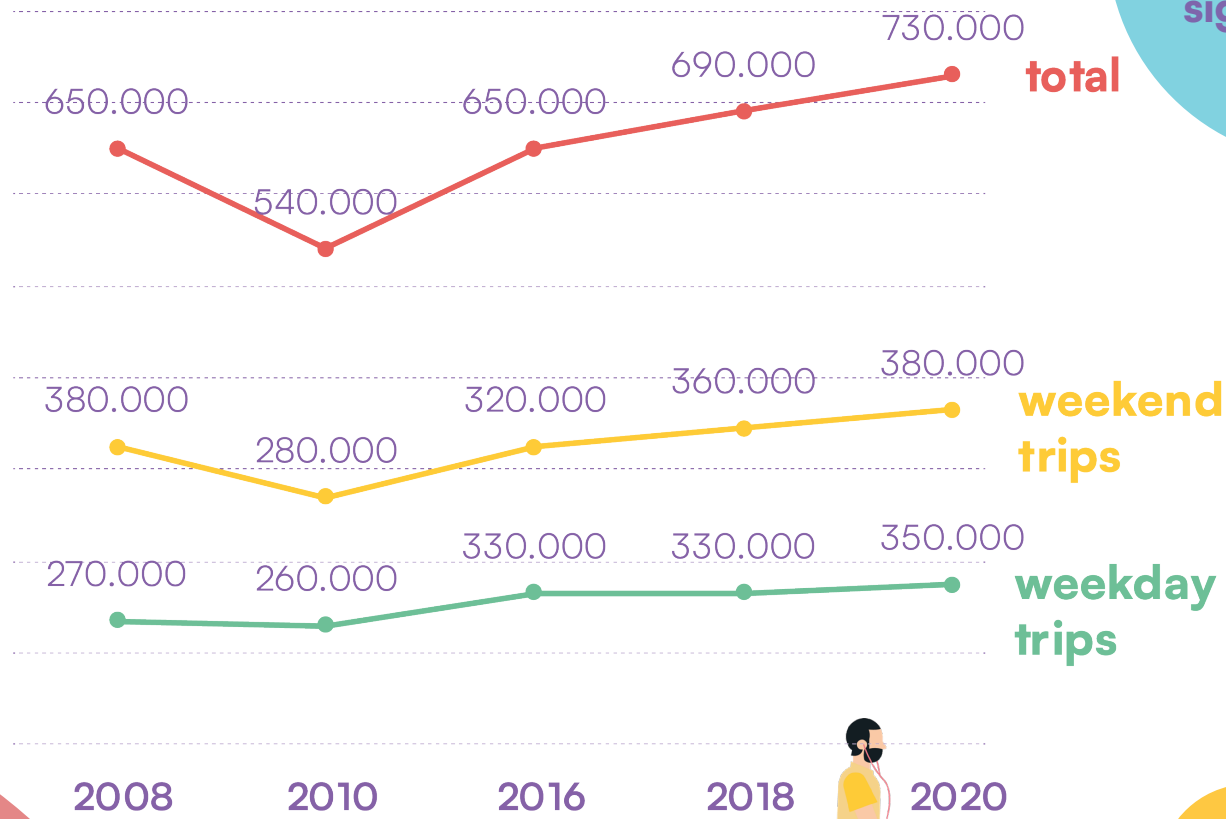
One or more long-term illnesses



Elaboration on data from ABS, 2021.

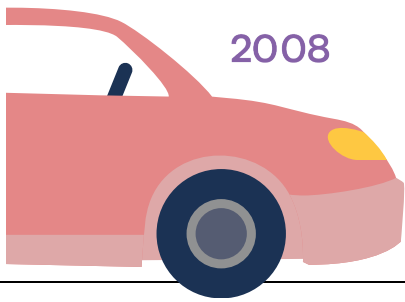
Transport demand

Evolution of trips from 2008 to 2020



The number of trips by car has increased significantly...

...but so has the number of households that do not own any motorised vehicle: **+23%** in 2021 compared to 2011



Elaboration on data from VISTA, 2021.

Active population
15-64 years



In 2018 people travelled for any purpose on average for **5 km**



In 2018, people commuted to work or school on average for **5.7 km**



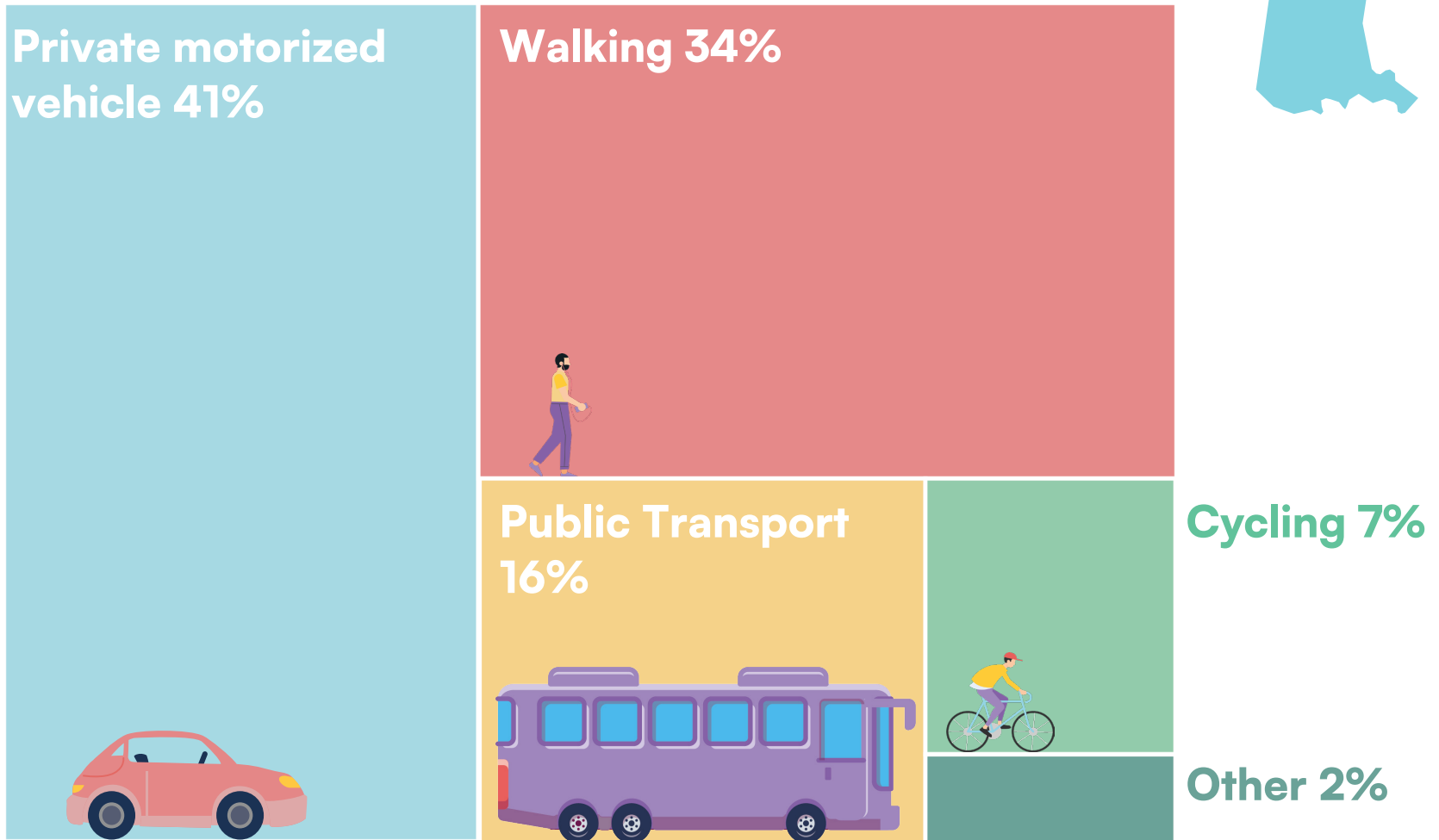
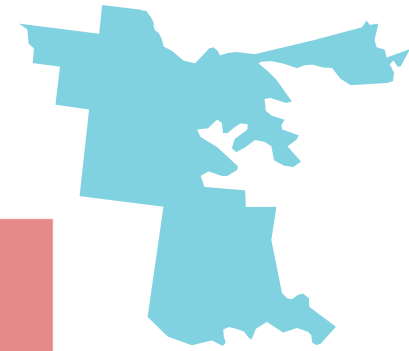
1 km by bike requires about **3-4 minutes** for the average person



5 km take about **20 minutes**

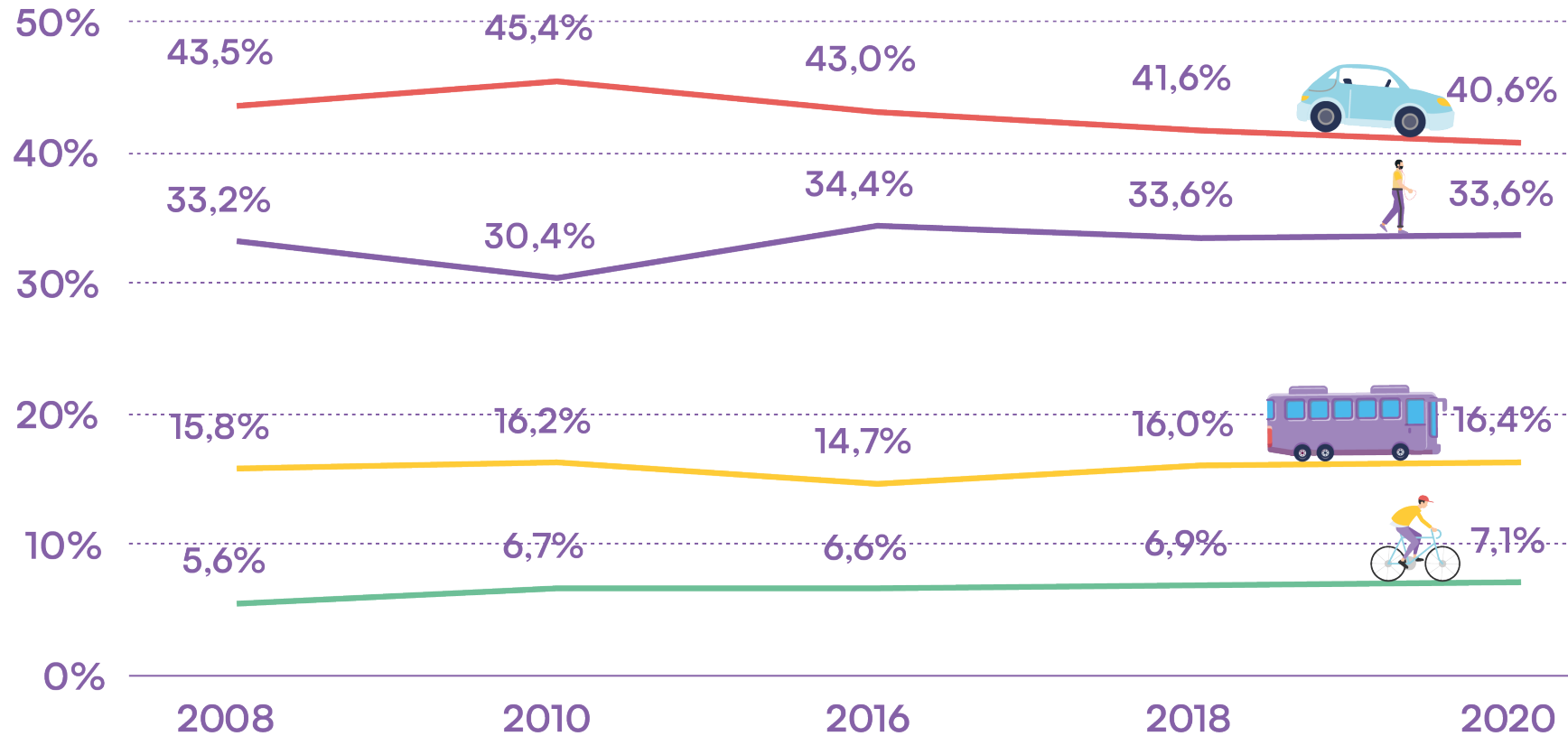


Modal share



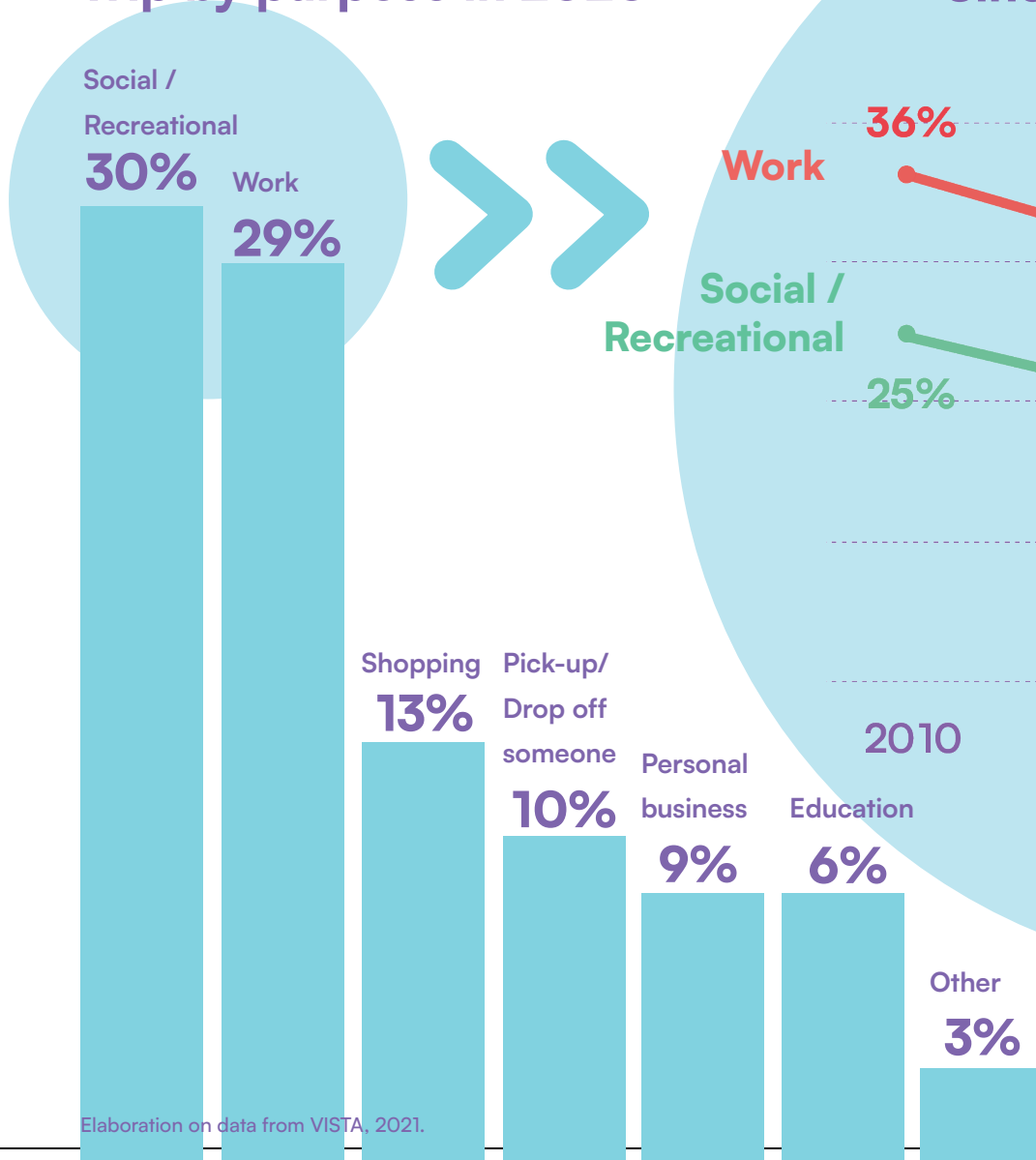
Elaboration on data from VISTA, 2021.

Modal shifts from 2008 to 2020



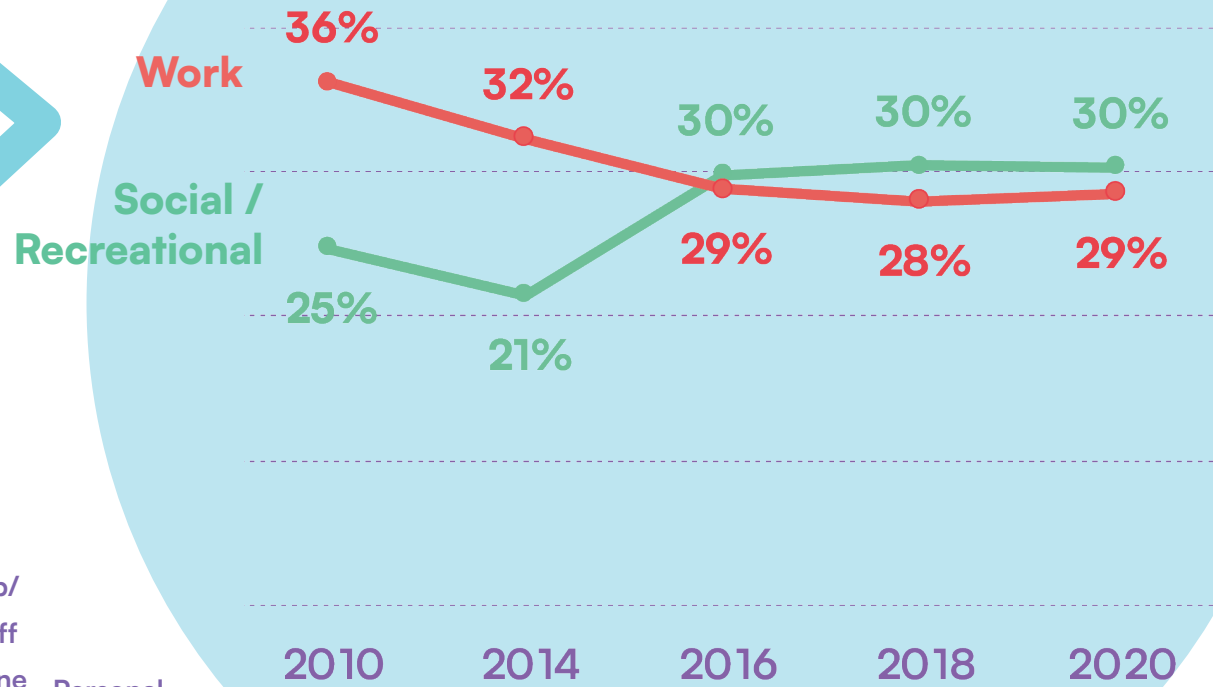
Elaboration on data from VISTA, 2021.

Trip by purpose in 2020

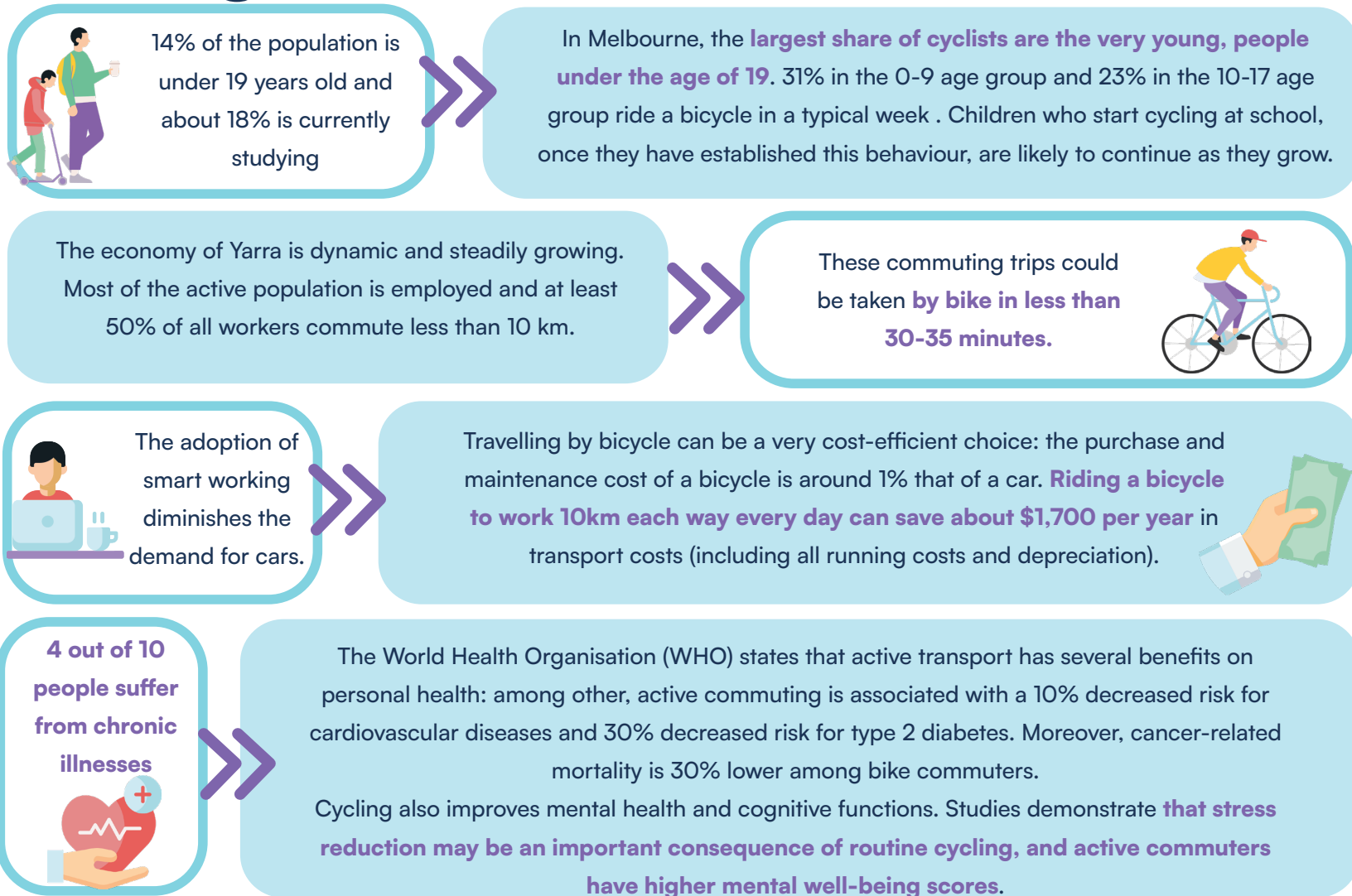


Elaboration on data from VISTA, 2021.

Since 2016 recreational trips exceed work trips



At a glance



Data from AUSTRROADS, 2019, DeWeese et al. 2022, WHO, 2022, Avila-Palencia et al., 2017.



The cycling infrastructure project



Elaboration by Decisio using the TravelTime plugin in QGIS

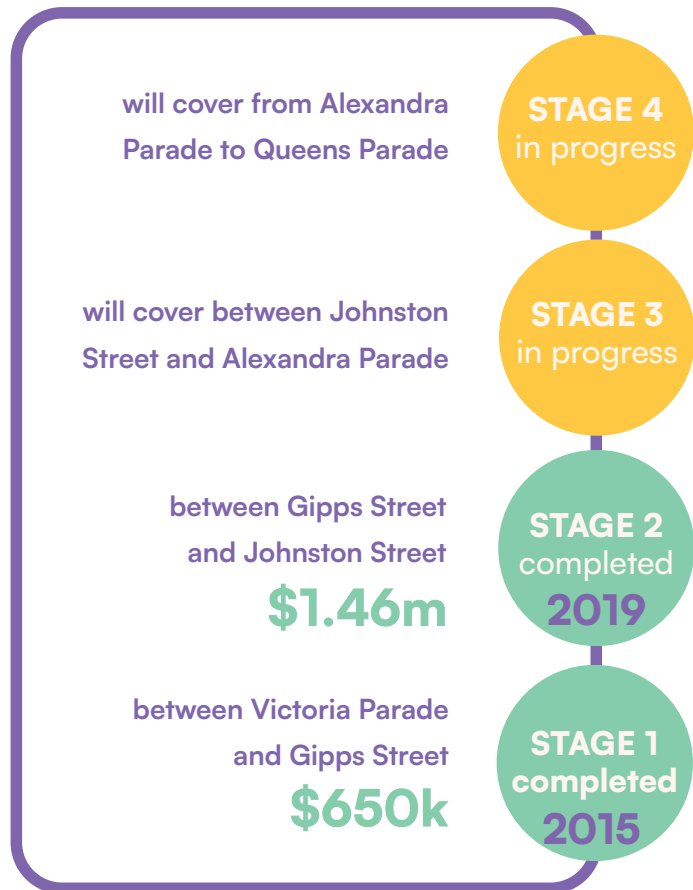
“Wellington Street is a key cycling route that connects Yarra’s North and East parts to the Melbourne Central Business District. This route is increasing in popularity, with cyclists growing by 20% every year since 2004.”

In 2023, 416 city-bound cyclists were recorded on Wellington Street in the morning rush hour compared with 101 in 2004, a 311% increase in less than 20 years.

The City of Yarra Bike Strategy identifies the street as a priority for improvement, because it would attract new cyclists, retain experienced ones, provide connections to other bicycle facilities and improve safety.

City of Yarra, 2021

Wellington Street: a strategic cycling corridor





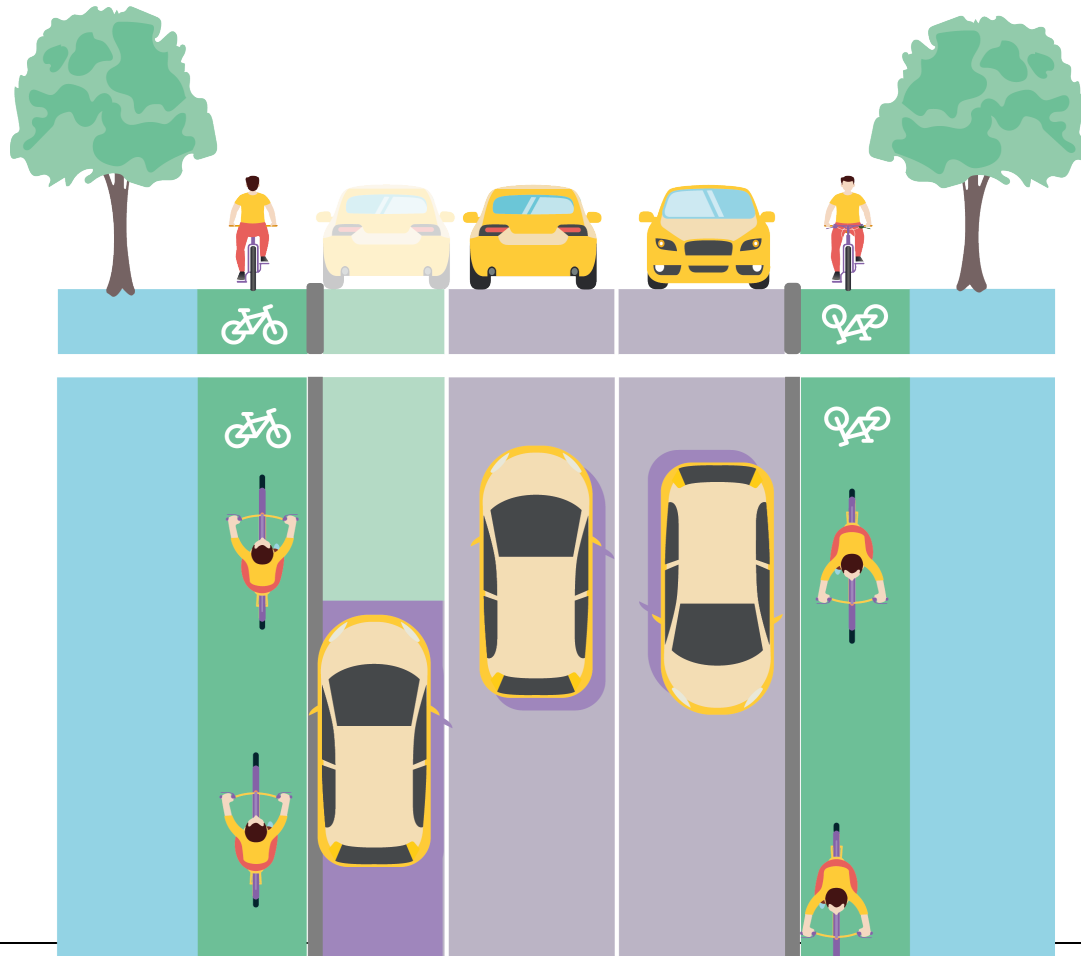
City of Yarra



City of Yarra

Wellington Street is an important part of Melbourne's wider bicycle network, providing key links to the Central Business District via Albert Street and to the North and East parts via Heidelberg Road.

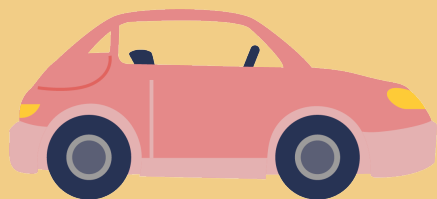
Wellington street new road section





The socio- economic benefits

Traffic



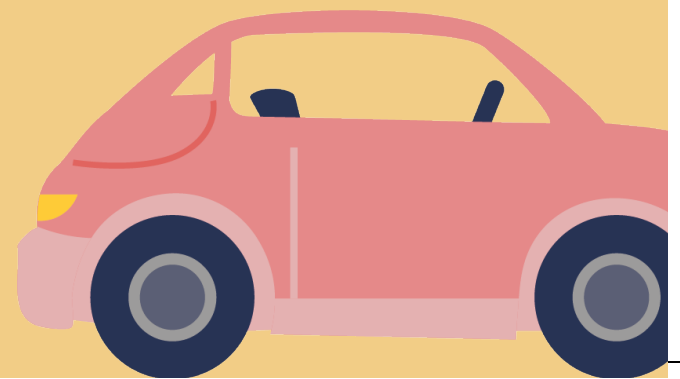
Health



Road Safety



Benefits on traffic



Congestion in Melbourne

In 2022, according to the Tom Tom Traffic Index (TOMTOM, 2022), Melbourne metropolitan area was the 59th most congested city in the world, the second in Australia after Sydney (43th).

The situation was critical during rush hours, when people spent 25 minutes to travel 10km and traffic meant +10 extra minutes.

59

World rank 2022

On average, how long did it take to drive 10Km in 2022?

20min 30s

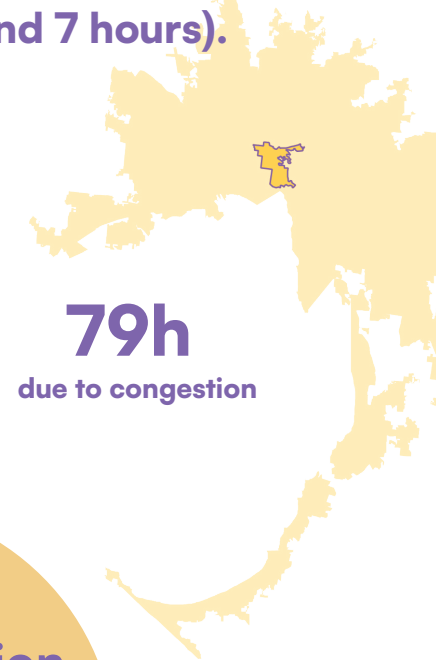
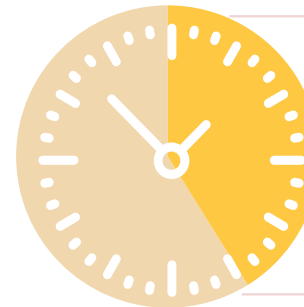
40s more than in 2021

Elaboration on data from TOMTOM, 2021.

Every person in Melbourne spent on average 192 h for driving, and 79 h were due to congestion (3 days and 7 hours).

192h

Travel time (yearly)



79h
due to congestion

Road congestion in Melbourne costs **\$4.6 billion** per year.

Australian Government, data of 2015



24 km/h

14 min +10 min

24 min

Extra



17 - 24 km/h

25-35 min



19 - 25 km/h

24-32 min

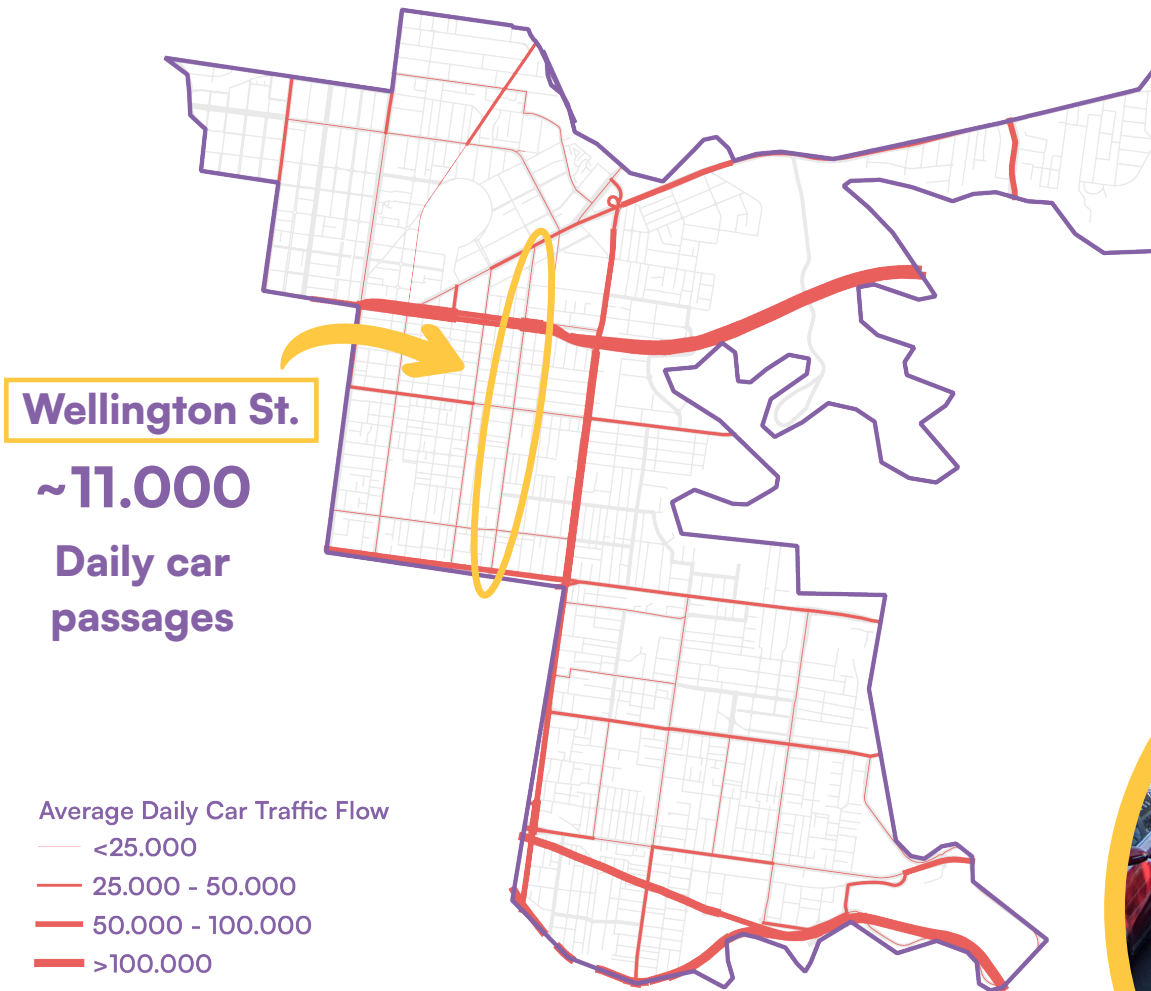


22 - 40 km/h

15-27 min

Elaboration on data from TOMTOM, 2021.

Congestion in Yarra



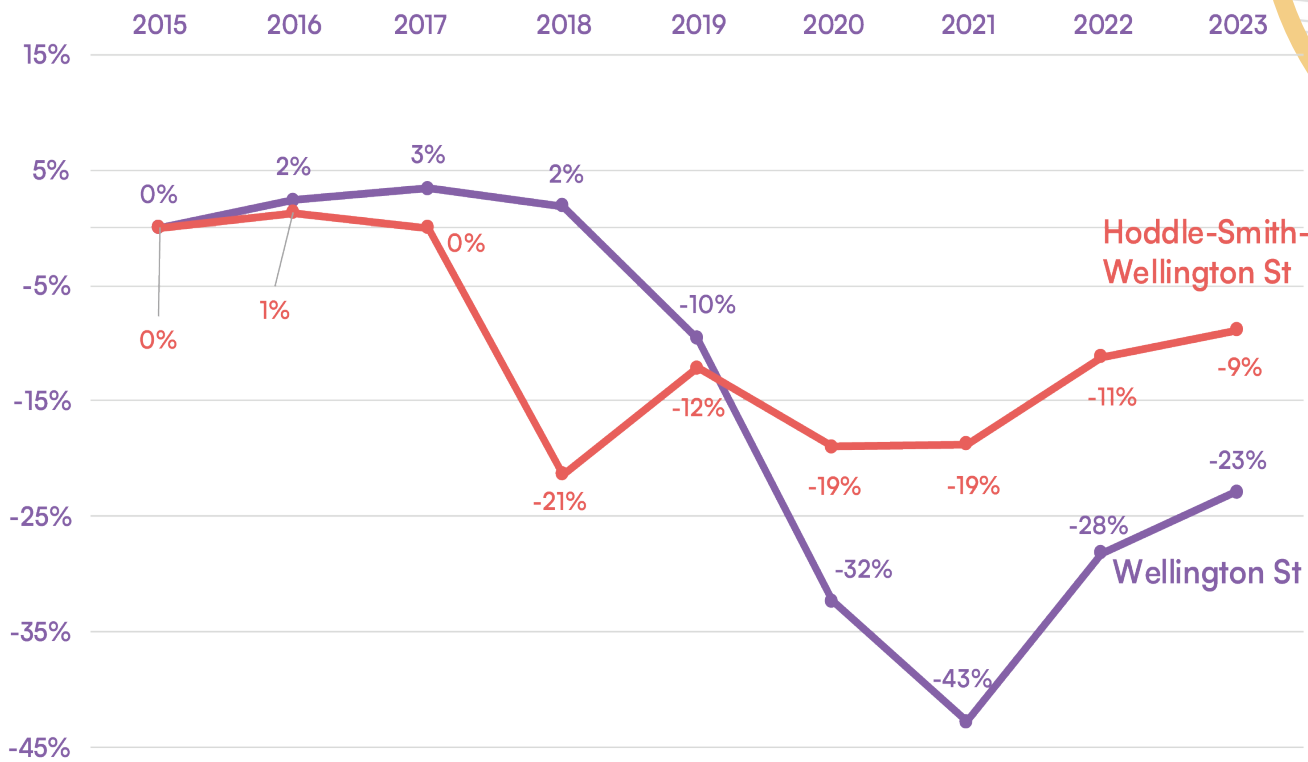
The two most congested roads in Yarra are Alexandra Parade and Hoddle St., with more than 100,000 daily passages of motorized vehicles. On top of this, the two freeway links record more than 200 thousands daily passages.

Although Wellington Street could not be considered as a main artery for car drivers, it still shows significant traffic flows, with an average of around 11,000 daily passages in 2023.



Traffic trends in the Wellington street area

Average daily traffic flow percentage change over 2015

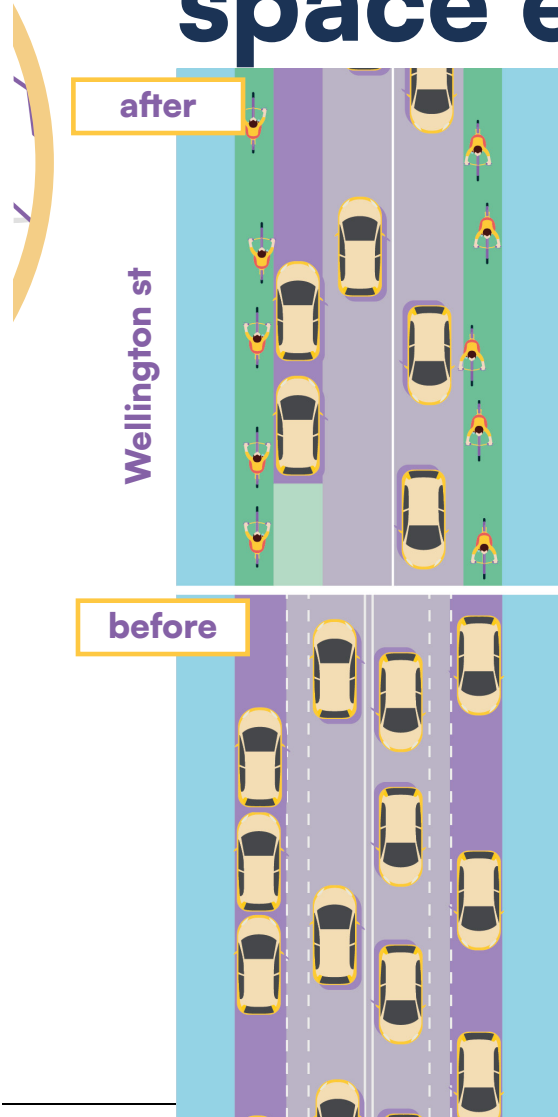


On Wellington street, average daily traffic flow in 2019 and 2022 over 2015, decrease of 19% and in the total area of -12%.

*The years 2020 and 2021 are not accounted because of the Covid-19 pandemic; the year 2023 has only partial data as this report is being written.

Elaboration on data from the City of Yarra.

Corridor capacity and road space efficiency



Transport infrastructure serves the purpose of enabling people to move efficiently from point A to point B. Streets and roads are perhaps the most fundamental of transport infrastructure, and their capacity is a crucial factor in ensuring smooth traffic flow.

Capacity is often measured in vehicles per hour and it is influenced by factors such as lane width, signal timing, and road geometry among others.

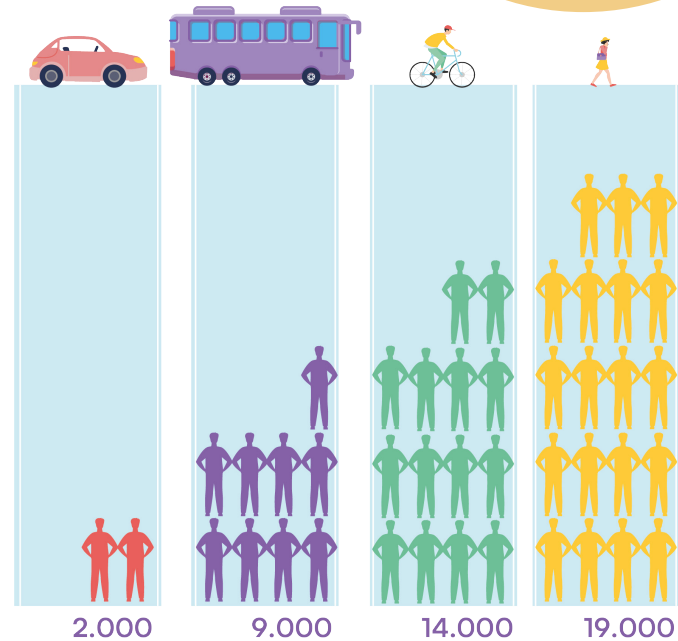
Efficient road design and management are essential to maximize capacity and minimize congestion. In short terms, the more people can move through a corridor in a given time, the more the occupied road space is used efficiently. Different modes of transportation contribute to road efficiency

in different ways: public transit can move many people efficiently, reducing congestion. Carpooling and ridesharing also optimize road usage by maximizing occupancy.

Finally, active modes such as walking and cycling also can contribute to a less congested road system.

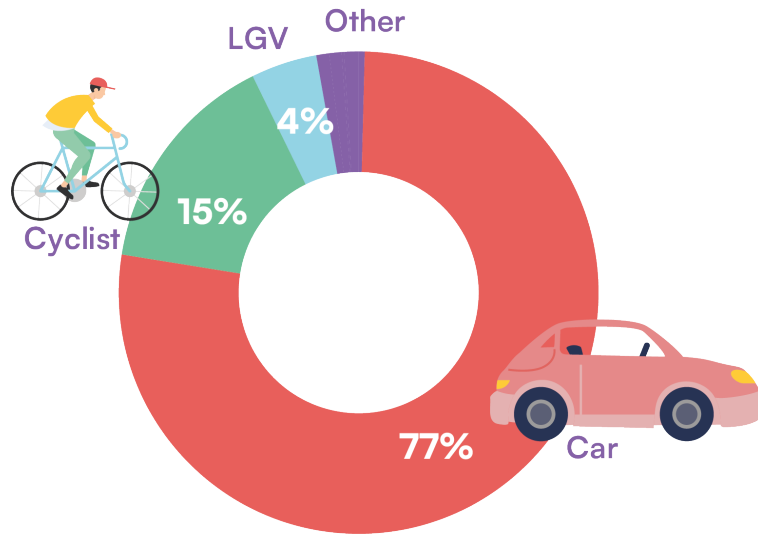
Walking and cycling infrastructure can actually reduce traffic congestion.

Corridor capacity people per hour on a 3.5 wide line in a city



Socio-economic benefits on traffic

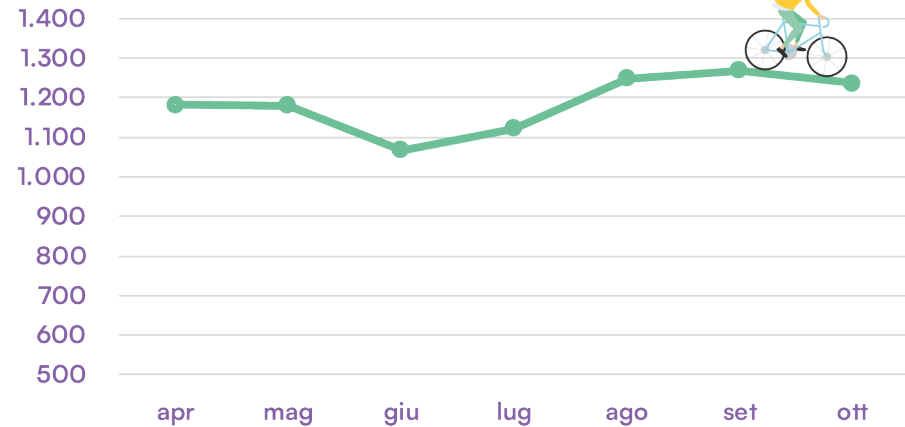
Wellington St. Modal share 2023



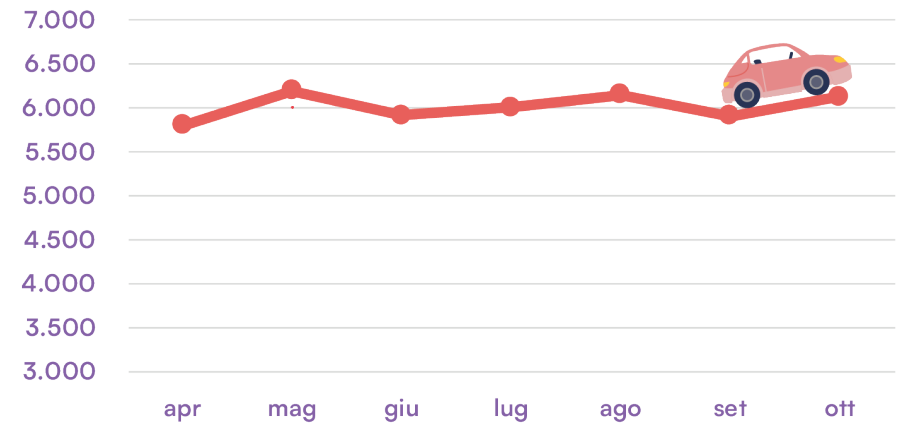
Who is moving through Wellington Street?

Most of the people (77%) move by car, 15% move by bike and 4% drive LGV. However, this pattern has been changing significantly over the last years.

Seasonal daily Bike flow 2023



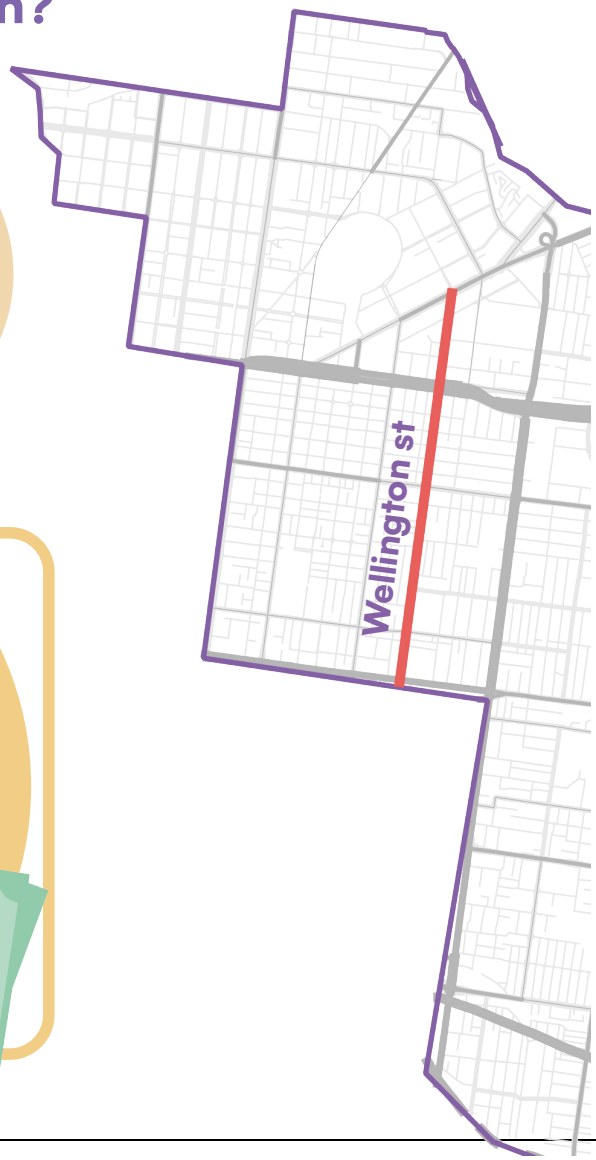
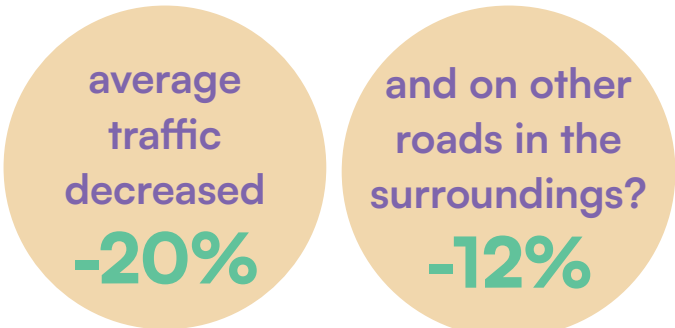
Seasonal daily Car flow 2023



Elaboration on data from the City of Yarra.

What has been the effect of the cycling infrastructure addition in Wellington Street on traffic congestion?

After the construction of the first portion of the cycling infrastructure in Wellington Street, the average daily traffic decreased about -20% with respect to pre-pandemic levels, compared to a reduction of about -12% in other surrounding roads.



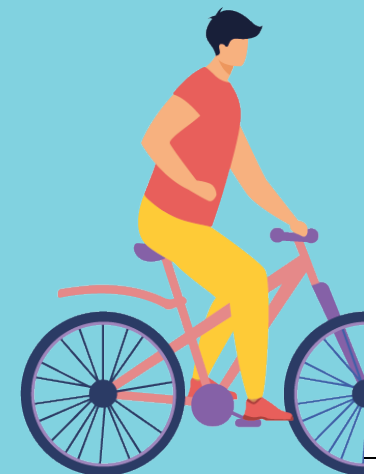
The socio-economic benefits of the cycling infrastructure related to traffic can thus be conservatively estimated to be due to this -8% reduction in daily traffic compared to neighbouring streets, equivalent to about 2.635 vehicles per day.

Since the construction of the cycle path in 2015 the **social benefit on traffic congestion has been \$7.2 Million.**

An illustration of a hand holding several green banknotes, positioned at the bottom right of the large orange circle.

Elaboration on data from the City of Yarra.

Benefits on health



Physical inactivity in Australia

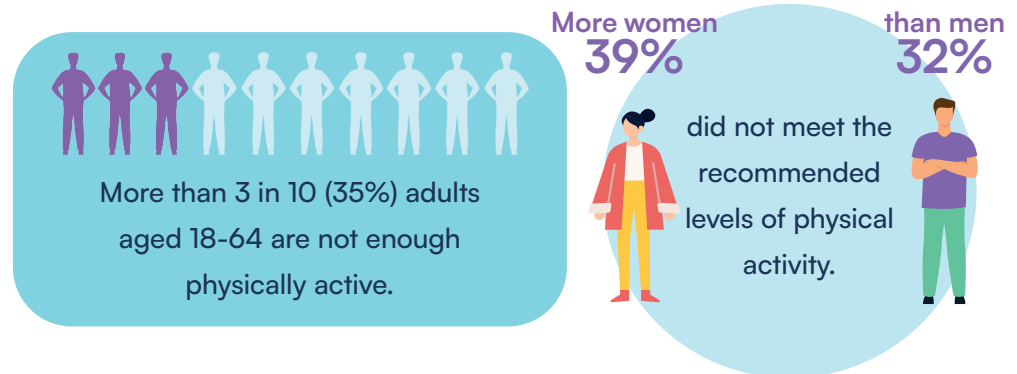
The Department of Health and Aged Care has the goal to make Australians understand the benefits of being physically active. In the Australian Physical Activity and Sedentary Behaviour Guidelines 'being physically active' is described as:

“Being active on most, preferably all days with at least 150 minutes of moderate to vigorous activity per week.”

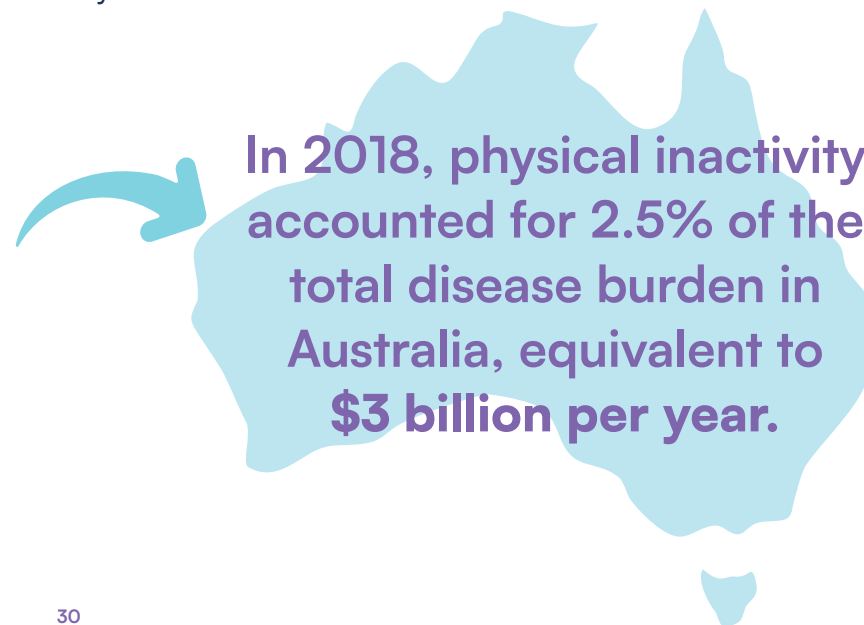
Physical inactivity contributes to:

- 20% of type 2 diabetes total disease burden.
- 16% of coronary heart disease burden.
- 16% of the uterine cancer burden.
- 12% of bowel cancer burden.
- 12% of dementia burden.
- 9.2% of stroke burden.
- 3.2% of breast cancer burden.

Physical inactivity also contributes to 8,253 deaths (5.2% of all deaths).



The proportion of people who are not enough physically active generally increases with age: 29% of adults aged 18-24 versus 50% of people who are 65+ years old.



The health benefits of cycling

Obesity and weight control

Cycling proves to be an effective means of weight management, given its capacity to elevate the metabolic rate, promote muscles development, and facilitate the reduction of body fat. Moreover, cycling offers a comfortable workout option with the flexibility to adapt the duration and intensity according to personal preferences, allowing for a gradual buildup and customization of the exercise routine.

Research advises achieving a caloric expenditure of approximately 2,000 calories per week through physical activity: a steady cycling session burns around 1,200 kilojoules (roughly 300 calories) per hour.

When you cycle twice a day, the burnt calories accumulate significantly: The Victorian Government reports that a daily half-hour bike ride can lead to the loss of nearly five kilograms of fat over the course of a year (VICGOV).



Health benefits of regular cycling include:

Physical benefits

- Increased cardiovascular fitness.
- Increased muscles strength and flexibility.
- Improvement in joint mobility.
- Improved posture and coordination.
- Strengthened bones.
- Reduction in body fat levels.
- Disease prevention or management.

Psychological benefits

- Reduction of anxiety and depression.
- Improved sleep-wake rhythm.
- Reduction in stress levels.

Elaboration from AIHW, 2022.

Cardiovascular diseases

Heart diseases and stroke are the two leading causes of death in Australia.

At least 150 minutes a week of moderate physical activity can reduce their impact, and the more the better.

Regular physical activity can also lower blood pressure and improve cholesterol levels.

150 minutes a week of moderate physical activity.



Several cancers

Being physically active reduces the risk of developing several common cancers. Adults who engage in more physical activity have a reduced risk of developing cancers of the:

-
- Bladder
 - Breast
 - Colon (proximal and distal)
 - Endometrium
 - Esophagus (adenocarcinoma)
 - Kidney
 - Lung
 - Stomach (cardiac and non-cardiac adenocarcinoma)
- The list of cancer types is positioned to the right of a light blue silhouette of a person's body, which is enclosed in a rounded rectangular frame. The silhouette shows the head, torso, and legs.

Type 2 diabetes and metabolic syndrome

Regular physical activity can reduce the risk of developing type 2 diabetes and metabolic syndrome (a combination of too much fat around the waist) high blood pressure, low high-density lipoprotein (HDL) cholesterol, high triglycerides, or high blood sugar.

People begin to see the benefits of physical activity even before meeting the recommendations of 150 minutes per week of moderate physical activity. Additional amounts of physical activity appear to further reduce this risk.

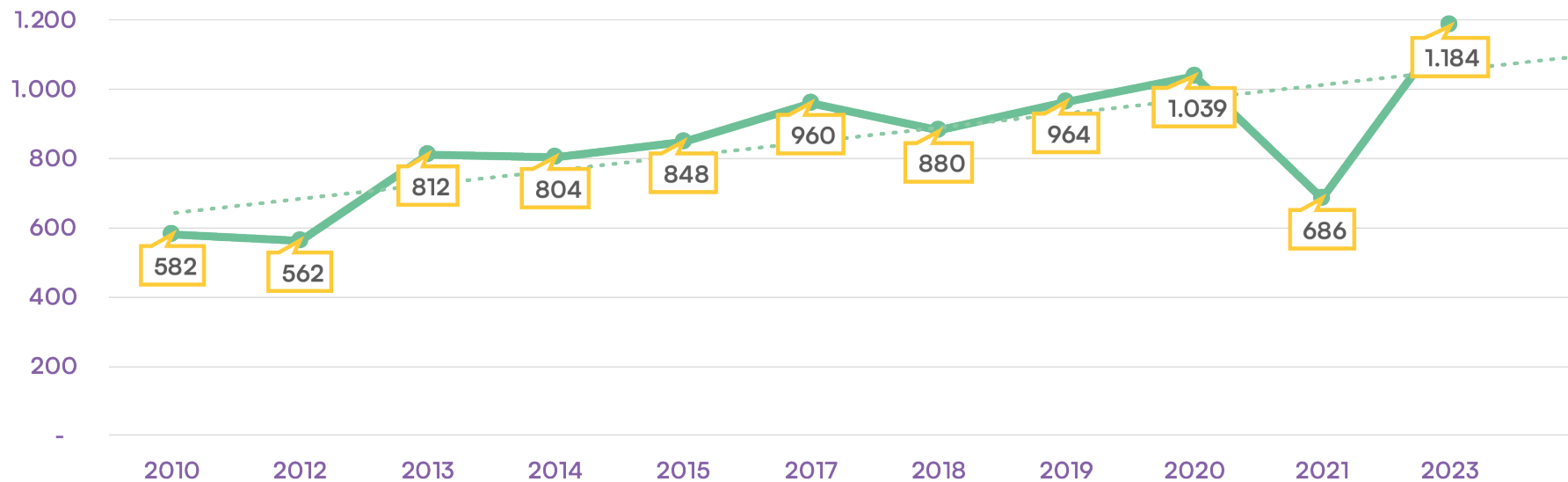
Bike traffic in Wellington Street

+250 daily bike passages in the last 8 years

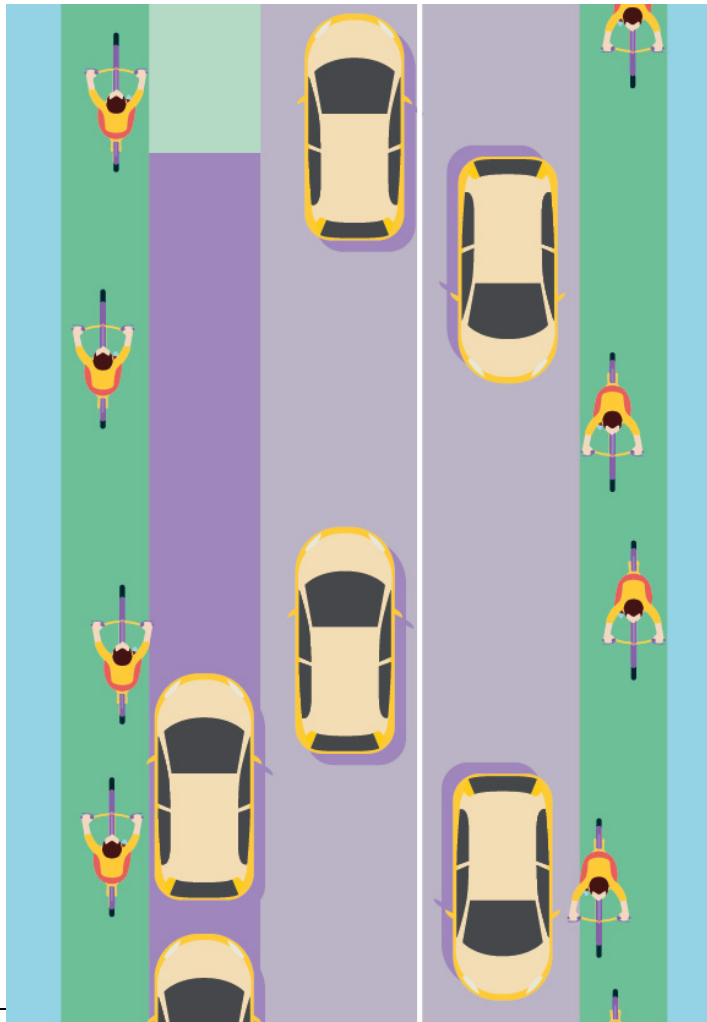


+35% daily bike passages in the last 8 years

Daily bicycle counts in Wellington St./Johnston St.



The health benefits of Wellington Street



The health-related impacts of the improvements on Wellington Street amounted to \$460,000 per year since 2015.

The **health-related social benefits** of adding the cycling infrastructure amounts to about **\$3.7 Million** in the 2015-2023 period.



Benefits on road safety

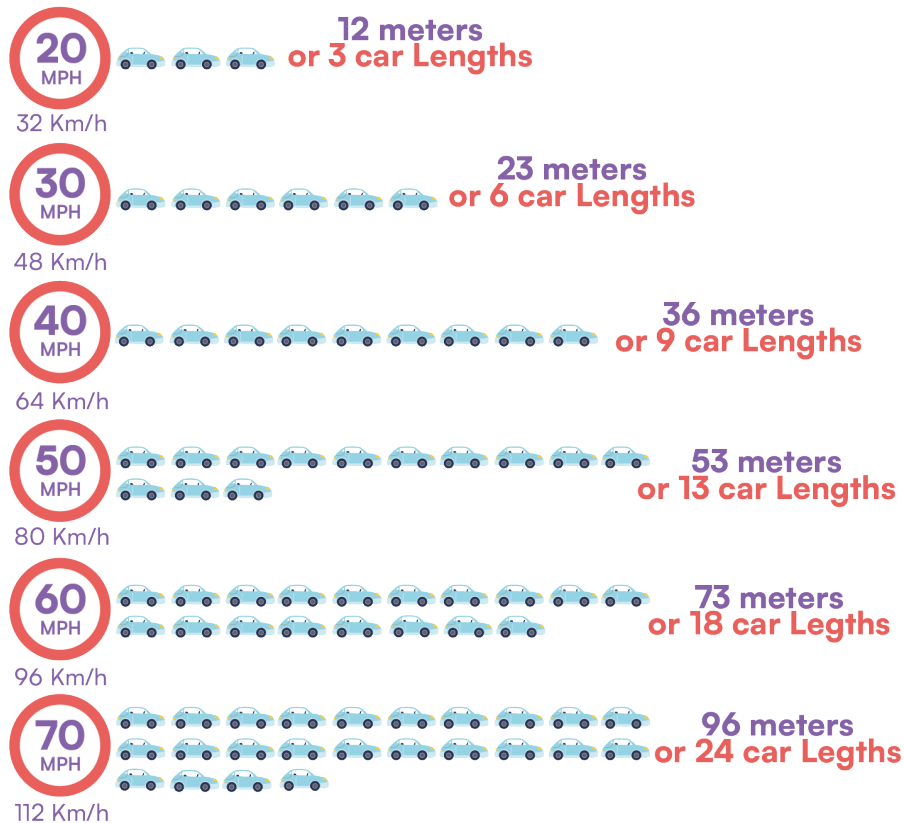


Speed and road safety

Speed increases the rates and the severity of road crashes

Typical stopping distances

At different speeds

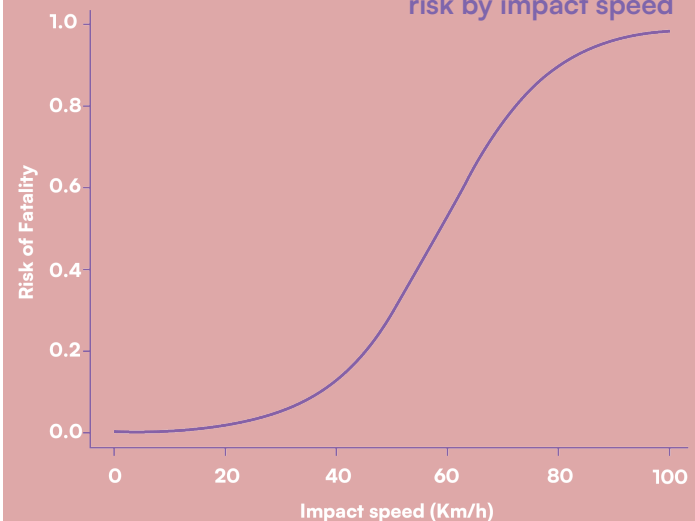


Elaboration from NACTO, 2020.

36

According to Hussain et al. (2019), a meta-analysis of fifty-five studies indicates that when the estimated impact speed increases by 1 km/h, the odds of a pedestrian fatality increase on average by 11%. The risk of a fatality reaches 5% at an estimated impact speed of 30 km/h, 10% at 37 km/h, 50% at 59 km/h, 75% at 69 km/h, and 90% at 80 km/h.

Plot for shaped curve for pedestrian fatality risk by impact speed

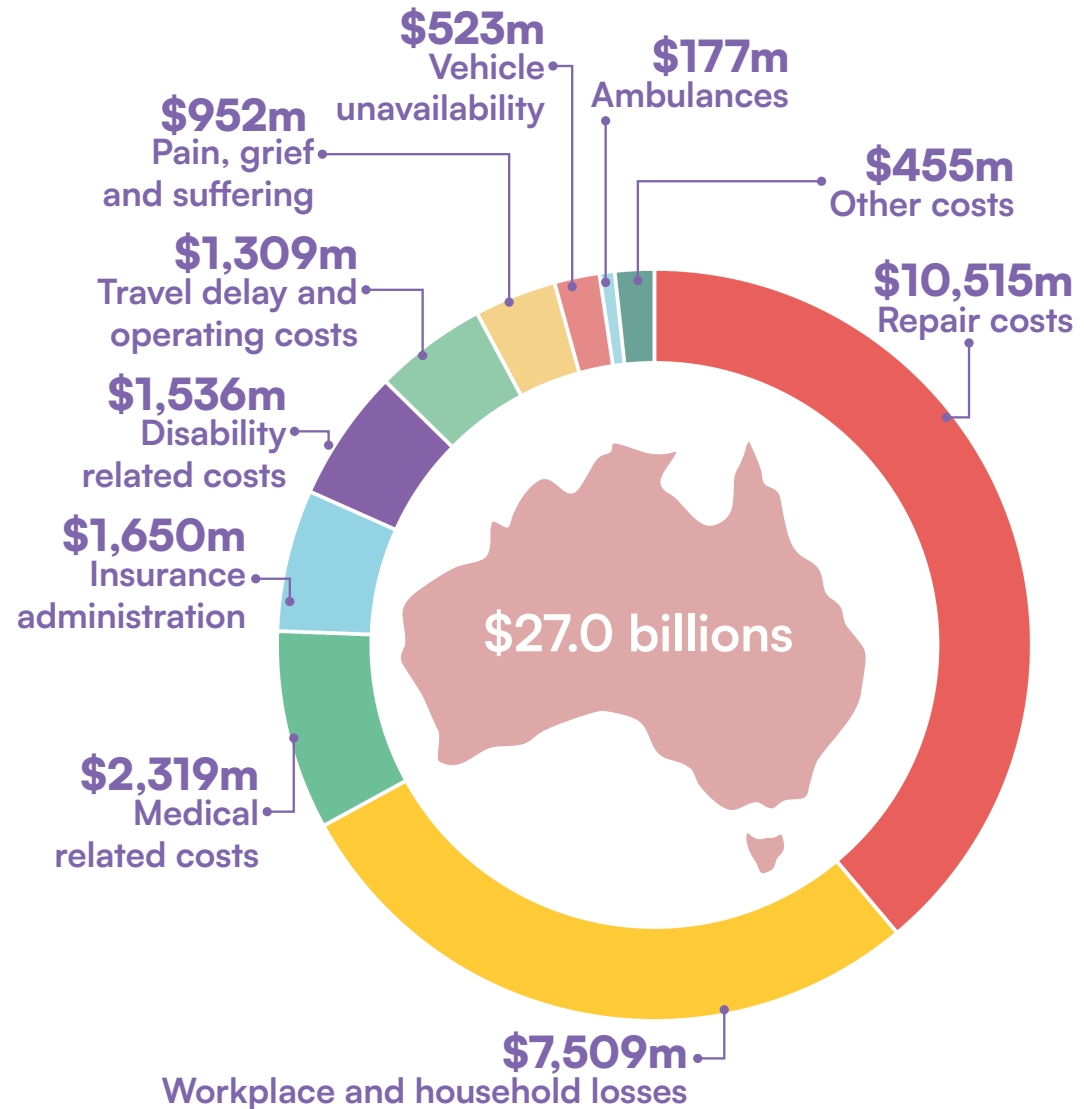


The social costs of crashes in AU

The economic toll of road crashes in Australia in 2020, calculated through the Hybrid Human Capital approach, was in the range of \$22.2 billion - \$30.3 billion, with a median reference value of about \$27 billion, equivalent to 1.4% of the national Gross Domestic Product (the range is due to the inherent uncertainties in the estimation process).

Within this total, fatal accidents accounted for an estimated \$3.5 billion (13%), injury-related accidents for \$11.8 billion (44%), and property damage-only for about \$11.7 billion (43%).

Remarkably, the sum of workplace and household losses and the social costs associated with pain, grief, and suffering amounted to 32% of the overall financial burden attributed to road crashes in Australia.



Elaboration on data from Steinhauser et al., 2022.

The social cost of crashes by severity

Between 2016 and 2020, there were approximately 966,000 road crashes each year in Australia, involving 1.7 million vehicles. In comparison, in 2006 (the reference year for the last Australian Costing Study published by the Bureau of Transport Economics) an estimated 654,000 crashes involved around 1.2 million vehicles.

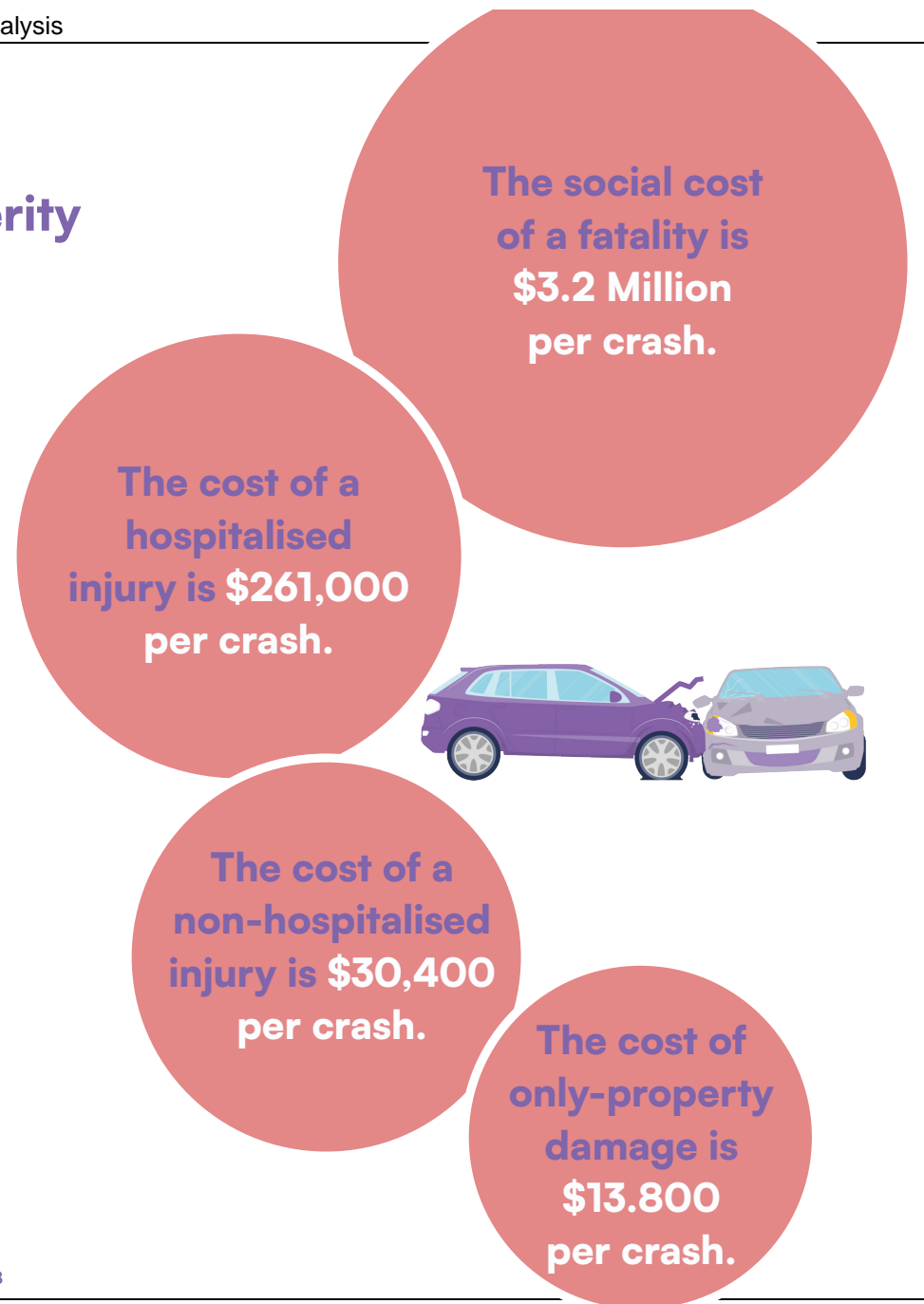
At the same time, over the 2016 to 2020 period, an average of 1,187 fatalities per year were due to road crashes, a 26% decrease with respect to the 1,602 fatalities recorded in 2006.

The amount of car crashes has thus increased in the past 15-20 years, but the likelihood of a fatality has decreased significantly.

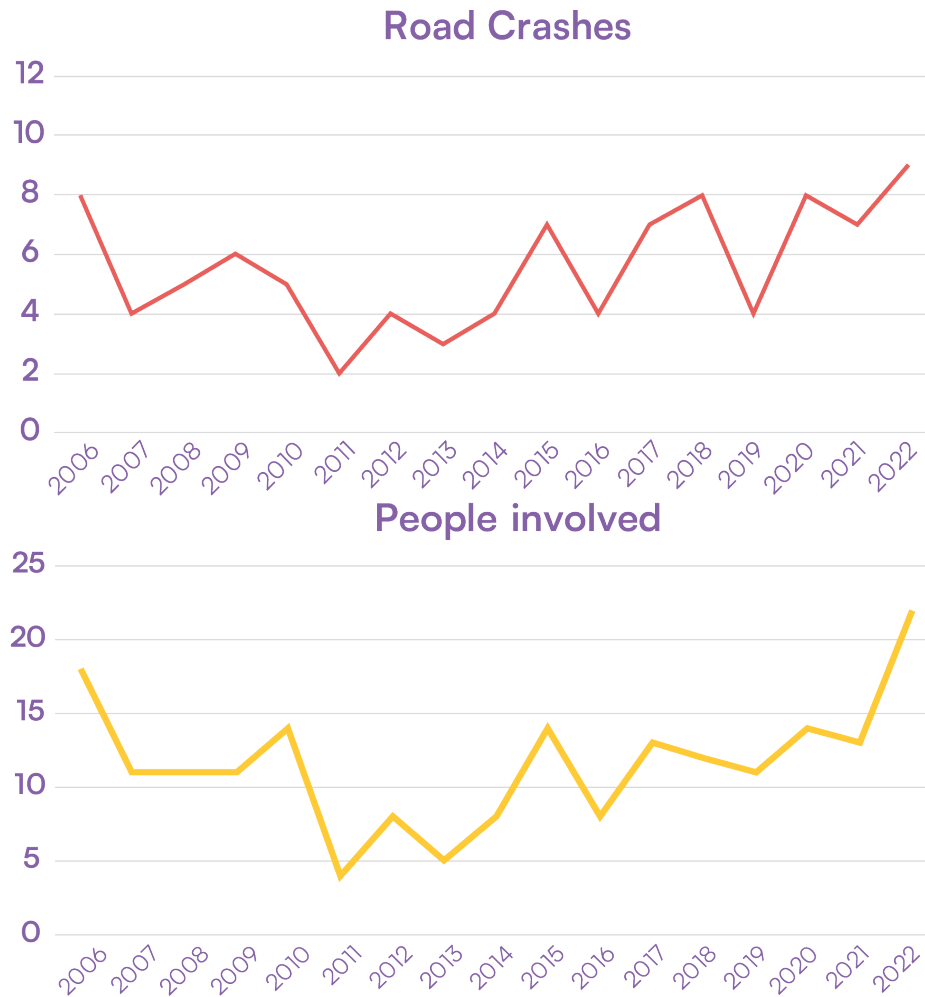
The estimated average social cost for a crash depends on its severity, and is estimated on average at:

- \$3.2 million if the crash caused one fatality.
- \$261,000 if the crash caused one hospitalized injury.
- \$30,400 if the crash caused one non-hospitalized injury.
- \$13,800 if the crash cause only property damage.

(Social Cost of Road Crashes Report for the Bureau of Infrastructure and Transport Research Economics Final report September 2022)



Crashes on Wellington Street



Since 2006, 96 road crashes occurred in Wellington Street, and over 205 people were involved. Data show great variability over the years: the number of both crashes and people involved decreased between 2010-2013 but increased again around 2018, a peak year.

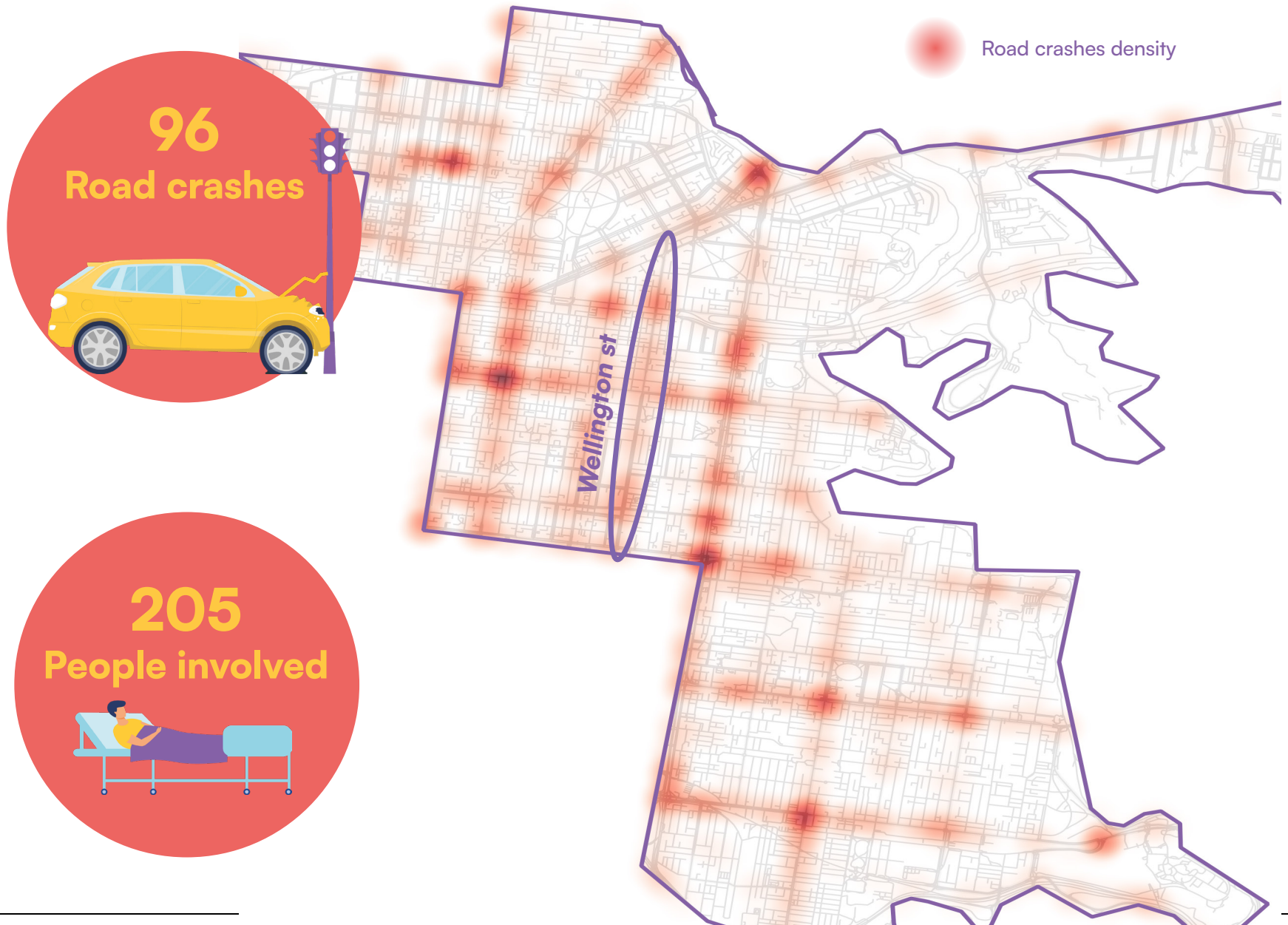
The impact of Covid had a positive effect on reducing accidents, but in recent years, the number of crashes has started to rise again.

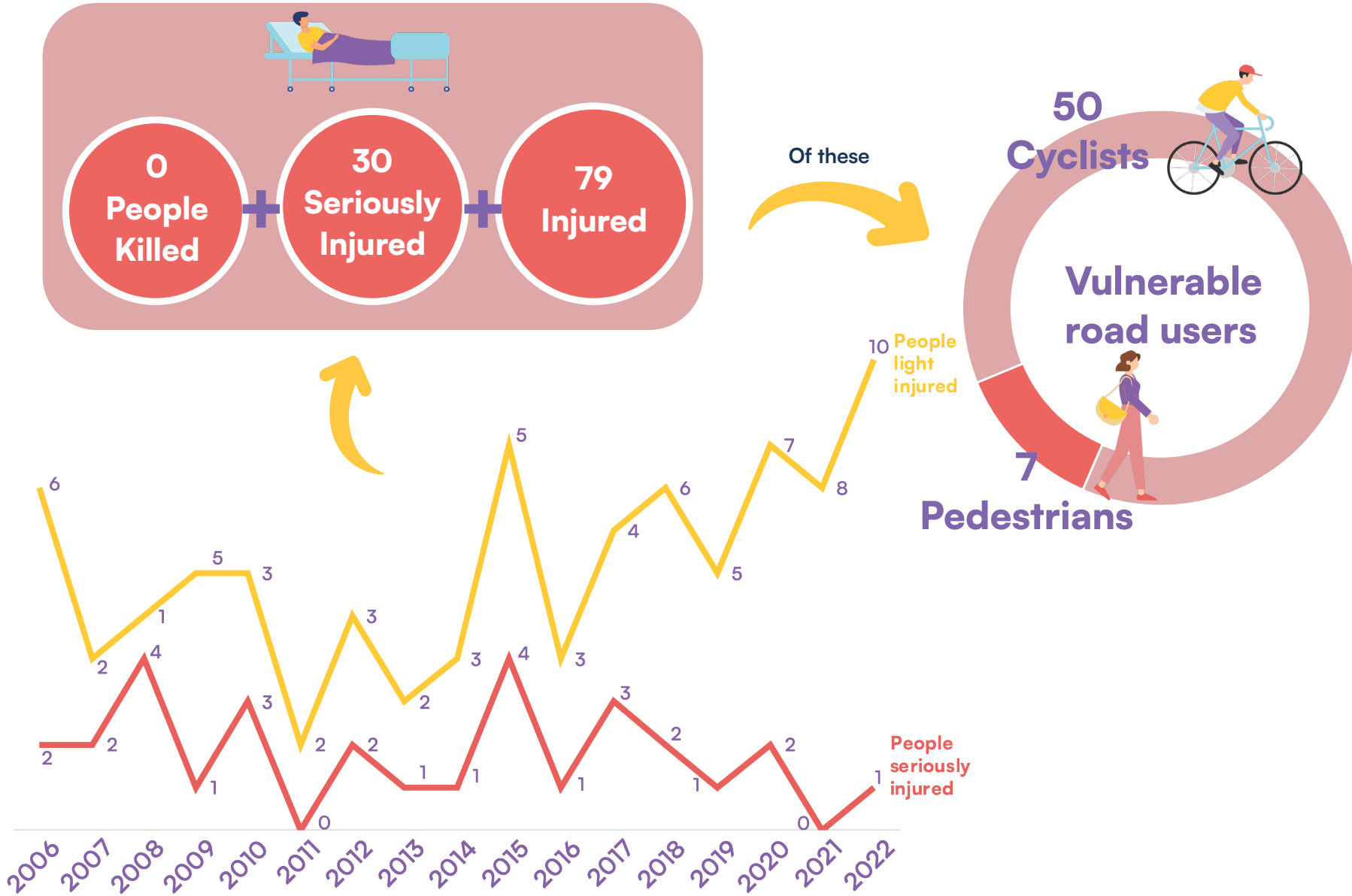
To identify potential improvements resulting from new policies or infrastructure, it is crucial to analyze trends in road crashes. Given the significant variation in crash rates over the years due to changing conditions, a thorough examination of data trends is essential.

This analysis allows for a more nuanced understanding of the effectiveness of interventions and highlights areas that may require targeted interventions or further enhancements in road safety measures.



Elaboration on data from the City of Yarra.

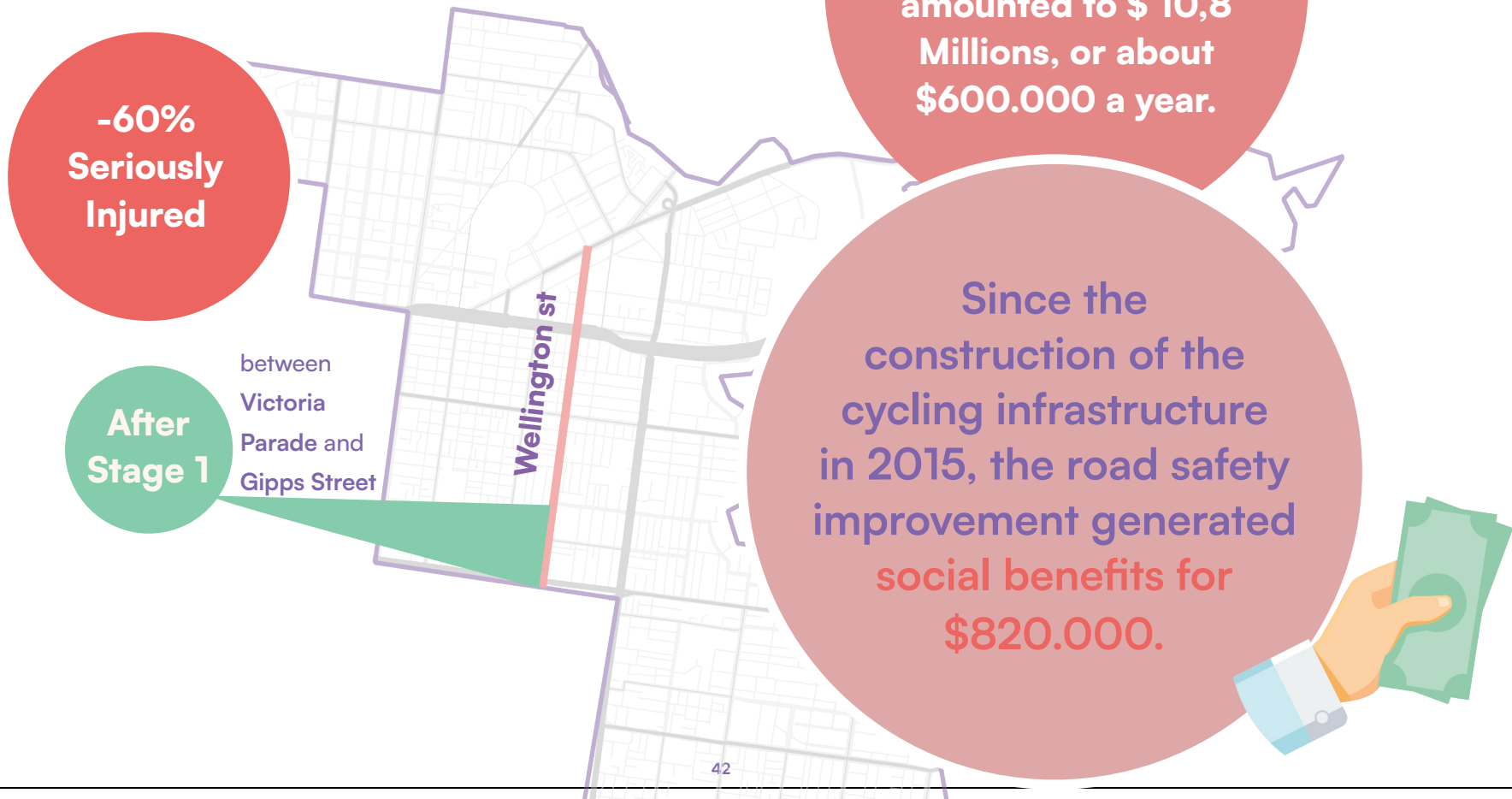




Elaboration on data from the City of Yarra.

The benefits on road safety

After the construction of the first stage of the cycling infrastructure in Wellington Street, the number of seriously injured people has decreased about 60%, even if the number of yearly crashes has remained basically stable.



Other socio-economic benefits

Energy Conservation

Motor vehicles production and use consume large amounts of natural resources and energy. This consumption imposes various external costs, including economic and national security impacts from dependence on imported fossil fuels, especially oil, as well as environmental and health damages from pollution.

Active transport can provide significant energy savings when it substitutes car use for short urban trips that have high emission rates per mile due to cold starts (engines are inefficient during the first few minutes of operation) and congestion. As a result, each 1% shift from automobile to active travel typically reduces fuel consumption 2-4%.

In addition, as previously described, active transport tends to have leverage effects, so comprehensive active mode improvements can provide additional energy conservation benefits.

Security / Reduced Crime Risk

Enhancing walking and cycling conditions not only directly increases security through measures like patrols and landscaping but also indirectly by fostering community engagement and economic opportunities, reducing crime risks. Studies show that compact, mixed, and walkable communities exhibit lower per capita crime rates.

Gilderbloom et al. (2015) linked Walk Score to decreased crime in Louisville. Twinam (2018) found crime diminishing with population density in Chicago, and Chang and Jacobson (2017) associated decreased crime rates in Los Angeles with enhanced walkability, emphasizing the importance of “eyes on the street.”

Parking Cost Savings

An urban parking space incurs annualized costs ranging from \$500 to \$3,000 covering land, construction, and operating expenses, with an average of two to six off-street spaces per vehicle (Litman, 2023). Conversely, accommodating pedestrians involves minimal costs for umbrella stands and coat racks, while the space needed for one car can house 10-20 bicycles. Although reduced car travel may initially lead to empty parking spaces, in the long term parking facilities incur opportunity costs as well. Diminished demand allows property owners to refrain from expanding parking, providing opportunities to rent, sell, or repurpose these facilities for other uses.

of cycling infrastructure

Barrier Effect

The barrier effect, also known as severance, describes the travel delay imposed on active modes by vehicle traffic, akin to congestion for non-motorized users (Litman, 2023). This curtails active mode accessibility, prompting shifts to motorized travel and escalating external costs like traffic and parking congestion.

Transport planning decisions influence this effect:

- highway expansion exacerbates it, while traffic calming and mobility management strategies alleviate it.
- Active mode enhancements, such as separated paths and improved crosswalks, can also mitigate the barrier effect.
- Land use changes that reduce the need for pedestrians and cyclists to cross major roadways contribute to minimizing barrier effects by integrating schools and shops within residential neighborhoods.

Social Equity Benefits

Equity in transportation involves the fair distribution of impacts and their perceived appropriatedness. In particular, horizontal equity advocates treating individuals with similar abilities in a similar way, suggesting comparable costs and access to public resources unless justified otherwise. Vertical equity, concerning income and transportation ability, aims to safeguard the interests of lower-income and mobility-impaired individuals, respectively. Enhancing conditions for active travel supports equity objectives by allocating resources fairly to non-drivers and providing essential mobility for those physically, economically, and socially disadvantaged. In many communities, 20-40% of the population faces barriers to driving due to disability, low income, or age, making improvements in walking and cycling infrastructure beneficial for both existing and new users.

Option Value

The term 'option value' refers to the worth individuals assign to having an available transport option, even if not presently utilized, as an alternative to the one they preferably use (Litman, 2023). Given the diverse roles of walking and cycling, serving as basic mobility, affordable transport, recreation, and exercise, their potential option value is substantial. The "Transport Diversity Value" chapter in Transportation Cost and Benefit Analysis (Litman, 2023) estimates a value of 0.07\$ per passenger-mile for improvements in affordable alternative modes. However, this valuation can significantly vary based on conditions and assumptions.



Conclusions

The present report investigated the socio-economic benefits derived from the cycling infrastructure that has been built in Wellington Street in Yarra, Melbourne, in the recent years. The objective of the report was to assess the impact of the bike lane on various aspects, including traffic, health, and road safety, in order to improve the understanding of the contribution cycling can give to the sustainable development of the society and economy in the City of Yarra.

In addition, the City is currently investigating the possibility of expanding the infrastructure up until the intersection between Wellington Street and Queens Parade. Therefore, the report has the additional aim to provide decision-makers with relevant and data-based information about the expansion of cycling infrastructure in the neighbourhood.

Following a thorough analysis of the socio-economic context of the area and a detailed description of the cycling infrastructure, the document proceeds with analysing several impacts of the bike lane on Wellington Street. First of all, an assessment of the reduction in traffic on Wellington St is provided by comparing the evolution of traffic in the Street and at different scales in the surrounding areas. The benefits on health were determined by calculating the increasing trend of cyclists along the road, considering the positive socio-economic effects of cycling on health. Finally, the impact on road safety was calculated by evaluating the reduction in road crashes in Wellington Street utilizing data on the social cost of incidentality in Australia.

Since 2015, the socio-economic effects of the Wellington Street bike lane amounted to \$7.2 million from traffic reduction, \$3.7 million from health benefits, and \$820,000 from the improvement in road safety.

In addition, cycling infrastructure yields various societal benefits, with some extending beyond the impacts evaluated in this report. The presence of bike lanes can contribute to a reduction in crime risk in the area where they are built, providing an additional layer of safety. Furthermore, cycling infrastructure can offer an option value for commuters, presenting an alternative and sustainable mode of transportation. Additionally, they also can play a role in enhancing social equity within society by promoting accessibility and inclusivity.

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7.4 Quarterly Community Report - March 2024

Reference	D24/154848
Author	Emily Woodin - Coordinator Business Planning and Performance
Authoriser	General Manager Corporate Services and Transformation
Disclosure	The authoriser, having made enquiries with members of staff involved in the preparation of this report, asserts that they are not aware of any general or material conflicts of interest in relation to the matters presented.

Purpose

1. To present the 2023/2024 Community Report Quarter 3 (Community Report), which includes progress updates on the Financial, Capital Works and Annual Plan activity for the last quarter.

Critical analysis

History and background

2. The Council Plan 2021-25 incorporating the Municipal Health and Wellbeing Plan was adopted by Council on 19 October 2021 in accordance with the Local Government Act 2020 (the Act).
3. Supporting the Council Plan is an Annual Plan that outlines the principal activities that will be undertaken over the course of each financial year.
4. The Local Government Act 2020 requires that Council publishes a quarterly statement comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date.
5. The Community Report provides a comprehensive, integrated report of progress against the delivery of the Council Plan, financial performance and capital works program, as well as updates on key strategies and programs for the third quarter 2023/24 financial year.
6. Over the last year, significant focus has been directed to strengthening the format and content of the Quarterly Report to Council.

Discussion

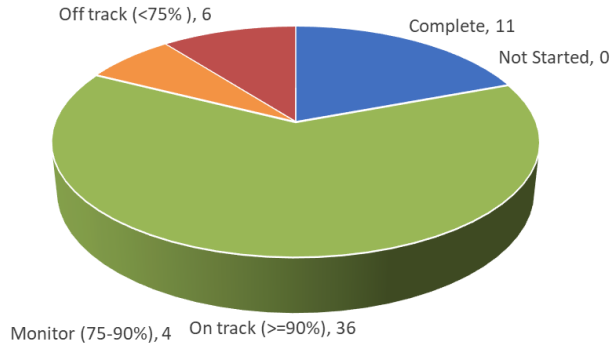
Community Report

7. The Community Report at **Attachment One** provides an integrated, timely and transparent overview of the organisation's activities each quarter. It provides a central place to report on Councils progress in delivering the Council Plan through the Annual Plan, financial performance, the delivery of the Capital Works Program, implementation of key strategies and plans and to highlight significant achievements and services.
8. Strategy and Plan updates this quarter include the Community Engagement Action Plan, Financial Sustainability Strategy, Active and Healthy Action Plan and the Nature Strategy. Service activity and highlights include achievements from Family and Children's Services Branch, Yarra Libraries, Yarra Arts and environmental improvements.

2023/24 Annual Plan Progress Quarter 3

9. The 2023/24 Annual Plan has 57 actions to be delivered. The detailed Annual Plan including action progress is contained in Attachment 1 2023/2024 Community Report Quarter 3.
10. At the end of March, 47 of the actions (82%) are reported as completed (11) or on-track (36). The annual performance target for actions is 75% completed or on-track.

2023/24 Annual Plan Actions Progress - March



	Complete	On track (>=90%)	Monitor (75-90%)	Off track (<75%)	Not Started	Total
Climate and environment	1	7	0	0	0	8
Social equity and health	3	13	1	0	0	17
Local economy	1	2	1	1	0	5
Place and nature	1	10	0	4	0	15
Transport and movement	2	2	1	0	0	5
Democracy and governance	3	2	1	1	0	7
	11	36	4	6	0	57

11. The Community Report includes a detailed breakdown on the progress of each action in the Annual Plan and commentary on the achievements.
12. The following action and milestones could not be achieved due to a change in the project conditions:

(a) 3.1.1.2 Night Time Economy Action Plan:

Details: The economic benefit of Night Time Economy to the city is largely unknown, so a gap analysis is required to be carried out, which can then lead to a short term action plan, followed by a draft Night Time Economy strategy.

Current milestones for 2023/24:

September	Complete brief for consultant regarding the Night Time Economy. Ideally look to partner with neighbouring council areas in order to widen the understanding and impact across multiple regions
December	Procurement completed and consultant selected
March	Analysis and draft action plan completed. Budget bids completed in order to fund actions in upcoming financial year
June	Initial implementation of plan started – advocacy to State Government to seek support in delivery of action plan

The Night Time Economy Action Plan is now proposed to be developed in collaboration with members of the M9. An initial background research piece is being delivered in late July 2024 and the scope of the joint project will be delivered and agreed in Q1 of 24/25. The project is proposed to be an action in the 2024/25 Annual Plan.

Officers recommend this action be removed from the 2023/24 Annual Plan and for the project to be developed as a joint project in conjunctions with neighbouring Councils in 2024/25.

(b) 4.1.1.3 Gipps Street Employment Precinct Local Area Plan:

Description: Preliminary investigation into the Gipps Street Employment Area.

Current milestones for 2023/24:

September	Seek Streamlining for Growth funding from Victorian Planning Authority to support strategic background work that would underpin a future local area plan, start-up and creative enterprises, identify potential transport and public realm improvements, interim and permanent built form provisions
December	Subject to external funding support, procure strategic background work to support start-up and creative enterprises, identify potential transport and public realm improvements, prepare interim and permanent built form provisions
March	Prepare strategic background work to support a local area plan and prepare interim and permanent built form provisions. Undertake consultation
June	Prepare strategic background work to support a local area plan and prepare interim and permanent built form provisions. Commence drafting of a local area plan

The original milestones were set in early 2023 and were founded on the provision of funding from the State Government under the 'Streamlining for Growth' funding program. The State Government removed this funding from their 2023/24 budget. The removal of funding has meant that the planned activity could not be delivered during this year.

Officers have commenced preliminary work and planning to move these actions into the 2024/25 Annual plan.

Officers recommend this action be removed from the 2023/24 Annual Plan due to the removal of State funding.

Quarter Three – 2023/24 Budget Update

13. Like all other councils across Victoria, Yarra is facing financial challenges with rising cost pressures, rate capping and cost shifting, coupled with unprecedented growth and increasing pressure and demand on its services. Constant changes to the economic landscape have compounded these challenges with high levels of inflation and significant increases to the cost of services and labour.
14. As part of our commitment to improving Council's financial health, our first Financial Sustainability Strategy was adopted by Council on 12 December 2024.
15. The Financial Sustainability Strategy ensures the organisation applies prudent financial management practices including detailed operating and capital budget monitoring.
16. Council continues to experience external pressures from rate capping, Enterprise Agreement obligations, labour market pressures and sustained higher costs for materials and services, despite inflation decreasing. In addition, increases to the Workcover insurance premium (\$0.450m during 2023/24 - circa 30% increase) were announced this quarter.

Quarter three - 2023/2024 March YTD net result

17. The YTD actual net result is \$15.2m favourable to the YTD budget. This is comprised of a combination of permanent changes and timing of transactions driven by:
 - (a) Permanent increase in Statutory Fees and Fines;
 - (b) Improved management of cash levels and returns on investments;
 - (c) Better than expected income from Open space and developer contributions, and
 - (d) Holding costs in materials and services, despite challenges with sustained higher prices.

18. The financial position as at 31 March 2024 shows a cash and investment balance of \$96.35m (June \$81.1m) which is partially funded by \$33.8m of borrowings.
19. Cash and investment balances are adjusted for restricted cash obligation, providing Council with an unrestricted cash balance of \$27.5m (\$5.39m on 30 June 2023). However, this movement is driven by the timing gap of receipts from rates instalments and the payments for suppliers and capital works to be paid during 2023/24.

Quarter three - 2023/24 March Forecast result

20. Despite the ongoing financial challenges outlined above, Council is reporting no change from the forecast at the end of December 2023, which is a forecast surplus result of \$12.6m compared to a surplus of \$15.2m in the adopted budget. However, current volatility in user fees and charges (in particular further reduction in children services utilisation levels) cost pressures and other external influences will be closely monitored during the last quarter of 2023/24. Any surpluses at 30 June 2024 will be transferred to Reserves to align with the key objectives of the financial sustainability strategy.
21. The current forecast surplus position demonstrates Council's commitment to delivering an improved financial position without impacting services to the community. The outcome also moves towards achieving financial goals of no further borrowing to fund operating activities, holding costs, efforts to build cash reserves and enabling the organisation to make decisions in alignment with the adopted Financial Sustainability Strategy.
22. The forecast surplus result of \$12.6m is comprised of permanent changes and timing of transactions driven by:
 - (a) Increase in Statutory Fees and Fines;
 - (b) Better than expected income from Open Space and developer contributions, and
 - (c) Improved management of cash levels and returns on investments.Offset by:
 - (d) Decrease in User Fees and Charges (reducing children services fees);
 - (e) Decrease of capital grants due to the deferral of some capital works to 2024/25; and
 - (f) Employee costs primarily because of increased Workcover premiums and agency labour hire costs related to shortages in the labour market.
23. Materials and Services is underspent and to allow for current volatility in cost pressures and other external influences we will not be adjusting our materials and services forecast at this point in time. Instead, will be closely monitoring all costs to ensure our forecast budget is not exceeded. Any surpluses identified in materials and services at 30 June 2024 will be transferred to Reserves to align with the key objectives of the Financial Sustainability Strategy.

Quarter Three – Capital Works

24. Council continues to plan and deliver projects that improve community safety and usability of our assets, to ensure longevity and reliability of our assets, to increase usability and efficiency, and address our community's current and future needs.
25. The expenditure to the end of Q3 for the 2023/24 Capital Works Program was \$17.2 million. In this quarter, Council has progressed well in the delivery of a mix of infrastructure works (roads and drainage) and structural works (ovals and pavilions, and community facilities).
26. By end of March 2024, Council had completed the following:
 - (a) 43 road infrastructure projects including:
 - road safety works on Rathdowne St (Carlton); and
 - pavement, footpath and kerb renewal works at:
 - (i) Arnold St, Princes Hill;

- (ii) Wangaratta St, Richmond;
 - (iii) Wilson St, Princes Hill;
 - (iv) Charlotte St, and Derby St, Collingwood;
 - (v) Curtain St, Carlton North;
 - (b) Pavement renewal works on:
 - (i) Fenwick St, Carlton North;
 - (ii) Richardson St Princes Hill;
 - (iii) Little Alfred St, Fitzroy;
 - (iv) Hotham St and Budd St, Collingwood;
 - (v) Caroline St, Clifton Hill;
 - (vi) Corns Pl, Richmond;
 - (vii) Parkville St, Burnley;
 - (c) IDAHOBIT flag renewal on Smith and Peel Street, Collingwood and Smith and Gertrude Street, Collingwood;
 - (d) Renewal of cricket pitch and cover at Alan Bain Reserve;
 - (e) Provided additional temporary change rooms for the clubhouse at Yambla Reserve; and
 - (f) Painted and refreshed the flooring of the Richmond Town Hall foyer main customer service point.
27. Budget adjustments as at the end of March have resulted in a net budget decrease of \$3.9m with the revised full year expenditure forecast being \$29.9m. The following are the major adjustments to the program in this quarter:
- (a) The inclusion of tree planting and bicycle safety initiatives to the capital works program as per Council resolution funded by savings identified in the program;
 - (b) Brunswick Street Oval Precinct Redevelopment – a reduction in budget by \$3.1m due to a rescoping of the project this financial year. The prices tendered significantly exceeded the budget available for the project, meaning a construction contract was unable to be awarded. The remaining budget in this financial year will be used to deliver a redesigned concept; and
 - (c) Atherton Gardens Kindergarten - a reduction in budget by \$635K to reflect the total expenditure that will be realised in 2023/24. The remainder of the budget to be budgeted for in 2024/25.
28. The attached Community Report contains further details of the Capital Works program progress.

Discussion

29. There are no options provided in this report.

Community and stakeholder engagement

30. The Annual Plan is informed by initiatives in the adopted Council Plan 2021-25. Extensive community engagement was undertaken during the development of the Council Plan 2021-25.
31. Council's Community Engagement Policy guides the approaches taken for community engagement for the individual projects contained in the Annual Plan.

Policy analysis

Alignment to Community Vision and Council Plan

32. The structure of the Annual Plan is aligned to the six Strategic Objectives of the Council Plan 2021-25 that respond to Yarra 2036 Community Vision.
33. Actions in the Annual Plan are closely aligned to Initiatives in the Council Plan.

Climate emergency and sustainability implications

34. The Council Plan 2021-25 includes a Strategic Objective 'Climate and Environment' that addresses climate emergency and sustainability implications. The Annual Plan includes seven actions that respond to Initiatives in this Strategic Objective.

Community and social implications

35. The Council Plan 2021-25 includes a Strategic Objective 'Social equity and health' that addresses community and social implications. The Annual Plan includes seventeen actions that respond to Initiatives in this Strategic Objective.

Economic development implications

36. The Council Plan 2021-25 includes a Strategic Objective 'Local economy' that addresses economic development implications. The Annual Plan includes five actions that respond to Initiatives in this Strategic Objective.

Human rights and gender equality implications

37. The Council Plan 2021-25 includes a Strategic Objective 'Social equity and health' that addresses equity, inclusion, wellbeing and human rights considerations. The Annual Plan includes seventeen actions that respond to Initiatives in this Strategic Objective.

Operational analysis

Financial and resource impacts

38. This report provides an analysis of progress against the Council Plan and budget for the third quarter 2023/2024 financial year.

Legal Implications

39. This report will satisfy Council's obligation under section 97 of the Local Government Act 2020 to ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public.
40. There are no other legal implications to this report.

Conclusion

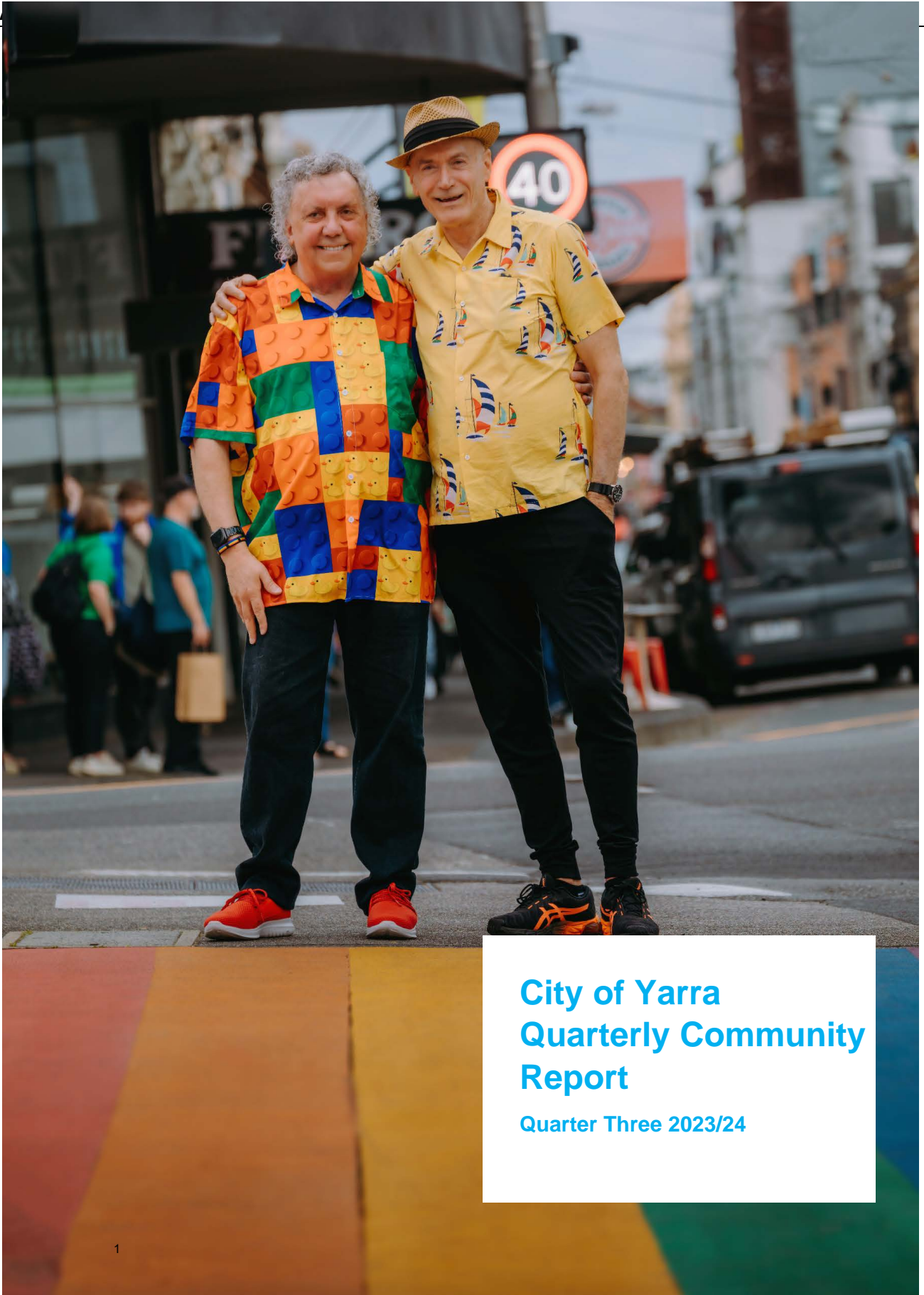
41. The 2023/24 Community Report Quarter Three provides a timely, open and transparent overview of the organisation and its activities from January to March 2024 inclusive.

RECOMMENDATION

1. That Council:
 - (a) notes the 2023/24 Community Report Quarter Three provided at **Attachment One**; and
 - (b) endorses the removal of the following actions from the 2023/2024 Annual Plan:
 - (i) Action title: 3.1.1.2 Night Time Economy Action Plan; and
 - (ii) Action title: 4.1.1.3 Gipps Street Employment Precinct Local Area Plan.

Attachments

- [1](#) Attachment 1 - City of Yarra Quarterly Community Report - Quarter 3 2023-24



City of Yarra Quarterly Community Report

Quarter Three 2023/24

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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.

Executive Summary

We are pleased to present the Quarterly Community Report for Quarter 3. This report provides a timely, open and transparent overview of the organisation and its activities from January to March 2024 inclusive.

Council is extremely proud of the depth and breadth of the work we are doing across a diverse range of areas. This quarter we have continued to address everything from improving our Financial Sustainability to our response to the Climate Emergency.

From embarking on a deliberative engagement where we asked the Yarra community to draft a set of principles which will guide service planning at Yarra in the future, to hosting a national bushland regeneration forum, to opening a new Kindergarten at Collingwood College, it has been a busy and rewarding quarter.

In addition to highlights and achievements, we continued the day-to-day services that our community relies on, working with you to implement and deliver on the actions outlined in our strategic plans.

Strategy and Plan highlights

- Financial Sustainability
- Active and Healthy Ageing Action Plan
- Nature Strategy

Service highlights include:

- Neighbourhood House Partnership Framework
- Yarra Libraries
- Yarra Arts
- Collingwood College Kindergarten Update

Progress made in delivering the Council Plan 2021-25

There are 57 actions planned for delivery this financial year. As of 30 March 2024, all actions had commenced with 47 actions completed or on track. This represents a result of 82% of our actions are completed or on-track which is above our performance target of 75%.

Financial Sustainability

Yarra's Financial Sustainability Strategy (FSS) was endorsed by Council on 12 December 2023. The strategy is a representation of Council's commitment to the responsible management of ratepayer's funds. By making this move we're ensuring that we can meet the service and infrastructure needs of our community, now and into the future.

Council has already achieved significant improvements in its financial position over the last two years through a number of projects and activities. Details of our recent deliberative engagement to support financial sustainability are detailed in this report.

Financial update

Council's cash and cash equivalents have increased from \$81.1 million (June 2023) to \$96.5 million and borrowings have decreased from \$34.9 million (June 2023) to \$31.6 million demonstrating strengthened financial sustainability.

A surplus for March 2024 of \$15.1 million is reported despite increasingly challenging economic circumstances. Generating sufficient levels of surpluses is critical to fund our capital works and other programs in the future.

Capital Works

The Capital Works Program is a comprehensive asset renewal, upgrade and new works program and the total projected investment for 2023/24 is \$29.8 million. Council continues to plan and deliver projects that improve community safety and usability of our assets, to ensure longevity and reliability of our assets, to increase usability and efficiency, and address our community's current and future needs.

The expenditure to date for the 2023/24 Capital Works Program is \$17.2 million. In this quarter, Council has progressed well in the delivery of a mix of infrastructure works (roads and drainage) and structural works (ovals and pavilions, and community facilities), as a result of improved management of the capital works projects.

Community Engagement Action Plan



Community members working together at Yarra's deliberative engagement

This quarter a key highlight in the community engagement space has been the successful delivery of a deliberative engagement process focused on developing a set of service review principles. A representative sample of the Yarra community was recruited through an EOI process that saw 42 community members brought together to deliberate. Through a series of four workshops, led by independent facilitators, the group of community members developed a draft set of guiding principles that will help inform and guide Council's future planning and review of community services.

Deliberative engagement is one of the deepest forms of community engagement and helps us understand our community's diverse perspectives and lived experience. The community input from this engagement process will have an enduring impact and will help shape the future of Yarra.

Feedback from the community working group indicated that participants were comfortable with the quality of the information, satisfied with the opportunity to express their views, and found their participation in this process worthwhile.

In addition, Council delivered the first Talking Yarra community event. This engagement program provides an opportunity for our community to speak directly with our Councillors about the issues that matter to them. During this quarter Council also held 9 community engagements in relation to current projects.

Community Engagement Activities

Council has been holding a series of in-person events across Yarra this year. A new program of events was developed with a strong focus on creating more opportunities for our community to engage in, in-person discussions with councillors about the issues and topics that matter most to them. There was a strong focus on ensuring these sessions were promoted to our diverse community and that under-represented voices were encouraged to participate. The new engagement program responds directly to feedback provided by our community and includes Meet the Mayor sessions, Talking Yarra community events and Talking Yarra stakeholder events.

In the last quarter we have held the following in person engagement activities for councillors:

- Six 'Meet the Mayor' sessions held in Fitzroy, Collingwood, Carlton North, Richmond and Clifton Hill
- Talking Yarra community event held in Richmond with members of Yarra's LGBTIQA+ community to mark Pride.

During the December to March quarter of the 2023/24 financial year, Council has also undertaken 9 engagements in relation to current projects. The engagements held include:

- Active and Healthy Ageing Strategy
- Access and Inclusion Strategy
- Service Planning and Review Principles
- Gertrude and Brunswick Streets corner
- Street Garden Guidelines
- Safer Streets – Alphington
- Charles Evans Reserve
- Cambridge Street Reserve Play Space.

As part of our commitment to best practice engagement, facilitating community participation in decision making, and ensuring our engagement program is both accessible and inclusive and results in broad representation from our diverse community, we are continually considering and testing new approaches to the way we engage. The following are some examples:

- Using icons and other visual aids to present the information for the Gertrude and Brunswick Streets corner engagement on the Your Say Yarra project in a simple and easy to understand way to encourage feedback from CALD and residents from the estate housing in the Atherton Gardens area. This methodology along with the targeted stakeholder approach, resulted in a successful reach of 8% of participants who identified as Aboriginal or Torres Strait Islander.
- Ensuring a diverse representation from CALD backgrounds, young people and LGBTIQ+ community members have been included in the Service Planning and Review Principles deliberative engagement process by conducting a thorough and independent selection process.

We have also implemented new strategies to provide space for people of all abilities to offer feedback. These efforts were recognised recently when our Your Say Yarra project page for the Access and Inclusion Strategy engagement stage 1 was highlighted in the local government sector as a best practice model for accessibility. Our approach included options for both traditional and Easy English, balanced visual and text content and used image options in the survey.

Financial Update

The quarter three financial position builds on the outcomes of prudent financial management achieved through the careful delivery of the 2023/24 annual budget and alignment of the objectives of the Financial Sustainability Strategy.

Following on from the comprehensive mid-year budget review (December 2023), Council has strengthened its financial position, achieved through holding costs, prudent human resource management and real time assessment of the capital works program.

Despite the ongoing financial challenges, Council is reporting no change from the forecast at the end of December 2023, which is a forecast surplus result of \$12.6m compared to a surplus of \$15.2m in the adopted budget. However, continuing decreases in user fees and charges (in particular further reduction in children services utilisation levels) and volatility with cost pressures and other external influences will be closely monitored during the last quarter of 2023/24. Surpluses at 30 June 2024, will be transferred to our reserves to align with the key objectives of the financial sustainability strategy.

The reduced forecast surplus is largely as a result of deferral of capital grant income to 2024/25 (\$5m).

Without these adjustments, Council's forecast would have provided a \$2.4m favourable position to budget. This overall forecast result is a significant outcome for Yarra City Council and demonstrates Council's commitment to strengthening our financial position without impacting services to the community.

The outcome also moves towards achieving financial goals of no further borrowing to fund operating activities, holding costs, and now Council can plan to build cash reserves and enabling the organisation to make decisions in alignment with the adopted Financial Sustainability Strategy.

Comprehensive Income Statement

Income Statement	YTD Budget	YTD Actuals	YTD Variance	Annual Budget	Annual Forecast	Annual Variance
	\$M	\$M	\$M	\$M	\$M	\$M
Revenue from ordinary Activities						
Rates and charges	131.8	132.0	0.2	132.1	131.7	(0.4)
Statutory fees and fines	26.4	28.7	2.3	35.6	37.5	1.9
User Fees	27.1	25.3	(1.8)	35.2	33.5	(1.7)
Grants - Operating	12.6	14.4	1.8	18.7	18.7	-
Grants - Capital	0.7	2.1	1.4	7.3	2.3	(5.0)
Contributions - Other monetary	4.7	4.6	(0.1)	6.4	7.7	1.3
Reimbursements	1.1	1.4	0.3	0.8	1.5	0.7
Other Income	1.6	4.2	2.6	2.2	3.7	1.5
Net gain/(loss) on disposal	0.3	0.6	0.3	0.1	0.4	0.3
Total Revenue	206.3	213.3	7.0	238.4	237.0	1.4
Expenses from ordinary activities						
Employee Costs	75.8	75.0	0.7	101.5	102.7	(1.2)
Materials and services	61.7	55.7	6.0	89.0	88.7	0.1
Depreciation & Amortisation	19.3	19.2	0.1	25.7	25.7	-
Amortisation - right of use assets	0.2	0.9	(0.7)	0.2	0.2	-
Bad and doubtful debts	3.7	1.5	2.2	5.1	5.1	-
Borrowing costs	0.7	0.7	-	0.9	0.9	-
Interest Exp - Leases	-	0.2	(0.1)	0.0	0.1	(0.1)
Other expenses	0.5	0.5	-	0.8	0.8	-
Total expenses	161.9	153.7	8.1	223.2	224.3	(1.1)
Net Result	44.4	59.6	15.2	15.2	12.7	(2.5)

The full year forecast surplus is a reduction of \$2.586m to budget, primarily due to the Brunswick Street Oval project and grant funding deferred to 2024/25.

Decreases in the forecast User Fees revenue are driven by a reduction in the utilisation of Childcare and Leisure Centres of \$0.8m and \$1.0m respectively and are consistent with the results in Quarter one and quarter two as previously reported.

The above decreases in income are partially offset with increases to statutory fees and fines (\$2.3m) and other income (\$2.6m) as a result of strengthened management of cash for investment and higher interest rates. At this stage of the financial year, there is no change to the overall financial sustainability risk rating as budgeted. Council has previously reported its challenges in generating enough cash to fund future capital works without borrowing.

Some sector wide staff shortages and planned human resource allocations have resulted in savings in salaries, however the forecast will result in an overspend in agency labour costs, together with increases to the WorkCover premium.

YTD actual results compared to YTD budget is favourable by \$15.2m. This result is driven by the following:

Revenue

- a) Rates and Charges are generally in line with budget YTD. Forecast has been reduced due to Supplementary rates being lower than budget (-\$0.500m) as well as waste charges (-\$0.200m), offset by higher than expected interest on rates in arrears (\$0.250m).
- b) Statutory Fees are favourable YTD, as a result of improved resource allocation to increase parking infringement notices issued and increased parking meter fees and permits income (\$2.280m).
- c) User Fees are unfavourable YTD for Family & Children Services (-\$0.931m), Town Planning fees (-\$0.302m), Infrastructure permits (-\$0.300m), and Construction Enforcement (-\$0.240m), offset by favourable position in Libraries, Arts & Events (\$0.201m).
- d) Grants - Operating grants are favourable YTD due to grant income carried forward from 2022/23 (\$1.147m) as well as unbudgeted School Crossing Supervisor grant received in Parking and Compliance (\$0.434m), and unbudgeted Food Organics Garden Organics (FOGO) grants received in City Works (\$0.578m).
- e) Grants - Capital grants are favourable YTD due to unbudgeted grant income for Otter and Smith Street Park (\$0.298m), Cambridge Street Reserve (\$0.325m), Richmond Early Learning Facility (\$0.250m), and grant income (\$0.455m) carried forward from 2022/23. Revenue is recognised progressively throughout the year as the projects are delivered. Associated expenses are captured in the capital works program. Impacting the variance compared to forecast is the timing difference for Brunswick Street Oval between the receipt of grant funding and delivery of the project (-\$4.600m) and Collingwood College (-\$0.435m).
- f) Other Income is favourable YTD, driven by higher interest rates and deposit balances than was originally budgeted (\$2.002m)
- g) Net gain on disposal of assets is favourable YTD due to vehicle sales being higher than budgeted, as a result of the 2023 Fleet review in alignment with the objectives of the Financial Sustainability Strategy to identify savings and grow cash reserves. Forecasts have been updated to reflect additional income expected from asset sale (\$0.246m).

Expenses

- h) Employee Costs: YTD savings in salaried staff costs due to vacancies (\$3.564m) is offset by agency & casual staff to backfill vacancies (-\$3.184m). Full year forecast remains unfavourable due to increase in work cover premium (-\$0.341m) and utilisation of more agency and casual staff to fill vacant positions (-\$1.6m).
- i) Materials & Services: YTD favourable variance driven by savings in contract payments in waste management, (\$2.555m) under-utilisation of legal fees (\$1.428m) reduced reliance on consultants (\$0.440m). Given volatility in cost pressures, we will be closely monitoring all costs to ensure budget is not exceeded. Any surpluses identified at 30 June 2024, expected to be transferred to reserves as per the objectives of the financial sustainability strategy.
- j) Bad and doubtful debts are currently favourable to budget due to an updated assessment of the closing

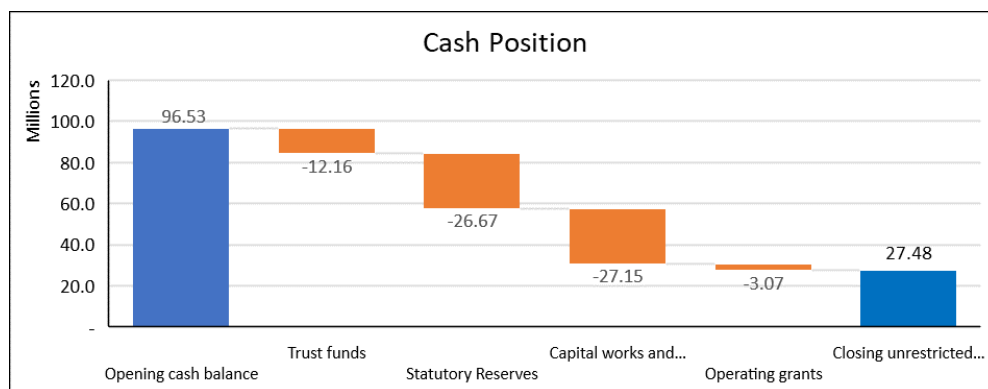
k) Debtor balance at the end of the December quarter. We will monitor movements closely and make an adjustment in quarter four should favourable variance materialise.

Capital Works

At 31 March 2024, YTD actuals \$17.191m are lower than YTD budget of \$23.650m and includes spend of \$4.097m from carryovers of \$7.248m.

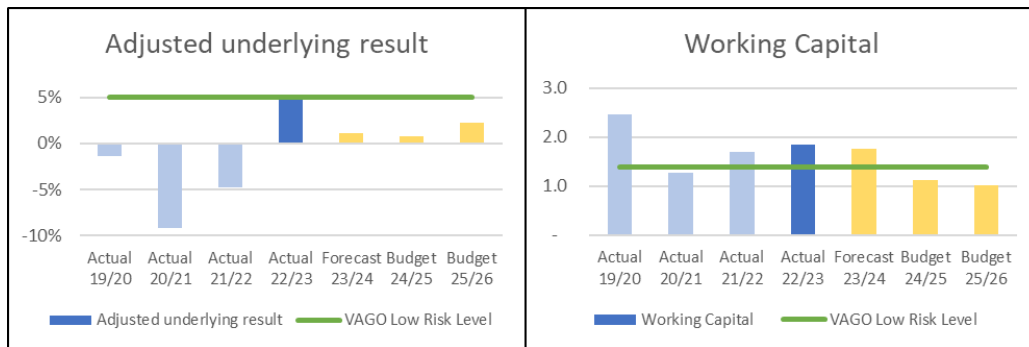
Financial Results Summary	YTD Budget	YTD Actuals	YTD Variance	Annual Budget	Current Final Projection	Annual Variance
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
New asset expenditure	7,861	4,088	3,773	12,424	9,111	3,313
Asset renewal expenditure	14,686	12,577	2,110	20,043	19,425	618
Asset upgrade expenditure	1,103	526	577	1,541	1,349	192
Total capital works expenditure	23,650	17,191	6,460	34,008	29,885	4,123

Cash Position



At 31 March 2024, Council has total cash of \$96.53m, of which \$31.61m is funded by borrowings. Unrestricted and unallocated cash position is \$27.48m, moving from \$5.39m at 30 June 2023.

Financial Sustainability Ratios

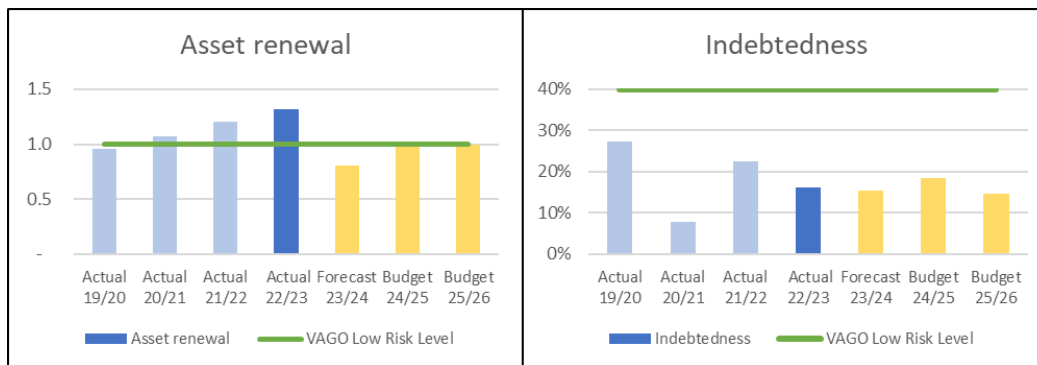


Adjusted underlying surplus (deficit) / adjusted underlying revenue

This ratio measures an entity's ability to generate its own cash. A positive result indicates a surplus, and the larger the percentage, the stronger the result. The result highlights Council's challenges in generating enough cash to fund future capital works without borrowing.

Current assets / current liabilities

Compares current assets to current liabilities, which provides a measure of the ability to pay existing liabilities in the next 12 months. This year's result expected to be in the low-risk range.



Renewal & upgrade spend/ depreciation

Ratios higher than 1.0 indicate that spending on existing assets is faster than the depreciation rate. This year's result is expected to stay in the low-risk range.

Non-current liabilities / own-source revenue

Measures Council's ability to pay the principal and interest on its borrowings when they are due from the funds it generates. This year's result is expected to stay in the low-risk range.

Treasury Corporation of Victoria (TCV) Loan financial covenants

TCV loan requirements		Target	Current Month	
Interest Cover	EBITDA/Interest Expense	> 2.0	108	100%
Interest Bearing Loans	Interest Bearing Liabilities/Own Source Revenue	< 60%	16.45%	100%

TCV financing is conditional upon Council maintaining a sustainable financial position when measured by the interest cover and interest bearing loans ratios. YTD results indicate that Council is meeting the minimum requirements. TCV loan requirements are well within target given limited borrowing compared to own source revenue and liability obligations.

Statement of Financial Position

Statement of Financial Position	YTD Actuals \$'000	30/06/23 Actuals \$'000	Movement Inc/(Dec) \$'000
Current assets			
Cash and cash equivalents	41,532	31,124	10,409
Trade and other receivables	67,450	25,721	41,729
Other financial assets	55,000	50,000	5,000
Inventories	147	147	-
Non-current assets classified as held for sale	-	-	-
Other assets	1,202	2,148	(946)
Total current assets	165,331	109,139	56,192
Non-current assets			
Investments in joint arrangements	5	5	-
Property, infrastructure, plant and equipment	1,924,185	1,926,440	(2,255)
Right-of-use assets	2,555	279	2,276
Total non-current assets	1,926,745	1,926,724	21
Total assets	2,092,076	2,035,863	56,213
Current liabilities			
Trade and other payables	6,058	7,188	(1,130)
Trust funds and deposits	18,659	15,797	2,863
Unearned income/revenue	10,350	13,413	(3,063)
Provisions	16,766	17,759	(993)
Interest-bearing liabilities	1,113	4,399	(3,286)
Lease liabilities	284	249	35
Total current liabilities	53,230	58,804	(5,574)
Non-current liabilities			
Other Liabilities	399	386	13
Provisions	1,241	1,227	13
Interest-bearing liabilities	30,501	30,501	-
Lease liabilities	2,341	50	2,290
Total non-current liabilities	34,481	32,165	2,316
Total liabilities	87,711	90,969	(3,258)
Net assets	2,004,365	1,944,894	59,471
Equity			
Accumulated surplus	673,330	651,149	22,181
Asset revaluation reserves	1,244,752	1,244,894	(141)
Other reserves	26,670	25,575	1,095
Surplus for the year	59,612	23,276	36,336
Total equity	2,004,365	1,944,894	59,471

Statement of Cashflows

Statement of Cash Flows	YTD	Annual Budget	Annual	Annual
	Actuals		Forecast	Variance
	\$'000	\$'000	\$'000	\$'000
	Inflows	Inflows	Inflows	Inflows
	(Outflows)	(Outflows)	(Outflows)	(Outflows)
Cash flows from operating activities				
Rates and charges	94,944	132,797	130,579	(2,218)
Statutory fees and fines	26,653	32,033	36,424	4,391
User fees	21,720	35,136	33,226	(1,909)
Grants - operating	11,295	18,739	17,914	(826)
Grants - capital	2,132	7,263	2,349	(4,914)
Contributions - monetary	4,630	6,351	5,200	(1,151)
Interest received	3,352	1,800	2,408	608
Trust funds and deposits taken/(repaid)	2,775	-	3,648	3,648
Other receipts	2,151	1,196	-	(1,196)
Net GST refund/(payment)	1,179	-	-	-
Payments to Employees	(75,971)	(101,505)	(102,244)	(739)
Payments to Suppliers	(57,956)	(90,117)	(90,067)	50
Net cash (used in) / provided by operating activities	36,903	43,692	39,436	(4,256)
Cash flows from investing activities				
Payments for property, infrastructure, plant and equipment	(20,287)	(34,008)	(28,555)	5,454
Proceeds from sale of property, infrastructure, plant and equipment	609	350	400	50
Payments for investments	(5,000)	-	-	-
Net cash used in investing activities	(24,679)	(33,658)	(28,155)	5,503
Cash flows from financing activities				
Finance costs	(704)	(894)	(894)	(0)
Proceeds from Borrowings	-	-	-	-
Repayment of borrowings	(3,286)	(4,399)	(4,399)	-
Interest paid - lease liability	(151)	(8)	(136)	(129)
Repayment of lease liabilities	2,325	(249)	(766)	(517)
Net cash used in financing activities	(1,816)	(5,549)	(6,195)	(645)
Net increase in cash held	10,409	4,485	5,087	602
Cash at beginning of period	31,124	82,566	81,123	(1,443)
Cash at end of period	41,532	87,051	86,209	(841)

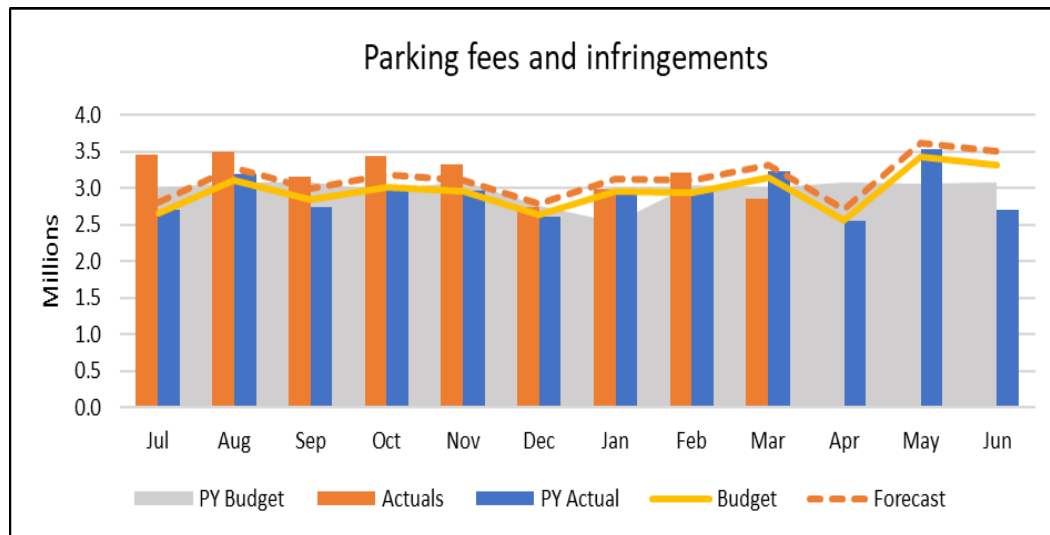
Statement of Capital Works

Statement of Capital Works	YTD Budget	YTD Actuals	YTD Variance	Adopted Budget	Current Final Projection	Annual Variance
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Property						
Buildings	4,143	2,409	1,734	8,347	4,633	3,714
Total property	4,143	2,409	1,734	8,347	4,633	3,714
Plant and equipment						
Plant, machinery and equipment	616	30	586	912	412	500
Fixtures, Fittings and Furniture	134	58	76	211	191	20
Computers and telecommunication	600	79	521	723	323	400
Library books	561	539	22	630	600	30
Total plant and equipment	1,911	706	1,204	2,476	1,526	950
Infrastructure						
Roads	4,570	5,057	(488)	7,102	6,820	282
Bridges	-	-	-	-	-	-
Footpaths and cycleways	1,385	1,267	118	1,538	1,499	39
Drainage	1,588	1,624	(36)	2,510	2,495	15
Waste management	1,615	-	1,615	1,880	1,702	178
Parks, open space and streetscap	6,593	4,759	1,833	7,646	8,045	(399)
Other infrastructure	1,845	1,367	478	2,509	3,165	(656)
Total infrastructure	17,596	14,075	3,521	23,185	23,726	(541)
Total capital works expenditure	23,650	17,191	6,460	34,008	29,885	4,123
Represented by:						
New asset expenditure	7,861	4,088	3,773	12,424	9,111	3,313
Asset renewal expenditure	14,686	12,577	2,110	20,043	19,425	618
Asset expansion expenditure	-	-	-	-	-	-
Asset upgrade expenditure	1,103	526	577	1,541	1,349	192
Total capital works expenditure	23,650	17,191	6,460	34,008	29,885	4,123

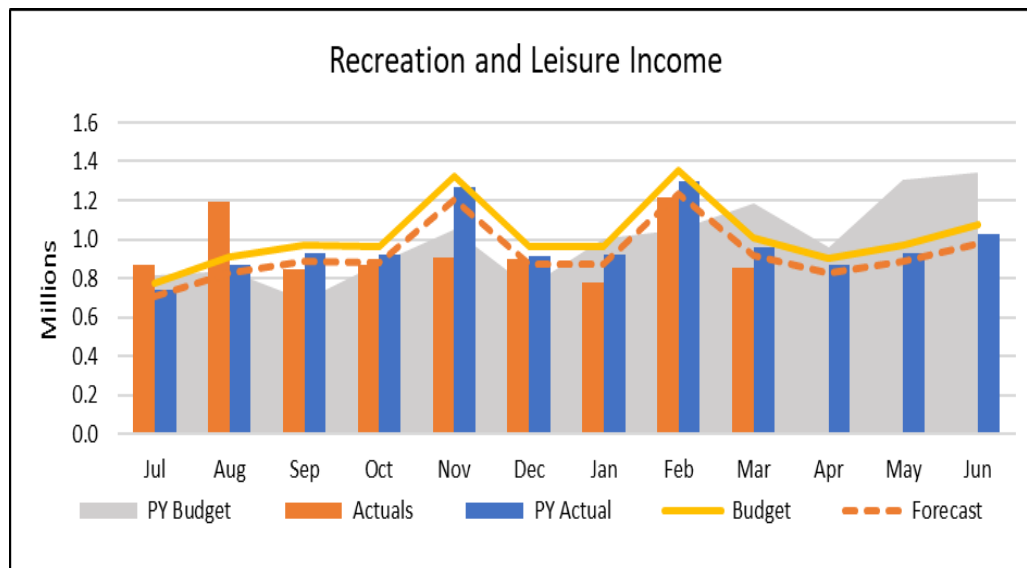
Operating Performance

Statutory Fees

Statutory fees have significantly increased compared to the previous years. YTD trend indicates that performance is above YTD budget and the annual forecast has been revised.

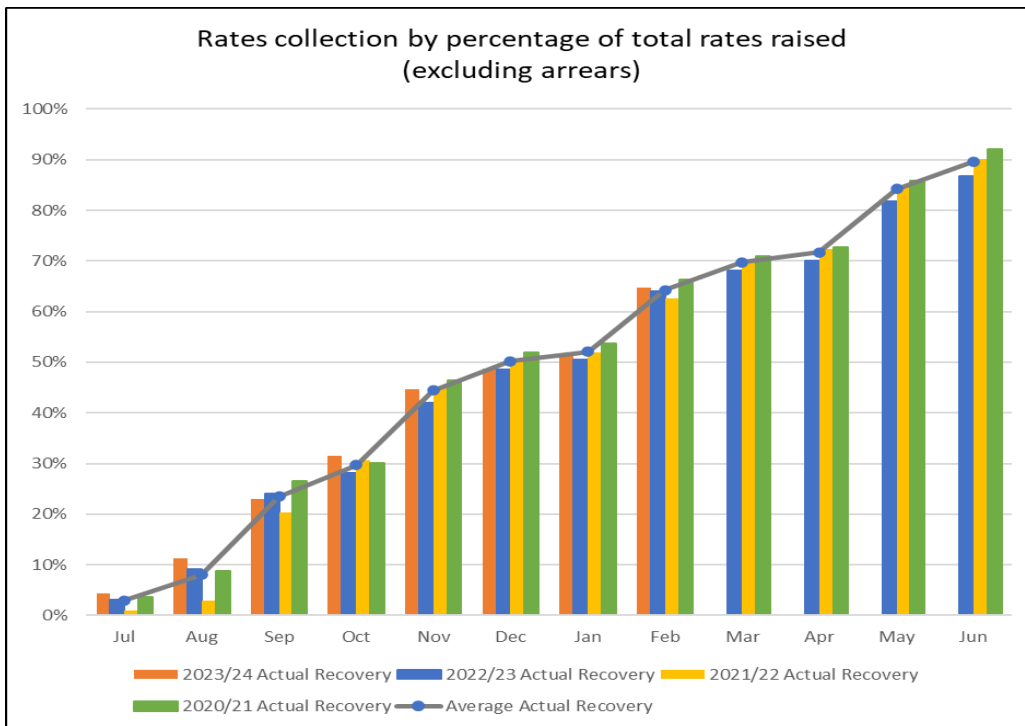
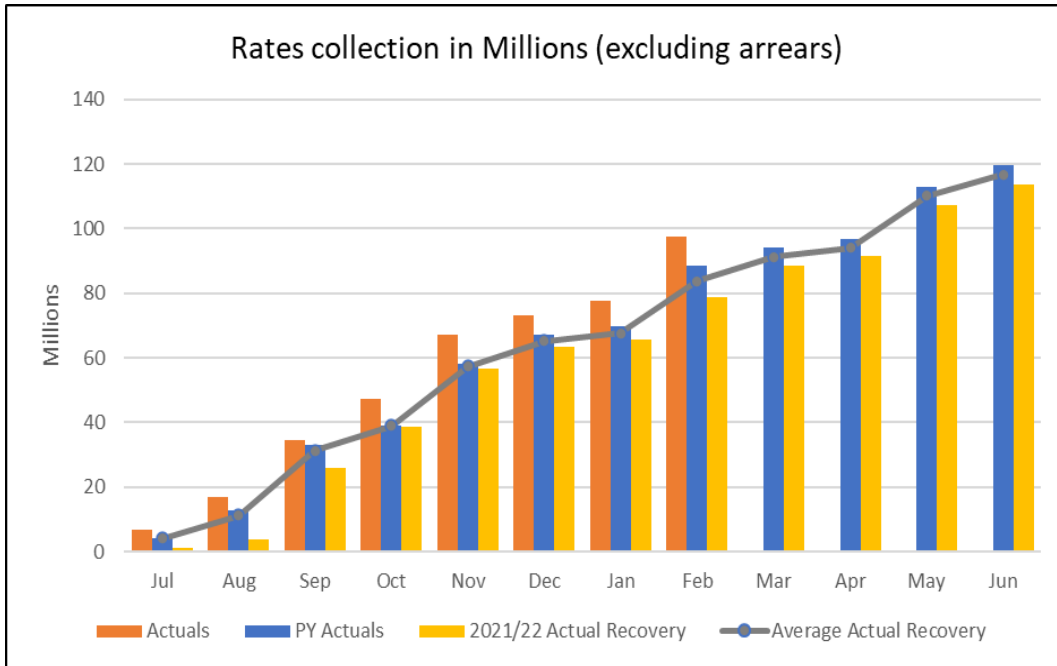


Recreation and Leisure Fees



Rates Collection

The cash collections from rates are currently aligning with the average collections achieved in the last three years. We will closely monitor this in the upcoming months to assess its impact on the forecasted cash balances.



Parking Revenue

This report presents parking revenue data for the third quarter of financial year 2023/24. It is intended to provide stakeholders with an overview of parking revenue and identify any trends or patterns.

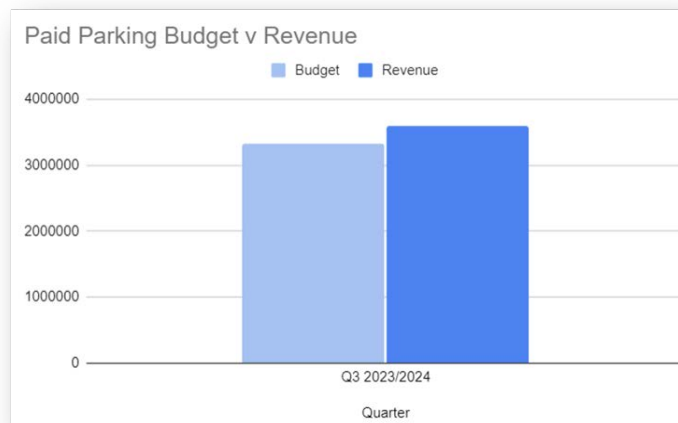
Parking revenue is broken down into two categories: paid parking and parking infringements.

Paid parking revenue includes income generated from both pay-by-phone (PayStay) and meter payments made by drivers.

Q3 Overall Paid Parking Revenue

Paid parking revenue includes both pay-by-phone (PayStay) and meter payments and are inclusive of GST. Total revenue received for Q3 23/24 increased by 1.60% compared to Q3 22/23. The graph below shows that the forecast revenue for Q3 was exceeded by 7.90%. Comparison Q3 figures for 22/23 and 23/24 are shown below detailing total paid parking revenue for this Q3 increased by \$56,556.15 compared to Q3 2022/23:

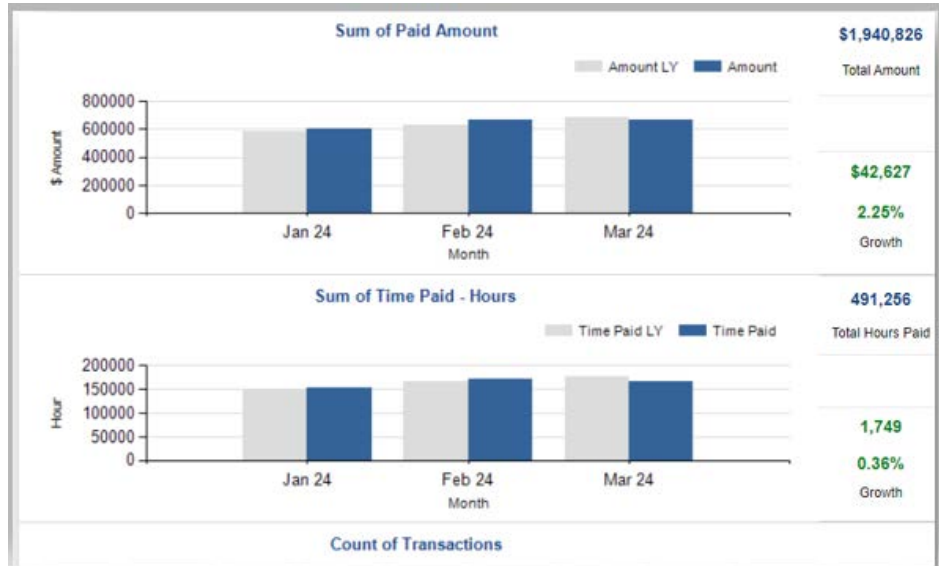
- Q3 2022/2023: \$3,539,175.54
- Q3 2023/2024: \$3,595,731.69



Q3 Paid Parking Meters

The table below shows the parking meter data including revenue and time paid. A total of 320,073 transactions occurred during Q3:

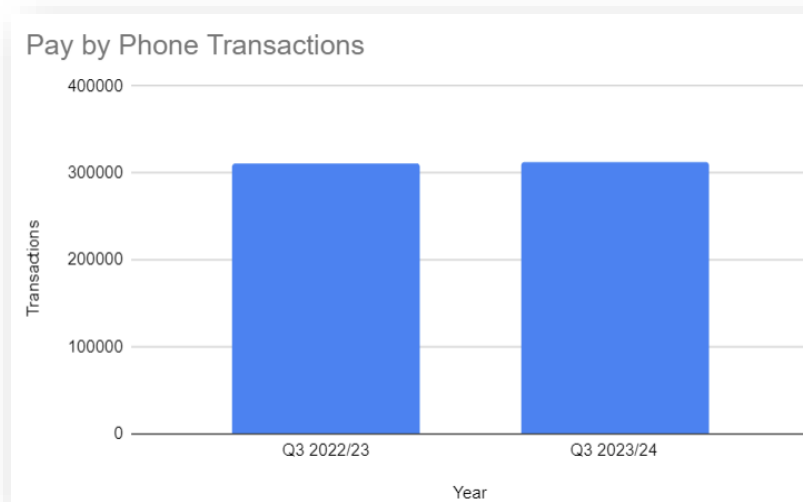
- Q3 2022/23 Meter Revenue: \$1,898,199.00
- Q3 2023/24 Meter Revenue: \$1,940,826.00



Q3 Paid Parking Pay by Phone

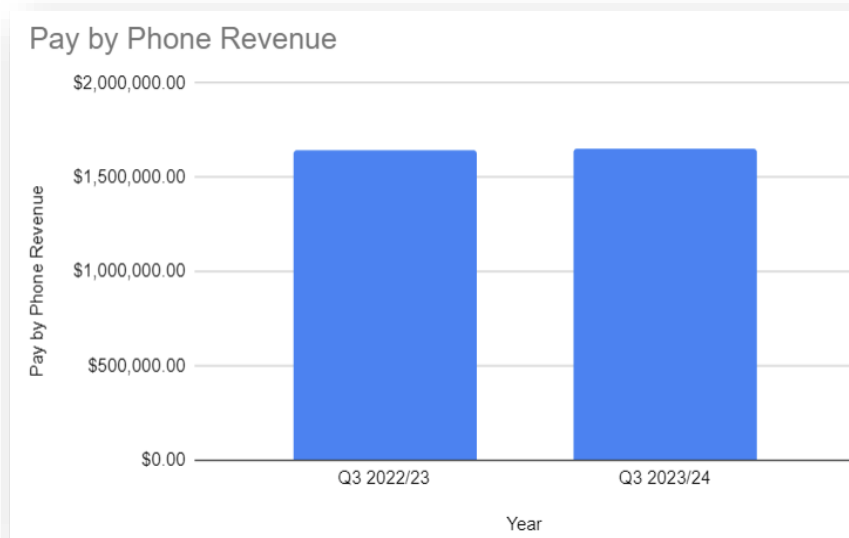
Pay by phone remains an active option for customers and the data continues to show a modest increase in the number of transactions when comparing Q3 22/23 to 23/24:

- Q3 2022/23 Pay by Phone Transactions: 310,756
- Q3 2023/24 Pay by Phone Transactions: 311,939



Revenue generated by pay by phone also shows a modest increase when comparing Q3 22/23 to 23/24:

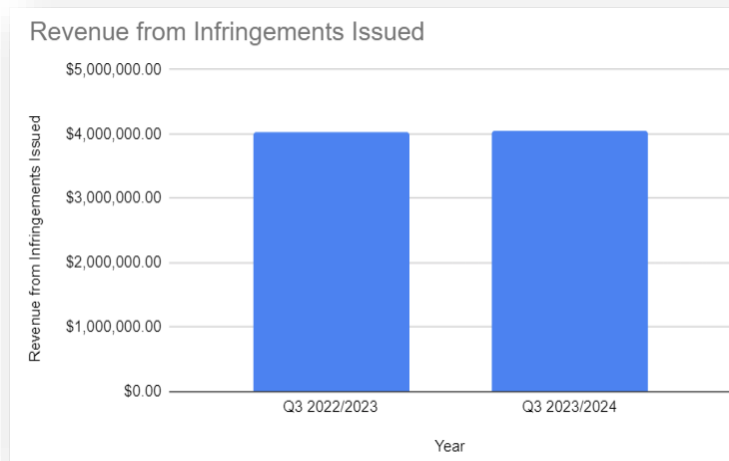
- Q3 2022/23 Pay by Phone Revenue: \$1,640,976.54
- Q3 2023/24 Pay by Phone Revenue: \$1,654,905.69



Q3 Parking Infringement Revenue

Revenue from infringements issued during Q3 shows a modest increase when comparing Q3 22/23 to 23/24:

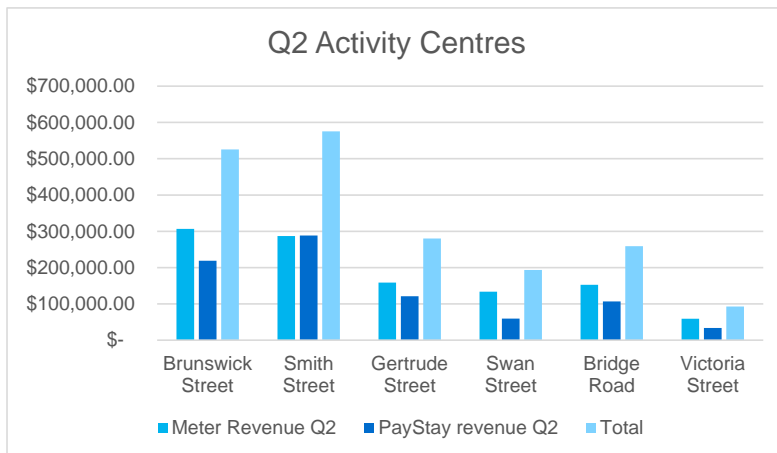
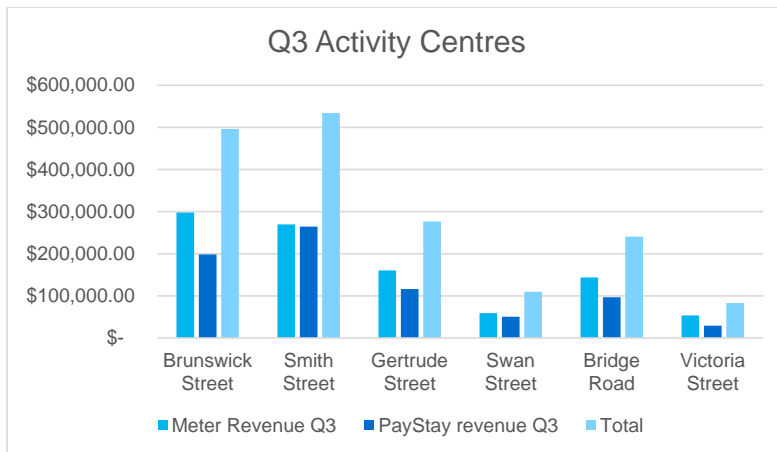
- Q3 Infringement Revenue 2022/2023: \$4,023,124.00
- Q3 Infringement Revenue 2023/2024: \$4,053,129.00



Activity Centre Paid Parking

Each shopping strip in Yarra is unique, influenced by a variety of factors such as the types of attractions and businesses located on the street. As a result, it is not possible to directly compare paid parking revenue across the centres.

Several important variables to consider when looking at the various centres include different tariffs (hourly fee) applied across the centres, amount paid for on-street parking, and breadth of hours that paid parking is in effect.

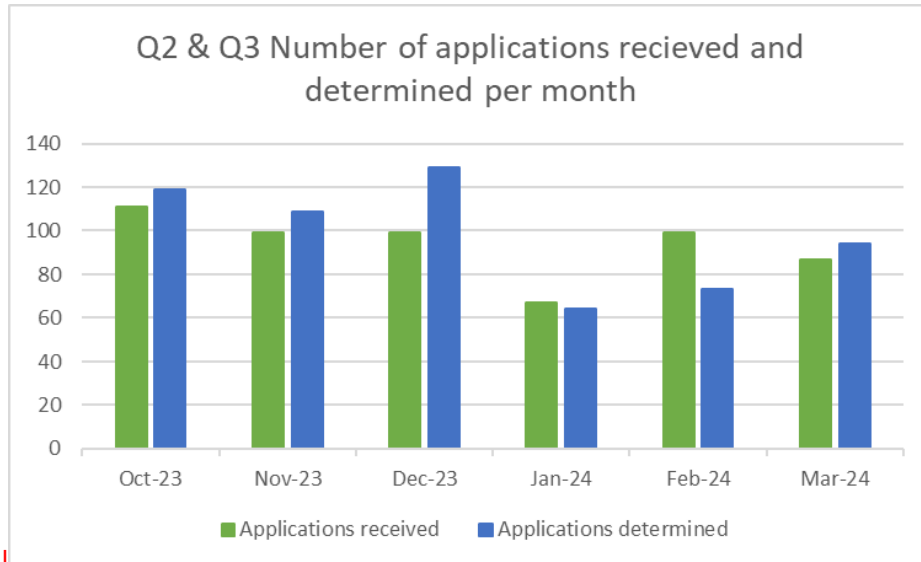


Statutory Planning Activity

This report presents information regarding Statutory Planning Application for Q3.

Applications Received and Determined

During Q3 Council received 253 planning applications and determined 231.

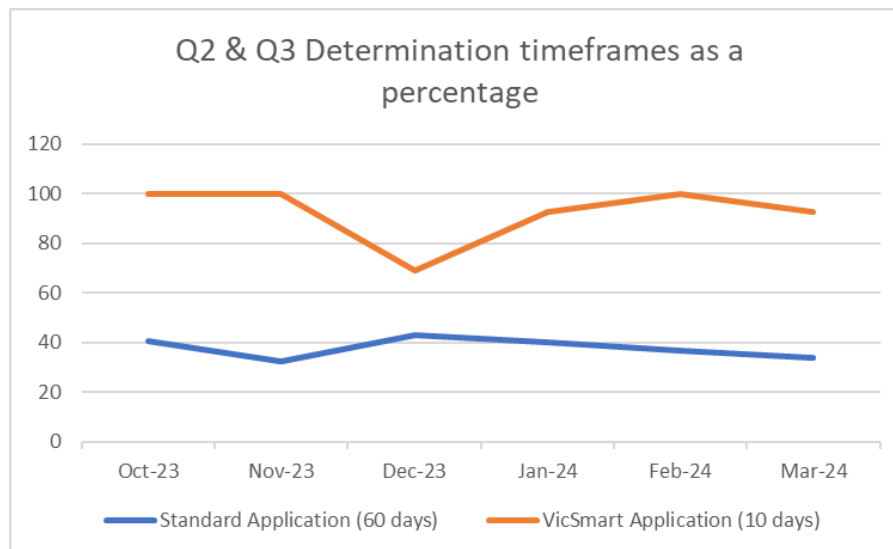


Timeframes

Council has two types of applications:

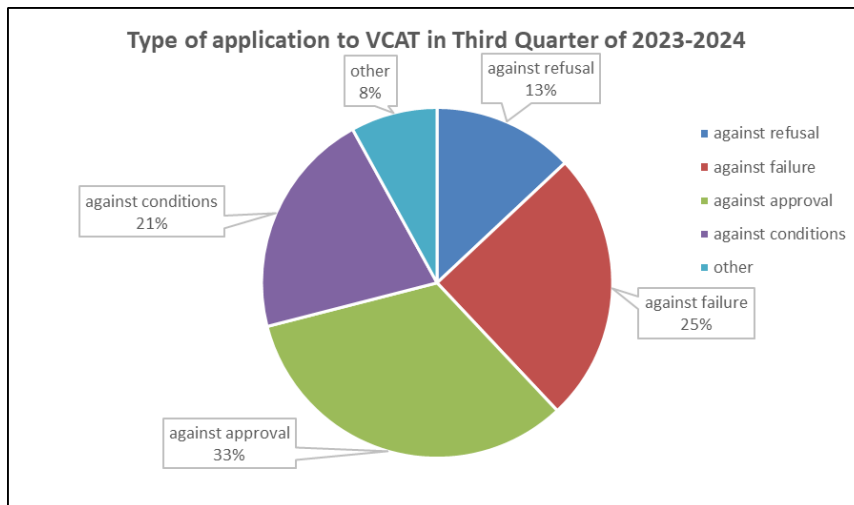
- Standard applications – 60-day statutory timeframe
- VicSmart applications – 10 business day timeframe

During Q3, Council determined 36.81% of its Standard applications within the 60-day timeframe and 95.24% of its VicSmart applications within the 10-business day timeframe.

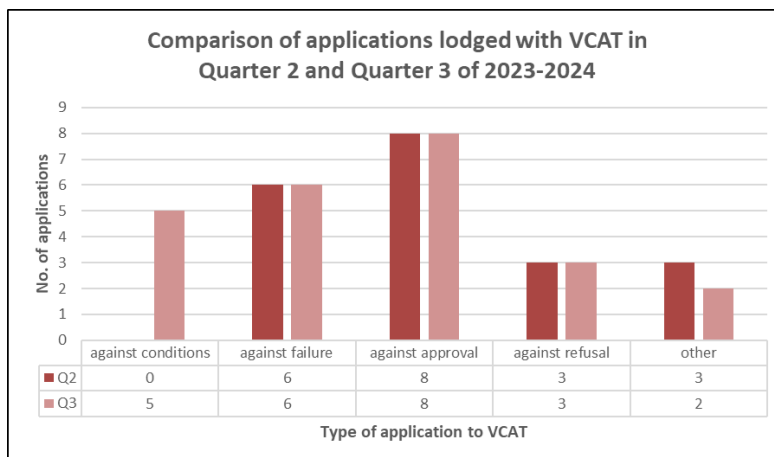


VCAT Activity Report

There were 24 applications that were reviewed to the Victorian Civil and Administrative Tribunal (VCAT) in the third quarter of 2023-2024, 4 more applications than the second quarter of 2023-2024.



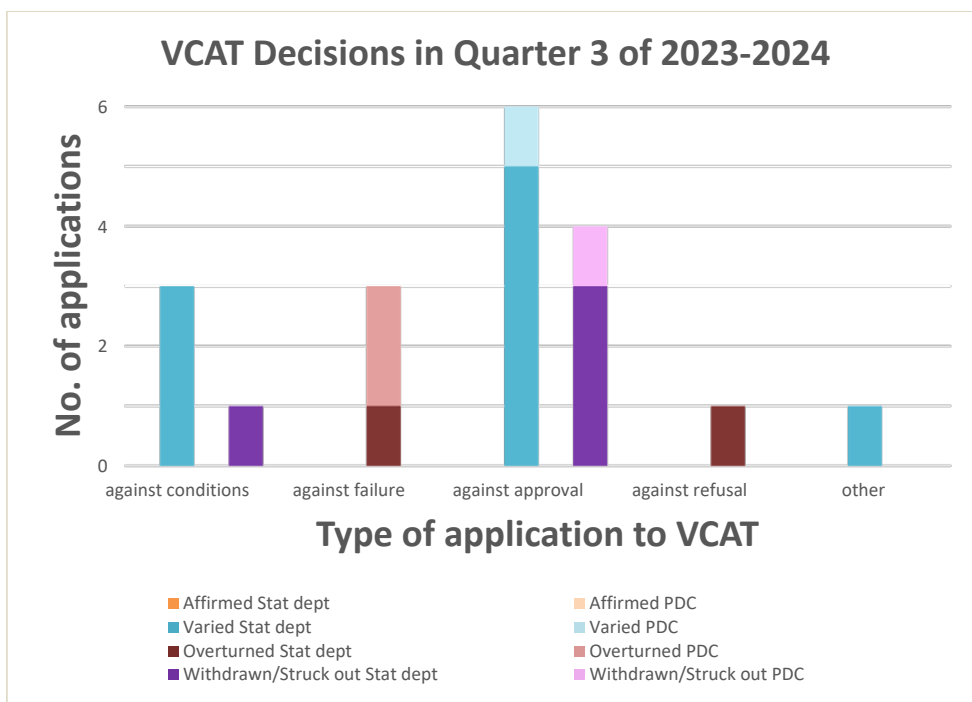
Total number of applications reviewed to VCAT: 24



When comparing the type of applications reviewed with VCAT in the third quarter of 2023-2024 with the previous quarter, in the third quarter of 2023-2024 there were:

- (a) 5 more applications 'against conditions';
- (b) the same number (6) of applications 'against failure';
- (c) the same number (8) of applications 'against approval';
- (d) the same number (3) of applications 'against refusal'; and
- (e) 1 less application 'against Other' (Amendments, Extensions of Time, Declarations).

The following graph shows the type of applications determined by VCAT in the third quarter of 2023-2024 and whether Council's decision was affirmed, varied or overturned. A total of 19 decisions were made by the Tribunal, including 5 applications that were withdrawn / struck out.



Of the 19 VCAT Decisions in Quarter 3 of 2023-2024 there were:

- (a) 0x Statutory Department and 0x PDC decisions affirmed;
- (b) 9x Statutory Department and 1x PDC decisions varied;
- (c) 2x Statutory Department and 2x PDC decisions overturned; and
- (d) 4x applications against Statutory Department decisions were withdrawn / struck out; and
- (e) 1x application against PDC decision was withdrawn / struck out.

The third quarter of 2023-2024 has seen the number of applications reviewed to VCAT (24) increase by 4 applications compared to the previous quarter.

The number of applications for review against Council's failure to determine the application within the prescribed time in the third quarter equates to 25% of all applications lodged in the quarter (total 6 appeals), which is the same number of applications compared to the previous quarter.

Planning Scheme Amendments Status

The responsible authority for Planning Schemes in Victoria is the Victorian Minister for Planning. All Planning scheme proposals and amendments must be submitted to the Minister for approval. Ministerial approval is required through all aspect and stages of the process including approval to place the proposed amendment on public exhibition, referral to advisory committees. In Yarra the Minister appointed the Yarra Activity Standing Advisory Committee to provide advice to the Minister and Council on referred planning matters and draft planning scheme provisions. Final adoption/rejection of all planning scheme amendments rests with the Minister, this process can take months and even years.

The following provides an outline of the status of Yarra's current proposed planning scheme amendments.

The amendments include:

- Amendments being progressed via the standard amendment process;
- Amendments being considered via the Yarra Activity Centres Standing Activity Committee; and
- Requests for interim planning controls via a Ministerial amendment. These amendments are applied for while permanent planning controls are being pursued.

The amendments are at various stages of the process, including:

- Awaiting authorisation / consent from the Minister for Planning to publicly exhibit the amendment;
- Have been publicly exhibited;
- Are being considered by an independent planning panel or the standing advisory committee or
- Have been adopted by Council and are with the Department of Transport and Planning (DTP) awaiting a decision by the Minister for Planning.

City-wide amendments

Amendments C286yara and C306yara – Public Open Space Contribution Rate

- C286 seeks to introduce an updated permanent public open space contribution rate to the scheme
- C306 sought to introduce an interim rate to the scheme at 7.4%;
- Amendment C306 (implementing a recommendation of the C286 interim panel report) was submitted to DTP for approval in June 2022;
- Council was advised in December 2023 the Minister for Planning had rejected Amendment C306);
- Council considered a report in December 2023 on C306 and resolved to write to the Minister for Planning, Secretary and Deputy Secretary of DTP requesting reasons for the decision. (A letter providing reasons for the decision was received on 28 February 2024);
- The reconvened Panel Hearing for C286 (permanent POS contribution) commenced on 5 February 2024 and concluded on 9 February (3 hearing days);
- Council received the Final Panel Report on 4 March and publicly released it. The Panel recommended adoption of a public open space contribution rate of 8.65% (amongst other things);
- Council adopted the amendment (with changes) on 9 April 2024;
- The amendment has been forwarded to the Minister for Planning for approval.

C309yara – Elevating environmental standards (amendment is with 24 other Councils and CASBE)

- C309 seeks to introduce zero carbon standards for new apartment buildings into the scheme;
- Submitted to DTP for approval in July 2022;
- The amendment is under consideration by DTP;
- The Victoria Government is also progressing the ESD Roadmap which will make further State-wide changes to the Particular Provisions.

Local area amendments

Amendment C291yara – Bridge Road and Victoria Street Permanent Built Form Provisions

- Submitted to DTP for approval in August 2022;
- The amendment is under consideration by DTP;
- On 7 March 2023, the expiry date for the interim DDOs extended to 30 June 2025 (via a Ministerial Amendment - Amendment C323yara).

Amendment C293yara – Collingwood South Mixed-Use Precinct Permanent Built Form Provisions

- Submitted to DTP for approval in June 2022;

- The amendment is under consideration by DTP;
- On 7 March 2023, the expiry date for the interim DDO extended to 30 June 2025 (via a Ministerial Amendment - Amendment C323yara).

Amendment C271yara – Fitzroy-Collingwood Permanent Planning Provisions

- Submitted to DTP to seek consent to exhibit in December 2022;
- The request for consent to exhibit permanent DDOs is under consideration by DTP officers;
- On 7 March 2023, the expiry date for the interim DDOs extended to 30 June 2025 (via a Ministerial Amendment - Amendment C323yara).

Amendment C317yara – Cremorne Precinct Interim Built Form Provisions

- Considered by Council in September 2023;
- A request for a Ministerial amendment (i.e. an amendment without exhibition) was submitted to DTP for approval in October 2023;
- The request is under consideration by DTP officers.

Draft Amendment C318yara – Cremorne Precinct Permanent Planning Provisions

- Considered by Council in September 2023;
- Submitted to DTP to seek consent to exhibit in October 2023;
- The request is under consideration by DTP officers.

Amendment C273yara – Heidelberg Road Permanent Planning Provisions

- Exhibited in July-August 2023;
- 118 submissions were received;
- Council considered submissions, proposed responses to submissions and a request to refer the amendment and submissions to the Standing Advisory Committee at its meeting on 12 December 2023;
- Request to refer the amendment to SAC was lodged in December and is being considered by DTP;
- Due to delays with referral, the hearing scheduled for April 2024 (as part of the amendment process, Council must pre-set hearing dates) will be rescheduled. Date to be confirmed;
- On 7 March 2023, the expiry date for the interim DDO extended to 30 June 2025 (via a Ministerial Amendment - Amendment C323yara).

Capital Works Update



Council's 2023/24 Capital Works Program features an investment of \$34.01 million, consisting of a new budget allocation of \$26.76m and carry over projects with a budget of \$7.25m from the previous financial year.

A map of capital works infrastructure projects for 2023/24 is available on Council's website at: <https://www.yarracity.vic.gov.au/about-us/council-information/current-works>

All projects

Council continues to plan and deliver projects that improve community safety and usability of our assets, to ensure longevity and reliability of our assets, to increase usability and efficiency, and address our community's current and future needs.

The expenditure to date for the 2023/24 Capital Works Program is \$17.2 million. In this quarter, Council has progressed well in the delivery of a mix of infrastructure works (roads and drainage) and structural works (ovals and pavilions, and community facilities).

In this quarter, Yarra City Council has completed the following:

- 43 road infrastructure projects including: road safety works on Rathdowne St (Carlton); pavement, footpath and kerb renewal works at:
 - o Arnold St, Princes Hill
 - o Wangaratta St, Richmond
 - o Wilson St, Princes Hill
 - o Charlotte St, and Derby St, Collingwood
 - o Curtain St, Carlton North
- Pavement renewal works on:
 - o Fenwick St, Carlton North
 - o Richardson St Princes Hill
 - o Little Alfred St, Fitzroy
 - o Hotham St and Budd St, Collingwood
 - o Caroline St, Clifton Hill
 - o Corns Pl, Richmond
 - o Parkville St, Burnley;
- IDAHOBIT flag renewal on Smith and Peel Street, Collingwood and Smith and Gertrude Street, Collingwood
- Renewal of cricket pitch and cover at Alan Bain Reserve

- Provided additional temporary change rooms for the clubhouse at Yambla Reserve
- Painted and refreshed the flooring of the Richmond Town Hall foyer main customer service point

Budget adjustments as at the end of March have resulted in a net budget decrease of \$3.9m with the revised full year expenditure forecast being \$29.9m.

The following are the major adjustments to the program in this quarter:

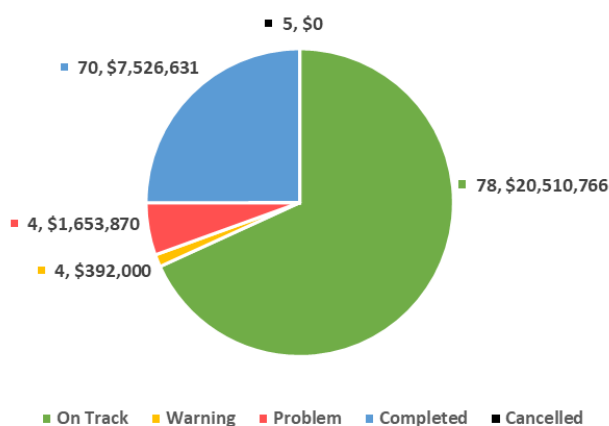
- The inclusion of tree planting and bicycle safety initiatives to the capital works program as per Council resolution funded by savings identified in the program.
- Brunswick Street Oval Precinct Redevelopment – a reduction in budget by \$3.1m due to a change in scope this financial year. The prices tendered significantly exceeded the budget available for the project, meaning a construction contract was unable to be awarded. The remaining budget in this financial will be 23/24 for concept redesign.
- Atherton Gardens Kindergarten - a reduction in budget by \$635k to reflect the total expenditure that will be realised in 2023/24. The remainder of the budget to be budgeted for in 2024/25.

The following provides a description of the summary status indicators used for the capital works program:

Status	Description
Completed	Project has been successfully completed
On-Track	The project is on track for successful completion by the end of the budget year
Warning	There is a moderate level of risk that the project will not be successfully completed by the end of the budget year
Problem	There is a high level of risk that the project will not be successfully completed by the end of the budget year
Cancelled	Cancelled or deferred projects

The summary status of capital works projects is shown in the chart below.

Proportion of current budget in each project status indicator



The summary status of capital works projects is shown in the chart above, with 70 projects completed, 78 projects on-track and 5 projects cancelled or deferred. Any expenditure at risk of being utilised this financial year, may be proposed for a future year (2024/25 or beyond) as may be appropriate for the circumstances of each individual project. The capital works planning process for the 2024/25 capital works program is being conducted with awareness of the projects at risk and the likelihood of some planned activities for 2023/24 extending into future budget years.

Strategy and Plan highlights

Financial Sustainability

As part of our commitment to strengthen Council's financial health, Council adopted its Financial Sustainability Strategy (FSS) in December 2023. The Strategy will guide Council on how to best manage our resources for the long-term in the best interests of our community.

The Financial Sustainability Strategy identifies seven levers for change: The strategic levers include plans to build reserve funds, responsible borrowing, optimisation of revenue, a focus on well-planned assets, ongoing reviews of the service landscape, digital transformation, robust financial management and a strengthening of advocacy and strategic partnerships.

Strategic Lever 4 of the FSS - Review the Service Landscape commits Council to establishing a (new) robust service planning and review framework to ensure all services are relevant, financially sustainable and can meet future community needs.

To inform this work, a deliberative engagement process was conducted to develop a draft set of community-supported service planning and review principles, which was presented to the Council on 4 April 2024. Council adopted the service planning and review principles and the potential service review prioritisation triggers as outlined below:

When planning and reviewing services, Council will:

1. Actively include a range of First Nations' voices and values in all decision making and placemaking to ensure ongoing community resilience.
2. Be proactive in supporting communities and service providers to dramatically reduce waste and greenhouse emissions and prioritise regenerative systems to improve wellbeing and biodiversity and sustainable outcomes.
3. Ensure Yarra's artistic and cultural identity is valued and supported given their contribution to community resilience.
4. Select service providers that are in line with Council's sustainability policies and goals.
5. Be adaptable and proactive by identifying, planning for, and implementing solutions that respond to dynamic factors and the current and future community needs.
6. Deliver qualitative and quantitative evidence-based outcomes that include community input, which will be shared and communicated in an accessible way with the community.
7. Use a comparative benefit analysis to measure value for money and the positive impact of service reform for the community.
8. Actively engage the community, prioritising those most directly impacted and in line with Council's Community Engagement Policy, where appropriate.
9. Prioritise financial sustainability and appropriate resource allocation to enable us to respond to changing community needs, now and into the future.
10. Prioritise service delivery models where it can maintain control of quality and influence the community benefits and outcomes.
11. Prioritise social benefits, especially those that address the needs of vulnerable and diverse people, within financial means.

12. Seek creative and innovative ways to continually improve and address challenges, including collaborating and partnering with other councils, other levels of government, not-for-profits, businesses, and volunteers.
13. Ensure social impact and equity are accounted for when pricing a user-pays, market-comparable service.
14. When making decisions, be considerate and evaluate the impact a change to one service will have on all other services.
15. When considering a change to service that is also provided by an external market, evaluate the external market against Council's Social Justice Charter principles, of Access, Equity, Rights and Participation.
16. Assess and consider the accessibility of services within a user's ability and means, both geographically and digitally, when proposing changes to service locations.

The following prioritised triggers could initiate a Service Review in order of priority:

Non-negotiable triggers:

1. Changes to the legislative requirements
2. Changes to funding arrangements or cost of delivering service.

Community prioritised triggers:

1. Service has a low social benefit (e.g. not responding to community need).
2. Service has poor community satisfaction.
3. Service has a negative impact(s) on the environment.
4. Service is not well utilised by the community (e.g. low demand).
5. Service is unable to maintain the quality expected by the community.
6. A gap or new community need has emerged (e.g. we need to consider reallocation of resources to meet an identified need).
7. Service is not directly delivering on the Council Plan / Community Vision.
8. A comparable service of same quality and price has become available by external provider(s) (external market maturity and availability).

Active and Healthy Ageing Action Plan



A member of the Bent Twig Alliance (Yarra's LGBTI Elders and Allies social group) smiles in front of a mural

The Active and Healthy Ageing Action Plan aims to ensure our residents aged 50+ remain engaged, active, and independent in the community, and able to connect and participate in everyday life.

Achievements this financial year include:

- The Seniors and Sprouts pilot program held in Term 4 2023, connected 4-year-old kindergarten children from Richmond Kindergarten with older volunteers from the Yarra community. The program genesis was derived during Global Intergenerational Week in April of 2023. The Victorian Early Years Learning and Development Framework and contemporary research demonstrates that the establishment and maintenance of strong intergenerational links enriches the lives of the whole community. Due to the success of the program in building intergenerational connections, it will be held again later this year.
- The October Senior's Festival was celebrated in Yarra, with Neighbourhood Houses, U3A, Council and other local groups hosting 29 free or low cost activities over this period. Highlights of Council's activities included: Willowview's 30th Anniversary Celebration; the launch of "Our Clubs, Our Stories" telling the stories in film of 11 culturally diverse seniors clubs; and supporting the U3A's "Ageing Well in a Changing World" forum and the Bent Twig Alliance's luncheon.
- Aged and Disability Services delivered over 800 packs to our aged services clients throughout December 2023. This focused on wellbeing and staying cool in summer and included an insulated water bottle to encourage people to keep hydrated during summer and reduce use of plastic. These were delivered to the client's front door, providing an opportunity for residents to give feedback on a range of topics and the insights gained were valuable in planning our services and support.
- Council is participating in a national project called "Old is Beautiful", which aims to combat ageism and build respect for older people. A number of older people from Yarra are participating in a workshop to learn how to protect themselves against ageism, explore what beautiful means to them, and have their photo portrait taken.

Nature Strategy



A Narrap Ranger Trainee planting yam daisies in the Indigenous food garden at Collingwood Childrens Farm

In preparation for the citizen science Aussie Bird Count, a group of 11 community members participated in 'Birds in Backyards' identification skills bird walk with an officer along the Merri Creek Trail.

Yarra's team of Gardens for Wildlife volunteers provided the owners of 20 local gardens with a garden specific report that assists residents to create habitat gardens for local wildlife, connect people with nature and each other and increase the abundance and appreciation of biodiversity. A further 5 Garden Guide volunteers have joined the Gardens for Wildlife Program, bringing the total to 15 active Garden Guides.

50,305 local indigenous ground, mid-story and small tree tube stock consisting of over 30 species have been ordered for rewilding projects at Burnley Golf Course, Alphington Wetland, Ramsdens, Quarries Hill, Rushall Recreation Reserve and Quarries soak to be delivered in Autumn 2024.

Year 3 of the Narrap Female Ranger Trainee Initiative, a partnership between Council, Collingwood Children's Farm and Wurrundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation, has provided 6 Narrap trainee rangers, including 5 female trainees', the opportunity to be trained on Country at Collingwood Children's Farm delivering 64 hours of healing country work focusing on First Nations garden maintenance and harvesting, revegetation preparation and planting, and manual weed control in Birrarung riparian restoration areas.

Service highlights

Collingwood College Kindergarten Update



Collingwood College Kindergarten

The State Government has committed to providing free kindergarten to all children in Victoria. In February 2024, our new kindergarten at Collingwood College was open for business with our first group of 19 children attending their first day.

This new kindergarten facility in Collingwood will help to meet the needs of the local community and help make their access to kindergarten easier.

Collingwood Kindergarten is a prefabricated modular building that can accommodate up to 66 children, located on the grounds of Collingwood College, on the northern side of Vere Street.

The kindergarten is funded by the Victorian Department of Education and is a joint project between Yarra City Council, the Victorian School Building Authority, and Collingwood College.

Yarra Libraries

We offer five vibrant hubs across the City of Yarra, servicing over 580,000 visitors each year. They are welcoming, accessible and flexible third spaces for the community to use in addition to their home or workplace. Our services reflect the diverse social, learning and recreational needs of our community.

Our growing library membership base of 52,106 supports the need to continue to invest in services, programs, technology, collections, and the talent in our team. We have a wealth of online resources available 24/7 including via digital channels, producing and sharing content that supplement our vast physical collections of books, audiovisual, magazines and local history photos and archival objects.

With a focus on community outreach and lifelong learning, we have already delivered 1,592 programs and events that have attracted over 38,834 participants this financial year.

In FY23, our community spent 176821 hours using Wi-Fi and over 15,634 hours using public access computers. By keeping our technology and staff skills current, we will continue to help bridge the digital divide and sustain our valued human connections.

We aspire to deliver vibrant discovery for our community through our collections, programming, partners and places, and connect with our community, leveraging all available digital and physical channels.

In addition, Yarra Open Libraries also offers our community (aged 16 years and older) access to un-serviced hours at Carlton Library, Richmond Library and Bargoonga Nganjin, North Fitzroy Library with Collingwood Library to be launched in April. The City of Yarra was the first metro library to launch an after-hours service, and many other councils are now doing the same. With a library membership card and an induction to the service, our members can gain access to extended hours from 8 a.m. to 10 p.m. on most days of the week, including public holidays. Since the service launched in December 2021, we have had 22,942 visits and 1744 registered members.

Our hard work is reflected in the 2023 annual customer service satisfaction survey, showing that 82% of Yarra residents surveyed are satisfied with our services. In the 2024 library user survey, 89% of members said the library was an important part of where they lived, 88% of members said they felt safe and welcome at the library and 74% of members said the library helped them to enjoy learning.

Programs and services include:

- Borrowing collections (digital and physical), archive and local history
- Home Library Service
- Free PCs and Wi-Fi
- Printing, photocopying, scanning and media digitisation facilities
- Book Groups
- Literacy programs including author talks and writing workshops
- Digital literacy support (Digital Help and Form Filing)
- STEAM Labs - afterschool programming and access to creative technology such as 3D printers
- Early literacy programming
- Open Library - extended access to the library during unstaffed hours
- Library of Things – a circular economy test lab
- Podcast recording studio at Richmond.

Yarra Arts

Yarra is a city that offers a range of opportunities for artists, organisations and groups wanting to produce and share their work. A significant and nationally recognised small to medium live music scene draws musicians and audiences to the municipality. It is also home to galleries and visual arts studios, theatre, dance, performance, literature, public art, design, digital arts and film and craft. The spaces in which art making, presenting and participation occur, move beyond traditional spaces, extending the opportunities for engagement across the city.

Yarra's arts and culture initiatives provide everyday experiences enjoyed by our whole community. Investment through collaborating, supporting and enabling creative instigators and participants of all levels aims to maintain and grow opportunities for arts in Yarra. Participating in community life is the key to a healthy, socially connected and culturally rich Yarra. Council aims to enable as well as celebrate Yarra's diversity and support inclusivity. We are committed to recognising the significance of Aboriginal and Torres Strait Islander peoples' culture to life in Yarra and supporting increased opportunities and visibility for this community.

We design our programs in response to the needs and aspirations of our community including residents, artists, arts organisations and businesses.

Programs and services include:

- Collections Management: care of and access to Council's indoor and outdoor Art and Heritage Collection.
- Public Art planning, programming, policy and delivery
- Arts Grants program
- Room to Create program: affordable spaces, advocacy and creative infrastructure funding
- Exhibition program
- Community programming: workshops, talks and forums.

Festivals and Events

Yarra supports a wide variety of cultural events and festivals that are a drawcard for locals and tourists, and Council supports more than 20 cultural festivals and events every year.

Our festivals and events calendar includes supporting many opportunities for community celebration and gatherings including Victoria Street Lunar Festival, Johnston Street Fiesta and Victoria's Pride that attract over 140,000 people per year to Yarra. There is support for many small to medium events including Gertrude Street Projection Festival, Harvest Festival, Music from the Wetlands and family fun days.

Council takes a leadership role and produces key initiatives such as the Leaps and Bounds Festival, Fairfield in Feb Series and the Festive Yarra Program. The 2023 Festive Yarra Program included Carols in the Park at Curtain Square in North Carlton with over 1000 attendees and over 60 performers including community choirs and professional musicians; a Projection Artwork by Multimedia Events for Richmond Town Hall and a decorative installation by Vin Tague at Fitzroy Town Hall.

The Event Permit team has issued permits for 128 small to major events to-date this financial year, spanning music events, school fetes, circus shows, AFLW matches, weddings and multiple corporate and private events across parks and open spaces in Yarra.

Programs and services include:

- Major Annual Cultural Events
- Event Permits and Support
- Grants Program, delivery and promotion
- Civic Events Program
- Council Produced Events and Festivals.

Council's Venues and Events unit offers over 50 indoor and outdoor spaces available for hire, catering to diverse needs and preferences within our vibrant and multicultural community. In alignment with our dedication to inclusivity, we extend concession rates and discounted use options to eligible not-for-profit groups, ensuring equitable access to our facilities.

The high-profile Candlelight Series of events continues with rave reviews and over 20 sold out events across both Collingwood and Fitzroy Town Halls.

Programs and services include:

- Room and venue bookings
- Event planning and support
- Public park bookings.

Bushland regeneration national forum



Australian Association of Bush Regenerators National Forum Crowd, Fitzroy Town Hall

On 22nd March 2024, Yarra City Council hosted more than 300 bushland managers and regenerators from across Australia at Fitzroy Town Hall to talk about bushland restoration and protecting local biodiversity.

The Australian Association of Bush Regenerators National Forum connected all levels of bushland workers, from managers and on-ground regenerators to consultants and environmental Non-Government Organisations to learn, share and scale up restoration of our natural environment.

The forum had a strong emphasis on First Nations knowledge and reconnection to Country with presentations that focussed on cultural fire management practices and cultural protocols. Yarra's Biodiversity Officer was a part of the forum organising committee and provided presentation on 'applying the 12 elements form the National Restoration Standards to contract specifications'.

Environmental improvements

Council is on target to achieve the goal of planting between 400-800 trees annually as set out in Council's Urban Forest Strategy. Multiple tree planting programs are underway including rewilding programs, 250 trees to be planted at the Burnley Golf Course & a further 386 new trees to be planted across Council parks and reserves.

A new fleet operating policy has been implemented which will reduce the number of passenger cars in Council's fleet and this will help to drive down emissions from Council's operational vehicles.

From July 2024, Food and garden organic (FOGO) will be collected from a new lime-green lidded bin. Waste and recycling systems are changing so more can be made from the resources in our kerbside bins.

Yarra's new FOGO collection service will provide a new avenue to reduce waste and recycle more materials. Up to 45,000 households and businesses will receive a food & garden organics bin later in 2023/24 and this will reduce volumes of waste going to landfill.

Activity centre utilisation



Diners on Gertrude Street, Fitzroy

Precinct vacancy audits

At the beginning of each calendar year, Yarra City Council's Economic Development team conducts audits of our 12 retail and service precincts.

We visit approximately 2,500 ground floor businesses to capture data to upload to our Geographic Information System (GIS).

We record vacancies, business names, business types, opening hours and accessibility of premises. We track these changes over the years to monitor trends and assist with strategic planning.

The below graphs show the number of vacant properties in our 12 retail and service precincts over the last four years.

In 2024, 10 of our precincts have seen a reduction in vacancies on the previous year, with a significant reduction on Bridge Road (16 properties) and Nicholson Village (11 properties), while we only saw a slight increase on Gertrude Street (4 properties) and Queens Parade (2 properties) compared to 2023 figures.

This is an extremely positive shift, as overall vacancy across our 12 major precincts now sits at just 13.9% or 350 properties.

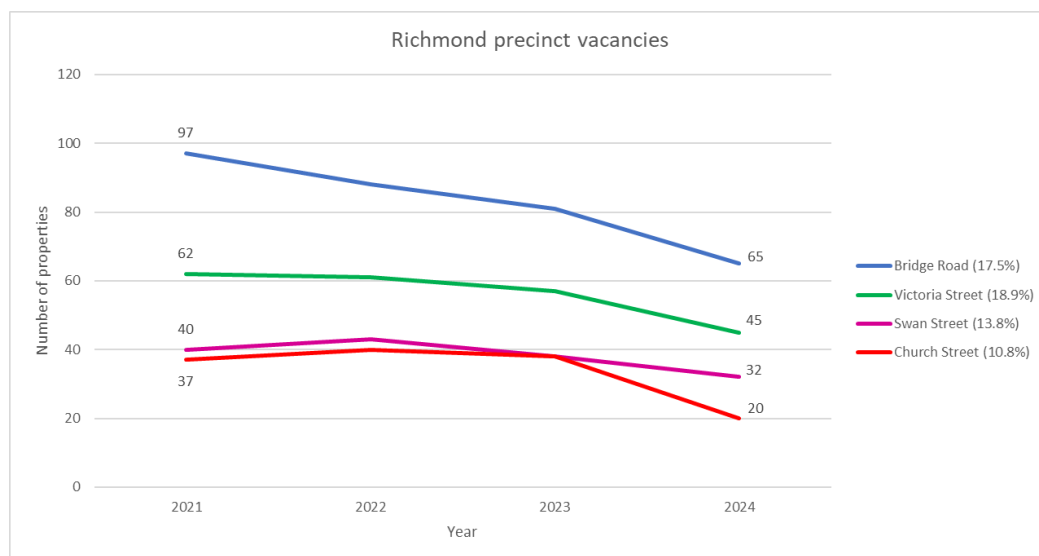
Note – the audit is a 'snapshot' of a point in time. It does not factor in turnover of properties between audits.

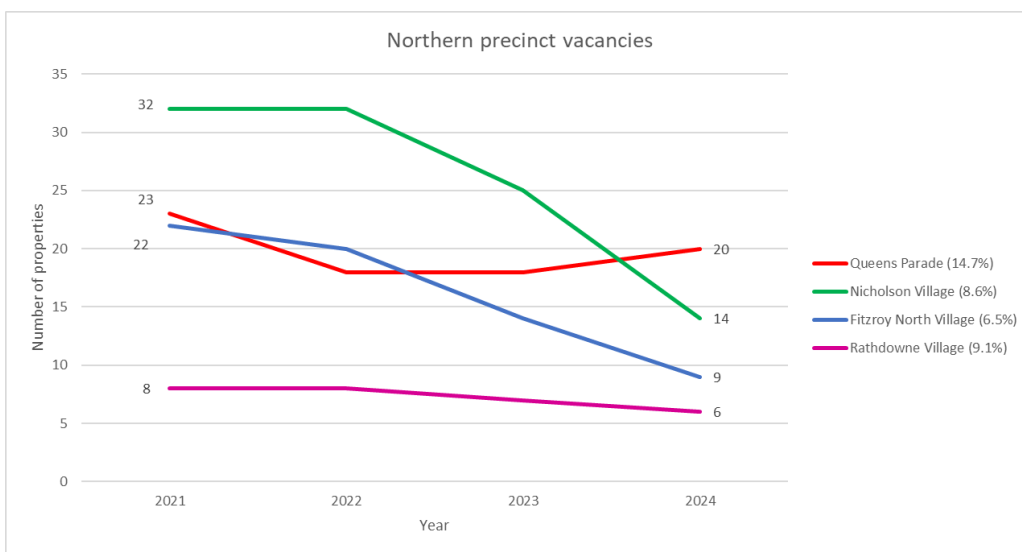
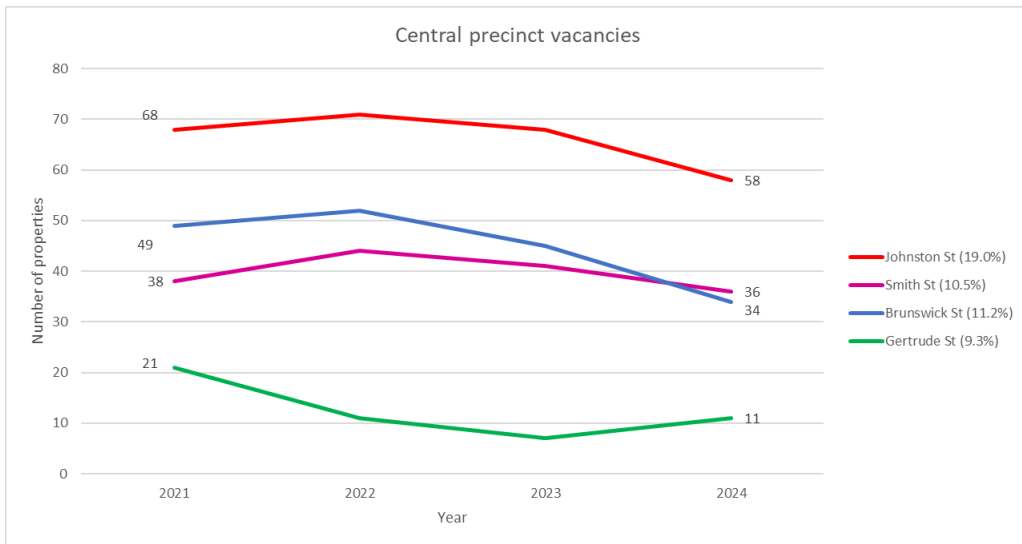
Fitzroy North Village, Gertrude Street, Nicholson Village and Rathdowne Village are our precincts with the least vacancies:

Precinct	No. of vacant properties	% of properties vacant
Fitzroy North Village	9	6.5%
Gertrude Street	11	9.3%
Nicholson Village	14	8.6%
Rathdowne Village	6	9.1%

Johnston Street, Victoria Street and Bridge Road are our precincts with the most vacancies:

Precinct	No. of vacant properties	% of properties vacant
Johnston Street	58	19.0%
Victoria Street	45	18.9%
Bridge Road	66	17.5%





Annual Plan performance

Council adopted its Council Plan 2021-25 on 19 October 2021. The Council Plan, incorporating the Municipal Health and Wellbeing Plan, sets out the medium-term direction of Council and the outcomes sought by Councillors for their term. This financial year 2023/24, is year three of the Council Plan 2021-25.

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.

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 Plan includes actions that link to some, but not all initiatives from the Council Plan.

Council's progress in delivering the 2023/24 Annual Plan for Quarter 3 (January, February, March 2024), is detailed in the next section under our six Strategic Objectives.

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Annual Plan 2023/24 March Progress



GREEN

At least 90% of action target achieved



AMBER

Between 75% and 90% of action target achieved



RED

Less than 75% of action target achieved



No target set

1 Climate and environment

Action Title: 1.1.1.1 Development of the new Climate Emergency Plan

Develop a new climate emergency plan that builds on the success of the last plan, incorporates current best practice, and builds from a foundation of community engagement. Look to broaden the focus and reach of the Plan as needed and include the strong links to community well-being and strengthening.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Michael Oke - Unit Manager Sustainability	In Progress	01-Jul-2023	30-Jun-2024	75%	75.00%	 GREEN

Action Progress Comments: Council engaged Ironbark Sustainability to undertake the review of community greenhouse gas emissions. For the first time this has been built from local utility data and is broken into key sections.

Council undertook significant community consultation for 6 weeks during November-December 2023 to inform the development of a new Climate Emergency Plan. A new draft Climate Emergency Plan has been completed and will be presented to Council in April seeking endorsement for public exhibition and stage 2 consultation.

Action Title: 1.1.1.2 Community engagement and mobilisation on climate emergency

Deliver targeted programs and activities to key sectors in our community to take climate action. This includes supporting our community to reduce individual and household carbon emissions; bringing people together to be active citizens pushing for change; and helping our community prepare for and cope with worsening climate impacts.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Michael Oke - Unit Manager Sustainability	In Progress	01-Jul-2023	30-Jun-2024	85%	85.00%	 GREEN

Action Progress Comments: Council delivered the 'Let's Kick Climate Goals' session in partnership with Richmond Football Club in June 2023 with local sports clubs, fans and members discussing how they might support climate action in their communities. Based on this we are further engaging with our local sports clubs, but also noting the feedback received that post-COVID they are short of volunteers and those they do have carry a heavy load with volunteer fatigue is high, so we need to be mindful of this as we go forward.

Council actively promoted the Climate Action Grants to our community via the Yarra Environment News, other corporate channels, and through direct engagement with key groups and individuals. A strong and diverse mix of community-led climate projects were received and are expected to be presented to Council for endorsement next quarter.

The Neighbourhood House Climate Resilience project, completed with the launch of the joint Climate Action and Resilience Plan, as well as individual plans for each Neighbourhood House, in

October 2023.

Councils annual Climate Active submission was completed and lodged in November 2023. The submission is a requirement for Council to remain a certified Carbon Neutral organisation.

Council reviewed the outcomes of recent sustainable apartments and electrify everything programs, and have launched a new SunSPOT solar calculator tool for households to map where solar can go on their roofs, and have commenced planning with partner councils for a High Life Expo in mid-2024, to support apartments to improve sustainability and electrify. Council also commenced the 'Wired for Tomorrow' project with the Yarra Energy Foundation investigating the potential of an all-electric precinct,

Council launched the '5 Big Ways to Take Climate Action' project in February to support locals to take climate action, reduce household emissions and push for urgent change in the ways we live, work and play.

Each month focusses on a different theme from:

- dealing with the emotional impacts of climate change,
- making sustainable food choices,
- electrifying everything,
- ethical investing and divesting and,
- advocacy/having your say on climate and environmental issues.

Action Title: 1.1.1.3 Community batteries

Support opportunities to accelerate uptake of renewable energy in Yarra through community battery installations.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Michael Oke - Unit Manager Sustainability	In Progress	01-Jul-2023	30-Jun-2024	71%	75.00%	 GREEN

Action Progress Comments: The collaborative 'Fast Tracking Neighbourhood batteries' project is complete. The project has delivered community engagement to understand public sentiment and preferences around neighbourhood batteries locally, and technical assessment to produce a map of areas with good potential and feasibility studies on three locations in Yarra.

A final report and guidance document for future neighbourhood batteries will be delivered in January.


Officers briefed Councillors on the status and direction of community batteries in Yarra at Cr Workshop in September 2023.

The Fast-tracking Neighbourhood Batteries project delivered in collaboration with the Cities of Melbourne and Port Phillip is complete. The project has delivered community engagement to understand public sentiment and preferences around neighbourhood batteries locally, and technical assessment to produce a map of areas with good potential and feasibility studies on three locations in Yarra. A final report and guidance document for future neighbourhood batteries will be delivered in January.

An early draft roadmap to accelerate Community Batteries in Yarra has been completed and is undergoing internal review prior to being presented to Councillors.

Action Title: 1.1.1.4 Zero Carbon Business

Engage businesses and partners to transition towards zero-net carbon and develop circular economy approaches

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Michael Oke - Unit Manager Sustainability	In Progress	01-Jul-2023	30-Jun-2024	80%	80.00%	 GREEN

Action Progress Comments: Council has promoted the CitySwitch program, a national program supporting office tenants to improve energy and waste efficiency, to Yarra office-based businesses for their consideration to participate. This includes via the Sustainable Business e-Newsletter, our Yarra Website, and direct engagement with our existing sustainable business contacts and through the CitySwitch program manager.

Officers worked with YEF to review the Better Energy Better Business (BEBB) program through the process of developing the new Funding Agreement with YEF for 2023/24. YEF has recently provided Officers with a first draft BEBB Solar Guide. This Guide is designed to present potential solutions for larger businesses and include case studies for businesses with different usage scenarios.


The second phase of the Business Renewables Buying Group (BRBG) has been completed. Led by Yarra, the BRBG has been expanded Victoria wide, with 32 Councils currently signed on and the program has been promoted to Yarra businesses with more promotions coming.

Council continues to support local businesses in Yarra to take climate action. In February Council delivered a Sustainable Business Yarra Breakfast event 'Enabling your business or commercial property investment to benefit from the transition to renewable energy' and in April will host a mini expo on 'Circularity and energy efficiency in the building industry'.

Council also continues to bring together and grow the Sustainable Business Yarra Working Group, regular eNewsletter, and the Business Renewables Buying Group,

Action Title: 1.1.2.1 Collingwood Leisure Centre facility design to support the transition off gas

Council will undertake design for the renewal of building services at Collingwood Leisure Centre. A major component of this is Heating, Ventilation and Airconditioning (HVAC), which will include full electrification to enable retirement of the use of gas at the facility.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Graham Davis - Manager Building and Asset Management	Completed	01-Jul-2023	30-Jun-2024	100%	100.00%	 GREEN

Action Progress Comments: An engineering consultancy specialising in zero-emissions transformations of the built environment were engaged to undertake a study of various options for electrification of Collingwood Leisure Centre, with further due diligence undertaken to have a second consultancy with significant experience in electrified aquatic centres in New Zealand undertake a peer review of the options identified. From this, a recommended approach has been identified that will provide excellent sustainability outcomes whilst keeping the capital investment as low as possible and minimising the implementation risk.

Action Title: 1.1.2.1 Zero carbon development planning scheme amendment

A key action in the Climate Emergency Plan, Council is pursuing a 'zero carbon development' planning scheme amendment and developing further environmentally sustainable development guidelines.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Kathryn Pound - Manager Statutory Planning	In Progress	01-Jul-2023	30-Jun-2024	66%	66.00%	 GREEN

Action Progress Comments: Council continues to advocate and engage with Department of Transport and Planning and the Minister for Planning to support the progression of the amendment. Offices are also meeting with members of CASBE on an on-going basis.

Authorisation has not been received to enable the proposed amendment to be placed on public exhibition.

Action Title: 1.1.2.1 Circular Economy

Circular economy is a new way of seeing products and materials, viewing them as valuable resources instead of 'waste'. Instead of dealing with waste materials when we throw things away, Yarra City Council continue to be a leader in this space and drive change through our services and initiatives.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Brett Grambau - Manager City Works	In Progress	01-Jul-2023	30-Jun-2024	78%	85.00%	 GREEN

Action Progress Comments: Officers continue to work with the State Government to influence what is included in bin content service standards. The draft service standard, corresponding draft regulations, and associated Regulatory Impact Statement (RIS) have not been released for formal public consultation, this is expected by the end of 2023. The final service standards and regulations are expected to be made in early 2024.

Officers have been working closely with State Governments, Visy (our network provider) and other Councils to ensure the CDS program is delivered to meet Yarra's objectives of litter reduction, resources recovery and equal community participation.

Council developed and launched an online workshop promoting sustainable local food systems and community growing spaces for residents interested in applying for a planter box.


Officers are working to integrate the Circular Economy Strategy into the Climate Emergency plan, which is being developed and will go on public exhibition in April 2024. Officers have drafted an organisational wide Circular Economy policy.

Council endorsed the rollout of the Food and Green Waste service on 12 September 2023. Officers have developed the communication behaviour change and education program. In December Council awarded contracts for procurement of bins, collection and processing of FOGO material, the service will start on 1 July 2024.

Staff have commenced planning for the Depot open day to take place later this year.

Action Title: 1.1.2.2 Reduce the use of single use plastics

Engage with businesses and the community to reduce the use of single use plastics and phase out single use plastics across Council's operations.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Brett Grambau - Manager City Works	In Progress	01-Jul-2023	30-Jun-2024	75%	75.00%	 GREEN

Action Progress Comments: The Single Use Plastic Free Yarra (SUPFY) working group was reformed consisting of 12 staff members from across the organisation. A number of audits have been undertaken, decisions have been made about reducing single use plastics for internal operations and education sessions with staff undertaken. Further consideration on how to impact changes in the community is underway.

Due to State Government legislation banning many single use plastic items, and with further bans on the way, there has been a pivot towards a business focused campaign that aims to educate and engage the Yarra business community in Circularity. Join the Circular Economy aims to demonstrate what circularity can look like in various industries and businesses and celebrate those Yarra business who have already embedded circular principals.


Aspects of the 'Join the Circular Economy' campaign include:

- Increasing subscribers to the Sustainable Business Yarra e-newsletter - Increased by 41 since August 2023,
- Delivery of Circular Economy Map and increasing businesses adding themselves - increased by 22 since launch in October,
- Sustainable business events series run in partnership with the sustainability team –6 events planned across 2024 with first even booked for April 24th in partnership with Provans Timber and Hardware.

2 Social equity and health

Action Title: 2.1.1.1 Yana Ngargna – Reflection and future directions

Work with Yana Ngargna Advisory Group, Aboriginal and Torres Strait Islander community and key stakeholders to reflect on the Yana Ngargna 2020-23 plan and its implementation and development of the next multi-year partnership plan.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Malcolm McCall - Manager Equity and Community Development	In Progress	01-Jul-2023	30-Jun-2024	68%	75.00%	 GREEN

Action Progress Comments: The last 12 months have been especially challenging for many Aboriginal and Torres Strait Islander community members, emphasising the importance of marking January 26 at the Collingwood Town Hall. The Yarra service, which was sombre, honoured the resilience, culture, and achievements of First Nations peoples in Yarra and beyond. By listening, we demonstrate solidarity and support for our local community.

In addition to work externally, the Principal Advisor Aboriginal Partnerships has worked with internal stakeholders to enhance and promote updated Cultural Protocols. The Protocols give historical context, outline Council policy and commitments, and how we recognise the Wurundjeri Woi Wurrung, the Traditional Owners of the land now known as Yarra.

A Community Development Officer for the Aboriginal Partnership team has been filled. This role will support community-led projects and capacity-building initiatives, leveraging their background in the arts and health sectors to foster connections and promote well-being.

The Yana Ngargna Advisory Group, a partnership between the Council, the Wurundjeri Woi Wurrung, and the Aboriginal and Torres Strait Islander community, held its quarterly meeting. Discussions included updates on stakeholder connections between the council, community, and local organisations, reflections on the January 26 service, and planning for upcoming national commemorations like National Close the Gap Day, Sorry Day, National Reconciliation Week, and NAIDOC Week. The group also discussed strategies to enhance membership by welcoming new and re-engaging previous members. A key focus was the streetscape masterplan for Gertrude and Brunswick Streets, aimed at creating new spaces that showcase Aboriginal culture and art, integrating public art into the area’s streetscape. Following members' advice, additional engagement activities were organised.

Action Title: 2.1.2.1 0-25 Plan

Implement initiatives within the 0-25 Plan to enhance the health and wellbeing of children, young people and families.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Malcolm Foard - Manager Family, Youth and Children's Services	In Progress	01-Jul-2023	30-Jun-2024	62%	75.00%	 AMBER

Action Progress Comments: The voice of the child project supports increased engagement and empowerment of children in our Family Services programs, it is included in the operations manual for family support caseworkers and sets out how we engage with children in our work with their parents and caregivers.

The key areas of strategic plan for children, youth and their families are addressed within other strategic and advocacy work including Council Plan and Municipal Health and Wellbeing Plan. Operationalisation of the 0-25 Plan has moved into internal framework to guide service planning, development, quality and practice.

Consideration of the preferred model for parental engagement at the precinct and municipal level in early years planning is progressing. Implementation planning includes Council’s adopted Notice of Motion, approved on 12 December 2023, to establish a Child and Family Advisory Committee and for officers to provide a report to the July 2024 Council meeting.

Action Title: 2.1.2.1 Promote access and inclusion for Culturally and Linguistically Diverse (CALD) communities

Address discrimination and tackle systemic barriers to participation in social and economic life for CALD communities and promote access and inclusion to the policies and services of the Council, other levels of government, and relevant agencies.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Malcolm McCall - Manager Equity and Community Development	In Progress	01-Jul-2023	30-Jun-2024	93%	75.00%	 GREEN

Action Progress Comments: A new Draft Multicultural Partnerships Policy has now been developed to succeed the Multicultural Partnerships Plan 2019-2023. It outlines Yarra's commitment to our multicultural community, crafted through review, research, and extensive stakeholder engagement from October to November 2023. The Policy centres on five thematic priorities, including standing against racism, effective communication, cultivating connections, building inclusive spaces, and fostering community capacity. It will be presented to Council for adoption in Q4.


Cultural diversity week events were celebrated around Yarra, with particular support provided to Bridges to Harmony and Harvest Festival, while promoting all other events to the broader community via Council’s website and social media.

Yarra SOAR (Speak Out Against Racism) was formed between Council, cCohealth, Neighbourhood Justice Centre and Victoria University, a project aiming to address issues around reporting racism, supporting communities who experience racism, and with the ultimate goal of eradicating racism. This group is using evidence from research conducted by Victoria University which reflects the experiences of communities in Yarra around reporting racism and highlighting the barriers to reporting and support. There are a series of forums planned for the remainder of the

year, and a co-design approach with community is underpinning future actions.

Action Title: 2.1.2.1 Access and Inclusion Strategy and Action Plan

Implement the Access and Inclusion Strategy’s strategic actions to ensure that Yarra is an inclusive and accessible community and is a place where everyone can live well. In addition to implementing the 2023-24 action plan, a new strategy (2024 – 2030) will be developed, to align with new and emerging priorities and needs.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Adrian Murphy - Manager Aged and Disability Services	In Progress	01-Jul-2023	30-Jun-2024	93%	66.00%	 GREEN

Action Progress Comments: Council’s Disability Advisory Committee and the Active Ageing Advisory Committee continue to provide advice on key issues including accessibility initiatives, e-scooters and disability parking, to increase access to local businesses and promote safe use of public spaces.

Community engagement for the development of the 2024-2030 Strategy has been completed using a range of engagement methodologies including Your Say Yarra (635 views resulting in 52 contributions); paid social media reached 11,286 people. Other promotions included digital screens in Customer Service and Leisure Centres.

A draft Access and Inclusion Policy and Plan is being developed to seek Council's approval for public exhibition.

Action Title: 2.1.2.2 Active and Healthy Ageing Strategy and Action Plan

Implement the Active and Healthy Ageing Strategy, action plan to ensure our residents aged 50+ remain engaged, active, and independent. Living well means feeling included and active in the community, being able to connect to other people and being able to participate in everyday life. In addition to implementing the 2023-24 action plan, a new strategy (2024–2030) will be developed, to align with new and emerging priorities and needs.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Adrian Murphy - Manager Aged and Disability Services	In Progress	01-Jul-2023	30-Jun-2024	96%	80.00%	 GREEN




Action Progress Comments: The Active Ageing Advisory Committee continued providing valuable guidance and advice regarding the Aged Care Reforms, which informed advice to Council regarding the Aged Care Reforms report approved by Council in March 2024.

The intergenerational initiative “Seniors and Sprouts” commenced at Richmond Kindergarten with local older adults participating each week within the term. Also, the Companion Animal Support Program continues to be supported by Council, and is well received by participants and volunteers.

Action Title: 2.1.2.2 Youth led engagement

Empower young people aged 12–25 to have a greater voice on the issues that affect them through Council’s Youth Advocacy Group. With the support of a project steering committee, and Council, young people will co-design a series of youth-led activities, which build young people’s skills and confidence and help them establish networks and opportunities to amplify their voices in local decision-making and inform advocacy priorities.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
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Malcolm Foard - Manager Family, Youth and Children's Services	In Progress	01-Jul-2023	30-Jun-2024	75%	50.00%	 GREEN
<p>Action Progress Comments: Establishment of the pilot traineeship program commenced in October 2023, involving preparation of the position description, an evaluation template and identification of internal support requirements for business units and participants. The trainees are hosted by Customer Experience and Venues business units and commenced their employment with Council in March 2024.</p>						
<p>Action Title: 2.1.2.3 National aged care reforms</p> <p><i>Ensuring residents and clients are supported across the transitional period of the National Aged Care reforms, expected to commence in full by 1 July 2025. Across 2023-2024, Council will continue to review and assess its role in the new program and existing State based Home & Community Care program for Young People. This will include the range of services Council provides directly and areas of potential re-investment.</i></p>						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Adrian Murphy - Manager Aged and Disability Services	In Progress	01-Jul-2023	30-Jun-2024	66%	66.00%	 GREEN
<p>Action Progress Comments: In March 2024, Council resolved to transition Council's home care services to its trusted partner, Mercy Health, over a 6-12 month period, as well as to reinvest in Council's current community-based services for older people including: food services, community transport, and social inclusion groups. Additionally, an operational review of Council's Home Maintenance service is underway.</p> <p>Officers are actioning Council's position with careful transition planning underway with clients and their families and partner organisations. Information has been provided to all clients receiving services advising of Council's decision and providing information on the new Support at Home program developments.</p>						
<p>Action Title: 2.1.3.1 Sustainable food systems</p> <p><i>Promote sustainable local food systems and building community resilience in the Yarra community.</i></p>						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Brett Grambau - Manager City Works	In Progress	01-Jul-2023	30-Jun-2024	91%	33.00%	 GREEN
<p>Action Progress Comments: An online Community Growing Spaces workshop for residents interested in applying for a planter box, productive tree, or laneway gardens was completed in September 2023.</p> <p>Three My Smart Garden Workshops to inform a holistic approach to 'smarter' and more sustainable home gardening across five elements, including food, shelter, waste, water, and habitat, have been delivered. 15 wooden planter boxes were replaced with recycled plastic boxes that include a wicking bed and soil.</p>						

Action Title: 2.1.3.1 Supporting the community

Engage with community, local organisations and other key stakeholders to identify, develop and leverage the strengths and passions of the community in responding to identified support needs, including for harder to reach/vulnerable people in the community.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Adrian Murphy - Manager Aged and Disability Services	In Progress	01-Jul-2023	30-Jun-2024	49%	49.00%	 GREEN

Action Progress Comments: The renamed Djerring Centre reopened in July 2023 after a refurbishment was completed that included improved accessibility, storage and technology. This work was done to increase utilisation of the facility, with a number of activities booked in October as part of the Victorian Seniors Festival, in addition to regular programs. Support continues to be provided to the CALD senior groups and the Bent Twig Alliance.

Utilisation of the centre is increasing, current activities include regular group bookings, sessional activities, such as Comedy Connect for older people, piano sessions, drumming sessions, tai chi and intergenerational activities.

Council has continued to support local senior clubs with regular contact through workshops and advice to strengthen their governance and sustainability.

Officers have investigated opportunities to establish an additional support program under the Home & Community Care program, including potential partnership opportunities to provide a flexible service response for young people with disability.

15 carers, from hard to reach cohorts, have been supported with free digital equipment or aids and equipment, with linking support and referrals to the Carer’s Gateway as needed.

Action Title: 2.1.3.1 Celebrate LGBTIQ+ community, enhance visibility and promote inclusion

Support the LGBTIQ+ community through inclusive Council policy and programs, strategic advocacy, local visibility campaigns and cultural events.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Malcolm McCall - Manager Equity and Community Development	In Progress	01-Jul-2023	30-Jun-2024	75%	78.00%	 GREEN

Action Progress Comments: Implementation of the LGBTIQ+ visibility campaign commenced in the previous reporting period with the completion of Phases 1 and 2:

- Phase 1: Creation of a visual identity for ‘Rainbow Yarra’ in the form of a logo used across all digital and print platforms was launched on IDAHOBIT May 17th 2022.
- Phase 2: Video Campaign – Visibility campaign of LGBTIQ+ Yarra with intersecting identities: Launched on Wear it Purple Day 26 August 2022.

The Rainbow Advisory Committee have provided guidance on the following topics:

- Completing the update of the Rainbow footpaths on Smith/Gertrude streets and Smith/Peel streets to have the Pride Progress flag, which represents our trans, gender diverse, intersectional and intersex communities.
- Phase 3 of the Rainbow Yarra Visibility Campaign has been launched which included the creation of a Rainbow Yarra webpage, where community can source all things LGBTIQ+ in Yarra, including safe spaces.
- Phase 4 of the Rainbow Yarra Visibility campaign involving a street rock poster campaign running in Yarra during Pride season from 22 Jan-12 Feb. The photographic campaign profiles LGBTIQ+ people who work, live and play in Yarra including RAC members with intersecting identities. The posters have been displayed around the streets and council facilities celebrating

Yarra being the well-known LGBTIQ+ home-ground.

- Participated in and guided the LGBTIQ+ places of historical and cultural significance study, undertaken by GML and Yarra Heritage.

While planning for an inclusive gym and swim event at a Yarra Leisure venue to support diversity and inclusion officers identified issues with the initial timeline but also considered the event could be better promoted as part alongside the next Midsumma activities. Officers are currently working on the development of this alternative.

Action Title: 2.1.4.1 Alcohol and other drugs harm minimisation

Through a program of action research, investigate and develop strategies to reduce alcohol-related and other drug harm in the community through a multi-faceted approach (e.g., education, enforcement, support, harm reduction, and responsible drinking promotion).

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Sarah Ernst - Senior Policy Advisor	In Progress	01-Jul-2023	30-Jun-2024	95%	75.00%	 GREEN


Action Progress Comments: Funding was received from VicHealth to support the development of Council’s Alcohol Harm Prevention Plan which is now completed.

Further funding has also been received from VicHealth to carry out community training around alcohol harm prevention. The next Council Plan (and Municipal Public Health and Wellbeing Plan) will investigate this in further detail and align with the release of additional relevant population health data.

The Yarra Liquor Forum is a quarterly meeting where licensed premises operators, Victoria Police, Liquor Control Victoria, and representatives of Council (e.g., Policy and Partnerships, Local Laws, Economic Development, Festivals and Events, etc.) meet to learn and discuss matters of policy, regulation, enforcement and consider strategies to promote safe and inclusive venues locally. The December meeting included a discussion on New Year’s Eve (i.e., regulated trading, the local law and blanket ban on public liquor consumption, and police operations) and a presentation from Midsumma Festival Inc. on the event planning for 2024 and licensing conditions. The ‘Immediate Help Locally’ resource is also being updated to promote the cohealth-run Sobering Up Service and outreach, based in Collingwood, and the North Richmond Community Health run outreach service in the North Richmond area. Both services are now partners in Yarra Zero, alongside other local health and support services.

Action Title: 2.1.4.2 Supporting the National Alliance for Gambling Reform (MPHWP)


Minimise the social and economic harms caused by gambling via the Yarra Gambling Policy, which outlines how Council works to reduce gambling through i.e., advocacy, planning controls, community education and supporting gambling-free initiatives). Our membership of the Alliance is a critical means to advance Council objectives to reduce gambling-related harm.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Malcolm McCall - Manager Equity and Community Development	Completed	01-Jul-2023	30-Jun-2024	100%	100.00%	 GREEN

Action Progress Comments: Council continues to support education campaigns for Gambling Harm Awareness Week through a mix of partnerships, social marketing and in-person events within the municipality. Council membership was renewed with the Alliance for Gambling Reform, officers attended forums and other Alliance events.

Action Title: 2.1.5.1 Access for all and community connections

Access for all, Council's Library Strategic Plan 2022-2026 outlines the direction for library services over 4 years. Library services will support our community to access spaces and services, build skills and knowledge, connect and discover learning opportunities that enables our community to thrive. Our goal is to ensure access for all by reducing barriers for our community.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Vicky Guglielmo - Manager Libraries Arts and Events	In Progress	01-Jul-2023	30-Jun-2024	62%	50.00%	 GREEN


Action Progress Comments: The Learning Bank is a new community space located in Victoria Street, Richmond, for residents and businesses to connect, create and learn. Throughout June 2023 the 'Be Connected' digital literacy program was delivered at The Learning Bank to support its operation as a community hub.

Development meetings are occurring between Council teams to scope new initiatives and opportunities for the libraries outreach program to deliver workshops that benefit the local neighbourhood in and around the Learning Bank, Following from the Library outreach stall at this year's Lunar Festival in Victoria Street, a community workshop is planned for June 2024 at the Learning Bank with a focus on financial literacy and taxation.

The Libraries outreach program offers a pop-up library with LOTE material available for borrowing, and staff engaged to speak with community and encourage new memberships. Further opportunities to deliver outreach programs in North Richmond is currently being scope.

Action Title: 2.1.5.1 Sport Club development workshop

Develop and host three club development workshops across the 2023/24 financial year, specifically designed for Yarra's community sports clubs. The workshops aim to support local sports clubs to develop and improve the sustainability and capacity of their organisation, the capability of their people/volunteers and connect them with specific tools and resources to inform the direction and priority of activities and investment, as well as deliver quality, inclusive and accessible sport and recreation programs that are aligned with Yarra's Sports Ground and Facilities Allocations Policy 2022.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Steven Jackson - Acting Manager Recreation and Leisure	In Progress	01-Jul-2023	30-Jun-2024	71%	75.00%	 GREEN


Action Progress Comments: The first workshop was successfully undertaken with Yarra Club. The aim of the development workshops is to assist clubs to upskill club volunteers in key focus areas, as well as satisfying the essential Sportsfields and Facilities Allocation Policy criteria.

The workshop focused on recent changes made to the Fair Play Code (an update of the 2018 blueprint) that sets out the standards of behaviour expected of everyone involved in sport and active recreation. These changes to the Fair Play Code have been made to support greater national consistency, reflecting the National Principles for a Child Safe Organisation developed following the Royal Commission into Institutional Responses to Child Sexual Abuse.

Planning is currently underway to support clubs with Grant Writing and Participation Programming.

Action Title: 2.1.5.1 Promote initiatives to celebrate Yarra’s cultural diversity

Host events that bring Yarra’s artists, communities and generations together, provide skills- and resource-sharing opportunities, and build connections between artists and representatives from other sectors.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Vicky Guglielmo - Manager Libraries Arts and Events	In Progress	01-Jul-2023	30-Jun-2024	90%	100.00%	 GREEN

Action Progress Comments: Council’s Public Art Policy is currently under review to increase public and private art opportunities within public spaces and private developments/spaces.


Council's New Year’s Eve family friendly event took place at Edinburgh Gardens with strong support and attendance form our local community.

Featured throughout February 2024 is Yarra’s Major Festivals Program that includes Victoria’s Pride, Midsumma event, Lunar Festival and Johnston Street Fiesta. These events were successfully delivered and staged to celebrate Yarra’s diverse community and vibrant precincts. Council worked closely with event organisers, local businesses and service agencies to ensure events were welcoming and safe, promoting significant visitation while balancing the impacts on each precinct.

Council’s 2024 Civic Events Calendar has been finalised. It details important key events and initiatives, to ensure that Council proactively acknowledges and commemorates important events throughout the year.

Action Title: 2.1.5.1 Richmond Youth Hub

Undertake a project evaluation of the Richmond Youth Hub and advocate to the State government for appropriate funding to continue activities to vulnerable young people living on the North Richmond Estate.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Malcolm Foard - Manager Family, Youth and Children's Services	Completed	01-Jul-2023	30-Jun-2024	100%	100.00%	 GREEN


Action Progress Comments: The Richmond Youth Hub Evaluation Report was undertaken in July 2023 and endorsed by Council in September 2023. The Richmond Youth Hub Evaluation Report highlights its short and medium-term success in creating a safe space for young people, which fosters social connection, encourages community involvement, and supports youth leadership.

The report forms part of strategic advocacy for Council to secure further funding for the Richmond Youth Hub from the State Government beyond the current agreement which ends in June 2024.

Since the Richmond Youth Hub opened in March 2021, almost 170 young people have registered through Yarra Youth Services and accessed the service. In total, over 10,000 contacts have been made with Yarra Youth Services programs, activities, and individual support.

Action Title: 2.1.6.1 Strategic activities to advance the Yarra Homelessness Strategy

Work to deliver an enhanced coordinated and compassionate crisis response to people experiencing homelessness and connecting with secure housing working with local partners, particularly Launch and cohealth.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Malcolm McCall - Manager Equity and Community Development	Completed	01-Jul-2023	30-Jun-2024	100%	100.00%	 GREEN

Action Progress Comments: Yarra Zero is a collective impact initiative with key partner agencies that is part of the Melbourne Zero project. It addresses issues of homelessness in Yarra. Backbone project governance was established in June 2023 and the project is now well underway, having been publicly launched on 11 October 2023. Ongoing data collection enables monitoring and analysis of progress in reducing homelessness and its impacts in the municipality, monthly progress reports are incorporated in the Yarra Zero initiative reporting and through the Melbourne Zero website.

By the end of March 2024, the Yarra Zero partners had identified a total of 71 individuals rough sleeping in Yarra, from which a total of 45 people are currently active on the By Name List and a total of 20 people have been placed in permanent housing across the life of the project.

3 Local economy

Action Title: 3.1.1.1 Precinct Activation Program

The Economic Development unit will work with trader groups and associations to co-design and deliver 4 projects/campaigns within Yarra’s retail and services precincts. The purpose is to create awareness, drive visitation, increase spend and revitalise our main streets.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Kate Yuncken - Manager City Strategy	In Progress	01-Jul-2023	30-Jun-2024	90%	75.00%	 GREEN

Action Progress Comments: Funding for the 'Vic St East' trader's activation program has been provided to the Head On agency, they are currently developing a new brand for the local area. Promotion should commence in the next Quarter.


Officers are currently identifying which businesses in Brunswick Street are keen to participate in an activation program, to date traders have expressed a range of wants and needs. A trader meeting with police is planned for early 2024 address local concerns and provide ideas for at least one Brunswick Street activation.

The Everyday Nicholson campaign on Nicholson Street North Fitzroy was a huge success, with 8 new business being added. The installation of a 30m banner on the fence of the Kinetic bus shelter has elevated the look of the precinct and the Trick or Treat trail attracted over 1000 people to it. Council continues to work with our partner agency to ensure the ongoing promotion of the precinct.

The 'Greening Gertrude St' project, funded via Department of Jobs Skills Industry and Regions and business contributions, is implementing the roll out of planter boxes, hanging baskets and upgrading of some planter beds. This project is on track to be completed by June 2024.

Action Title: 3.1.1.2 Night Time Economy Action Plan


The economic benefit of Night Time Economy to the city is largely unknown, so a gap analysis is required to be carried out, which can then lead to a short term action plan, followed by a draft Night Time Economy strategy.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Kate Yuncken - Manager City Strategy	In Progress	01-Jul-2023	30-Jun-2024	5%	75.00%	 RED

Action Progress Comments: Night Time Economy Action Plan is now proposed to be developed in collaboration with members of the M9. An initial background research piece is being delivered in late July 24 and scope of the joint project will be delivered and agreed in Q1 of 24/25. This will form a new action in the 2024/25 Annual Plan.

Action Title: 3.1.2.1 Promote arts and culture within Yarra

Ensure the integration of Arts and Culture into Yarra’s built form and public realm design.


Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Vicky Guglielmo - Manager Libraries Arts and Events	In Progress	01-Jul-2023	30-Jun-2024	66%	66.00%	 GREEN

Action Progress Comments: Installation of artwork at the Chas Farquhar Complex by Rebecca Atkinson was completed. The new works are called Queep Queep (‘birds’ in Woi-wurrung language), and include a mural artwork and powder coated aluminium wall sculptures.

The installation of the William Eicholtz and Reko Rennie artworks as part of Otter Street and Cambridge Street Reserve redevelopments is scheduled to take place once the projects are completed. The Otter Street project is to be completed end of December while the Cambridge Street Reserve was completed in 2023.

Action Title: 3.1.2.2 Enable opportunities in the planning development process for spaces for artists to work to enhance the arts sector and everyday creative experiences


Facilitate and encourage landowners and planning permit applicants to provide affordable spaces for creatives in support of Council’s Room to Create scheme.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Vicky Guglielmo - Manager Libraries Arts and Events	In Progress	01-Jul-2023	30-Jun-2024	75%	100.00%	 AMBER

Action Progress Comments: Building works for the Wellington and Vine Arts and Craft space have been complete. Process to commence Expression of Interest on occupants for the space are in progress. Tenancy anticipated by Q4. Delays are expected due to legal matters relating to licencing.

Action Title: 3.1.5.1 Joined-up response to promote local safety and wellbeing

Promote community safety through interagency partnerships including the Local Safety Reference Group, Yarra Liquor Forum, and supporting initiatives with VicPol, Department of Justice and Community Safety, Department of Families, Fairness and Housing, Department of Housing and agencies commissioned locally to promote health and wellbeing.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Malcolm McCall - Manager Equity and Community Development	Completed	01-Jul-2023	30-Jun-2024	100%	100.00%	 GREEN

Action Progress Comments: Representatives from the Sobering Up Service are partnering with the Yarra Zero homelessness service coordination. As a collective impact project, Yarra Zero has also provided opportunities for regular partnership meetings between officers from Council, DFFH and Victoria Police, including a monthly housing catch up and Hot Spots group that was established in Q3. The Local Safety Reference Group continues to meet quarterly, including representatives from Council, Victoria Police, North Richmond Community Health and the Neighbourhood Justice Centre.


In Q3, Council Officers are working met with the Alcohol and Other Drugs (AOD) Outreach and Community Engagement Service at North Richmond Community Health, a specialised outreach team for the North Richmond Area. Informational materials are being updated to promote the outreach team’s contact details to the community. This outreach team also participates in Yarra Zero and is linked in through the project with other local health and safety community service providers.

The Yarra Liquor Forum also meets quarterly and includes licensed premises operators, Victoria Police, Liquor Control Victoria, and representatives of Council (e.g., Policy and Partnerships, Local Laws, Economic Development, Festivals and Events, etc.), who come together to learn and discuss matters of policy, regulation, enforcement and consider strategies to promote safe and inclusive venues locally. The December meeting included a discussion on New Year's Eve (i.e., regulated trading, the local law and blanket ban on public liquor consumption, and police operations) and a presentation from Midsumma Festival Inc. on the event planning for 2024 and licensing conditions.

4 Place and nature

Action Title: 4.1.1.1 Opportunities for new and expanded open space in Yarra

Construction of Otter Street new pocket park and expansion of Cambridge Street Park by converting road space into park to increase open space provision in Collingwood.


Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Kate Yuncken - Manager City Strategy	Completed	01-Jul-2023	30-Jun-2024	100%	100.00%	 GREEN

Action Progress Comments: The Cambridge Street Park extension works were completed and the park reopened in November 2023.

Construction of the new Otter Street Park commenced in July 2023 and was completed in December, the new park was officially opened in February 2024.

Action Title: 4.1.1.2 Opportunities for new open space in Yarra


Roads to Parks programme to increase open space in areas identified as deficient in the Open Space Strategy.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Kate Yuncken - Manager City Strategy	In Progress	01-Jul-2023	30-Jun-2024	75%	75.00%	 GREEN

Action Progress Comments: Feasibility studies completed, new opportunities to convert road space into open space identified and Charlotte Street temporarily closed with a pop-up park to undertake a genuine traffic diversion experiment.


Action Title: 4.1.1.3 Gipps Street Employment Precinct Local Area Plan

Preliminary investigation into the Gipps Street Employment Area.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Kate Yuncken - Manager City Strategy	In Progress	01-Jul-2023	30-Jun-2024	42%	75.00%	 RED

Action Progress Comments: Officers have commenced preliminary work and planning to move these actions into 2024/25 Annual plan.

Action Title: 4.1.1.4 LGBTIQ+ Cultural Heritage


Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Kate Yuncken - Manager City Strategy	In Progress	01-Jul-2023	30-Jun-2024	68%	75.00%	 GREEN

Action Progress Comments: The draft report on the LGBTIQ+ Heritage Study Part 1 (Thematic Statement and a comprehensive list of places of significance to community) was completed and presented to Councillors in October 2023.

A consultant has been appointed and work on the preparation of place citations and statements of significance is progressing.

Action Title: 4.1.1.5 Charlotte Street New Public Space

Continue to consult and prepare designs to convert road space in Charlotte Street into public open space.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Susan Stanes - Senior Coordinator Design and Place Making	In Progress	01-Jul-2023	30-Jun-2024	80%	80.00%	 GREEN

Action Progress Comments: The draft concept design for the Charlotte Street new public space was placed on public exhibition on Council's website. A report on the consultation findings, and revised concept design works were completed and posted on Council's web site in November 2023.

A temporary trial of a road closure for a permanent park and traffic study commenced in February 2024.

Action Title: 4.1.2.1 Cremorne implementation

Continue work to implement built form controls for Cremorne and implement the Cremorne Implementation Plan.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Kate Yuncken - Manager City Strategy	In Progress	01-Jul-2023	30-Jun-2024	50%	85.00%	 RED

Action Progress Comments: A Council report on the revised Cremorne Urban Design Framework; and interim and permanent Design and Development Overlays. was presented to Council in September 2023. Council's request to apply interim built form provisions and exhibit permanent planning provisions has been lodged with the Department of Transport and Planning, Council is awaiting a response, in the interim consultation material to support the public exhibition of the amendment is being prepared.

Officers contacted the Department of Jobs, Skills, Industry and Regions to clarify the status of the Cremorne Place implementation Plan group and encourage the State Government to reconvene.

Action Title: 4.1.2.1 Brunswick Street Oval precinct redevelopment

This project will redevelop the sporting and community facilities in the immediate vicinity of the Brunswick Street Oval (WT Peterson Community Oval) within Edinburgh Gardens, North Fitzroy, along with improvements to the landscaping and civil infrastructure in the area.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Graham Davis - Manager Building and Asset Management	In Progress	01-Jul-2023	30-Jun-2024	61%	66.00%	 GREEN


Action Progress Comments: Tenders for the project were received and evaluated. Unfortunately, the prices tendered significantly exceeded the budget available for the project, meaning a construction contract was unable to be awarded.

An architectural consultancy has been appointed to explore options for rescoping the project to develop a revised concept plan that can be delivered within the available budget whilst meeting the key project objectives.

Three different options have been developed in draft form and shared at a design workshop with sporting club stakeholders and the funding partner. Feedback received from this workshop is being used to finalise the design options and a recommended design.

Action Title: 4.1.2.1 Permeable pavement study

Commence a study into the optimised use of permeable pavement in partnership with the University of Melbourne and the Australian Research Council.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Peter Moran - Manager Infrastructure Traffic and Civil Engineering	In Progress	01-Jul-2023	30-Jun-2024	86%	66.00%	 GREEN


Action Progress Comments: Council and memorandum of understanding representatives conducted a workshop to define the key deliverables of this research project.

Following on from the workshop the MOU was signed by all involved. The MOU will ensure that Council receives high quality deliverables.

Locations assessment and identification process is currently in progress.

Action Title: 4.1.2.2 C286 Open Space Contribution Rate

Continue to pursue Open Space Contribution Rate changes.


Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Kate Yuncken - Manager City Strategy	In Progress	01-Jul-2023	30-Jun-2024	72%	75.00%	 GREEN

Action Progress Comments: A workshop on the Open Space Contribution Rate peer review was held with Councillors. Two Council reports to progress the amendment and request the Planning Panel Review process be reconvened were presented to Council in August and September 2023.

The final report from the Panel hearing was received by Council on 4 March 2024. This is scheduled to be presented to Council in April for consideration.

Action Title: 4.1.2.3 Permanent built form provisions

Continue work to implement permanent Built form controls.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Kate Yuncken - Manager City Strategy	In Progress	01-Jul-2023	30-Jun-2024	35%	74.00%	 RED

Action Progress Comments: The following Planning Scheme Amendments are with the Minister for Planning to action:

The C273 Heidelberg Road amendment exhibition period closed with 119 submissions received. Officers have analysed submissions and reported to Council in December 2023 with a recommendation to progress the amendment to the Yarra Activity Centre Standing Committee. Awaiting response from the Minister for Planning and Planning Panels Victoria on Council's requests to refer the amendment to the Standing Advisory Committee. Preparations for the hearings has commenced with preliminary dates set for April.


Council submitted Amendment C271 Fitzroy-Collingwood to the Minister seeking permission to place it on exhibition in December 2023. Council is waiting on consent from State Government

to place amendment on public exhibition. All the preparatory work for the exhibition has been completed.

Amendments C291 and C293 which propose to apply permanent built form provisions to Bridge Road and Victoria Street, Richmond and the Collingwood South Mixed-Use Precinct are awaiting approval by the Minister for Planning.

Action Title: 4.1.3.1 Direct Seeding and Cultural Burning

Adopt innovative integrated bushland management approaches to achieve cost effective and efficient bushland management and site-specific targets in partnership with Yarra's Bushland Contractor and Wurrundjeri Woi Wurrung Narrap Team.


Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Brett Grambau - Manager City Works	In Progress	01-Jul-2023	30-Jun-2024	56%	33.00%	 GREEN

Action Progress Comments: Council's liaison with Narrap Fire lead has commenced and site preparation is underway to deliver an autumn ecological cultural burn in the endangered Plains Grassy Woodland EVC in Burnley Park. A pre-burn habitat hectare assessment has been undertaken by ecological consultant.

Site preparation completed for the 1000m2 of autumn direct seeding of parkland adjacent to the Merri Creek, to reinstate endangered Plain Grassy Woodland and Escarpment Shrubland.

Action Title: 4.1.3.2 Education and awareness program

Deliver Yarra's community based education, awareness, and nature engagement program as outlined in the Yarra Nature Strategy Action Plan 2020-2024.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Brett Grambau - Manager City Works	In Progress	01-Jul-2023	30-Jun-2024	79%	66.00%	 GREEN

Action Progress Comments: As part of the 2023 National Tree Day 158 community members planted 4000 local indigenous species at Kevin Bartlett Reserve


Yarra's volunteer Garden Guides have assessed 20 household gardens as part of Yarra's Gardens for Wildlife Program.

Council continues to partner with the Merri Creek Management Committee to host the City of Yarra Waterwatch Program. The Yarra program achieved the following during 2023/24:

- Engaged with 1078 students over 33 education sessions;
- Conducted 5 x Community Waterwatch Training Days and;
- Conducted 6 x Litter Clean Ups, education and data collection sessions.

Action Title: 4.1.3.3 Yarra citizen’s science program

Encourage Yarra’s community to further appreciate and actively enhance Yarra’s natural landscape by offering engagement and education opportunities.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Brett Grambau - Manager City Works	In Progress	01-Jul-2023	30-Jun-2024	77%	75.00%	 GREEN

Action Progress Comments: The grassland walk was changed to a Zine making workshop in September to celebrate Biodiversity month and Yarra threatened species. The Gardens for wildlife (G4W) book launch took place in September 2023.

In preparation for the citizen science Aussie Bird Count which took place on 16–22 October 2023, a group of 11 community members participated in ‘Birds in Backyards’, an identification skills bird walk with an officer along the Merri Creek Trail.

Biodiversity officers in partnership with Water Watch Officers, conducted a community Frog Watch during spring, recording observations on the Melbourne Water Frog Census Application.

Planning has commenced to encourage Yarra’s community to contribute to the Greater Melbourne City Nature Challenge Event. Yarra’s community can help us compete with cities around the world by recording observations (photos or sounds) of wild plants, animals and fungi on iNaturalist application.

Action Title: 4.1.3.4 Greening Yarra

Reduce the urban heat island effect, enhance amenity, improve wildlife corridor connections and overall biodiversity values across the community through the planting of trees, shrubs and grasses, and increasing canopy cover.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Brett Grambau - Manager City Works	In Progress	01-Jul-2023	30-Jun-2024	53%	42.00%	 GREEN

Action Progress Comments: Planning for additional street tree locations to accelerate the annual street tree planting programme commenced in July 2023.


Winter/Spring planting in progress to date 5,500 local indigenous tube stock have been planted as part of the program to aiming at planting a minimum of 10,000 locally indigenous plant species to improve habitat hectare condition score and reinstate endangered Ecological Vegetation Classes (EVC) including riparian woodland, escarpment shrubland, plains grassy woodland EVCs within Yarra’s bushland areas and consolidate and reinstate areas of strategic biodiversity value by increasing indigenous vegetation extent within Open Space by 5000m2.

100 advanced local native trees will be planted in June 2024 as a part of Bringing Nature Back to Yarra Initiative.

A feasibility study of street tree locations and species selection has been completed as part of our accelerated tree planting program and infill planting program, confirmation of locations is currently in progress.

Action Title: 4.1.4.1 Special Building Overlay update

Review provisions within the Yarra Planning Scheme as they relate the Special Building Overlay in Yarra.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Kate Yuncken - Manager City Strategy	In Progress	01-Jul-2023	30-Jun-2024	34%	67.00%	

Action Progress Comments: 'Keeping Yarra Flood Resilient' community engagement was conducted from July to August 2023 to understand the community's lived experiences of flooding and to promote flood resilience. The program aimed to inform the community of the Council's current actions and objectives, as well as the terminology and issues related to flooding events. The City of Yarra faces higher risks of flooding due to its inner-city location, which limits the ground absorption of water and the overland flow of stormwater.

The findings was that the engagement fostered a significant dialogue within the community about flood management, the varying levels of severity experienced across Council areas, and the overall impact on the community. recommendations were that Council proceed with the implementation of Special Building Controls as a proactive measure to further protect the community from potential flood risks.


Council is in discussions with Melbourne Water regarding timing of a future planning scheme amendment to update the planning controls for buildings in the areas potentially affected by flooding from the drainage system.

Last Updated: 15-Apr-2024

5 Transport and movement

Action Title: 5.1.1.1 Transport Action Plan

Continue to develop actions that support the implementation of the Yarra Transport Strategy, including, finalise the Transport Action Plan, commence development of a parking strategy and design and construct new and upgraded walking and cycling infrastructure on key transport corridors.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Simon Exon - Unit Manager Strategic Transport	In Progress	01-Jul-2023	30-Jun-2024	93%	100.00%	


Action Progress Comments: Community engagement was undertaken for both the Draft Transport Action Plan, the engagement also provided input to inform the scope for the Parking Strategy.

The Transport Action Plan was adopted by Council on March 2024.

An RFQ has been developed and issued to commence development of the new Parking Strategy.

Action Title: 5.1.1.2 Transport New Deal implementation

Council will implement the three New Deal programs outlined in the Yarra Transport Strategy, New Deal for Cycling: design and construct new and upgraded cycling infrastructure in priority locations, New Deal for Walking: develop clear processes for implementing the outcomes of the Yarra Transport Strategy and continue to deliver safer walking infrastructure, such as pedestrian improvements in Cremorne and New Deal for Schools: commence the first round of the New Deal for Schools program to encourage and enable active travel.


Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Simon Exon - Unit Manager Strategic Transport	In Progress	01-Jul-2023	30-Jun-2024	69%	80.00%	 AMBER

Action Progress Comments: A detailed New Deal for Walking operational process will be informed by strategic study work scheduled in the Transport Action Plan for next financial year that will tie in with the parking management and kerbside strategy. Several walking projects have been delivered or are underway, these include the 30km/h speed limit trial expansion, shared zones an upgraded crossing at Clifton Hill Interchange and the delivered raised Cremorne Street crossing with flashing lights.

Action Title: 5.1.2.1 Transport advocacy

Advocate to other stakeholders, including the State Government, for priority transport needs identified in the Yarra Transport Strategy by raising awareness of these and being proactive in identifying solutions, including:

- Accessible tram stop upgrades across all of Yarra’s network, including Smith Street, Gertrude Street, Swan Street and Bridge Road
- Increased bus, tram and rail services and reliability to support current and future needs
- Funding and/or delivery of active transport infrastructure in priority locations, such as strategic cycling corridors and areas with high pedestrian activity

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Simon Exon - Unit Manager Strategic Transport	In Progress	01-Jul-2023	30-Jun-2024	75%	75.00%	 GREEN

Action Progress Comments: Notifications have been issued to internal and external stakeholders of the Transport Action Plan.



Council continues to assess and apply for relevant external grant funding to assist with delivering active transport projects. Conversations have taken place with State Government to encourage them to fund the new deal for cycling and walking projects. These are continuing.

Council has lodged bids for multiple grants under the federal blackspot program as part of our road safety studies.

Multiple meetings have occurred with the State Government to discuss priority tram stops and promote tram stop upgrades on route 86.

Action Title: 5.1.2.2 Transition to Zero-Emission Transport


Encourage, facilitate and advocate for policies and projects that result in an increased use of electric and other zero-emission modes of transport in Yarra, including:
 Accelerated use of electric and other zero-emission vehicles on bus routes.
 Increased replacement of internal combustion engines with electric and other zero-emission means of propulsion in cars.
 Increased adoption and use of electric bicycles, including for ‘last kilometre’ freight and local business use.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Simon Exon - Unit Manager Strategic Transport	Completed	01-Jul-2023	30-Jun-2024	100%	100.00%	 GREEN
<p>Action Progress Comments: Officers have provided inputs to the M9 group of Council's and Inner Metro Partnership, advocating for State and Federal Government to show leadership on the uptake and development of all types of electric vehicles. Recent announcements by State Government suggest that action on e-vehicles is now ramping up.</p> <p>A consultant brief has been prepared to look at the role of Yarra in accelerating the rollout of electric vehicle charging points in Yarra and to forecast e-car charger demand over the next 10 years. The Transport Action Plan also covers e-car chargers and feedback from that consultation will be an input and agreement on next steps. The work done to date has shown that finding sites for chargers on public land at least in Yarra is not easy when all practical factors are considered.</p>						
<p>Action Title: 5.1.3.1 Fitzroy and Collingwood 30km/hr pre-trial study</p> <p><i>Undertake a pre-trial study to investigate the feasibility of expanding the current 30km/hr speed limit trial to cover the entire suburbs of Fitzroy and Collingwood.</i></p>						
Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Peter Moran - Manager Infrastructure Traffic and Civil Engineering	Completed	01-Jul-2023	30-Jun-2024	100%	100.00%	 GREEN
<p>Action Progress Comments: 30km/hr pre-trial study was completed and a report brought to Council in November 2023 that recommended implementing the 30km/hr Trial Extension which was unanimously supported by Council subject to DTP approval.</p> <p>In April 2024 we received formal approval from Department of Transport and Planning approving the 30km/hr Trial Extension, which is scheduled to be implemented in May 2024.</p> <p>Officers have agreed with stakeholders that the 30km/hr trial should initially begin with a soft touch approach with existing signs and line marking to be replaced with 30km/hr signs and line marking. An infrastructure plan based on this has been completed and submitted to the Department of Transport and Planning for review.</p> <p>There has been ongoing engagement with stakeholders since mid-2022. A community sentiment survey of 6000 randomly selected properties (including households and businesses) took place in August and September 2023. The surveys show between 59%-68% support for 30km/hr speeds. on the street the respondents live on. The results of the survey and the findings of the wider pre-trial study were presented to Council in November 2023. The report can be viewed on Council's website.</p>						

6 Democracy and governance

Action Title: 6.1.1.1 Councillor engagement program

Develop and promote Council’s enhanced engagement program to provide more opportunities for the community to engage with Councillors.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Anya Murray - Unit Manager Strategic Communications and Engagement	Completed	01-Jul-2023	30-Jun-2024	100%	100.00%	 GREEN

Action Progress Comments: The Councillor Engagement Program was launched in February 2023 and activities have been scheduled every month until November. The program responds to requests for more in-person community engagement activities.


In the last quarter we have held the following in person engagement activities for councillors

- Dinner event with health agencies which brought together Councillors, Community Health Organisations, local GPs, the local Public Health Unit and the local Primary Health Network to discuss what is happening locally regarding primary health care, what actions are being taken to address issues and what is needed for future advocacy
- Yarra Conversations: ‘Zeroing in on homelessness’ – Dinner for Homelessness Week, including local stakeholders and guest speakers was held in August
- Ward listening posts were held across the three wards in September
- Four Meet the Mayor sessions will held in Carlton, Alphington, North Fitzroy and Fitzroy this quarter
- Three Councillor Conversations with Community events were held this quarter in Abbotsford, Fitzroy North and Alphington.

An evaluation of the program from February to July this year was also undertaken this quarter which provided important insights into what is working and also identified some areas for improvement. This report was presented to a Councillor Briefing in September.

Action Title: 6.1.2.1 Financial Sustainability Strategy


Develop and begin implementation of the Financial Sustainability Strategy.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Wei Chen - Chief Financial Officer	Completed	01-Jul-2023	30-Jun-2024	100%	100.00%	 GREEN

Action Progress Comments: Council adopted the Financial Sustainability Strategy in December 2023 after extensive internal and community consultation. It includes strategic levers on revenue generation and cost efficiencies. Implementation of the Financial Sustainability Strategy has started and the budget guidelines for 2024/25 were developed and assisted staff in the development of the budget towards the key objectives of the Financial Sustainability Strategy.

Action Title: 6.1.3.1 Service Review Program

Develop and implement the service review and improvement program for identified Council services.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Joe Daniel - Manager Business Transformation	In Progress	01-Jul-2023	30-Jun-2024	98%	100.00%	 GREEN


Action Progress Comments: Council has endorsed the engagement plan which includes a two stage community engagement process. Stage one of engagement which included social research and Your Say Yarra is complete. Stage two Deliberative Engagement was completed in March 2024.

Support is being provided to a number of existing service review projects. Aged Care Service Review is now completed and recommendation adopted at the March Council Meeting. A number of internal service reviews are completed, and more are underway.

Analysis and planning for a council wide service review framework and service catalogue has been completed and will be used to plan services and identify opportunities for review. Benchmarking and analysing all services to identify best 4 for service review is currently underway.

Action Title: 6.1.3.1 Digital Agenda

Deliver a series of digital projects to transition Yarra technology into a contemporary future state and enhance employee and customer experience.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Sandra Sanderson - Chief Information Officer	In progress	01-Jul-2023	30-Jun-2024	20%	25.00%	 AMBER


Action Progress Comments: The new City of Yarra Data Governance Framework will align with Enterprise Resource Planning (ERP) Program. This alignment ensures the accurate assignment of roles and responsibilities for individuals involved in data collection and management. Furthermore, it guarantees the attainment of high data quality as we transition the council's critical data from legacy systems to the new ERP system. The project scope has been developed and procurement processes are underway.

As part of our data and information governance procedure, we have successfully developed a comprehensive due diligence checklist. This checklist serves to verify the data sovereignty of applications and third-party systems that hold the council's data. Its implementation enhances our ability to safeguard sensitive information and maintain compliance with data regulations.

We are doing iterative roll out. This foundational work is essential for creating a robust structure to support our data management efforts effectively. We are diligently working towards completing this framework, with a strategic aim to coincide its finalisation with the initial implementation stage of the ERP.

Action Title: 6.1.4.1 Electoral representation review

The City of Yarra will actively engage in the Electoral Representation Review to be conducted by the Victorian Electoral Commission in preparation for the 2024 Council election. We will make a submission to the process on behalf of the Council and advocate for a system that provides for representation that reflects Yarra's diverse community. We will encourage and support the community to make their own direct submissions to the review.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Phil De Losa - Manager Governance and Integrity	Completed	01-Jul-2023	30-Jun-2024	100%	100.00%	 GREEN

Action Progress Comments: Council undertook a publicity campaign to encourage members of the community to make submissions to the Victorian Electoral Commission in relation to the electoral representation review. The campaign included social media, newspaper advertisements and SMS messages to approximately 40,000 voters in Yarra.

A formal submission was endorsed by Council on 18 July 2023 and submitted to the Minister on 20 July 2023. The final report was released and a determination gazetted by the Minister for Local Government on 15 February 2024. From the next election, Council will consist of nine Councillors in nine wards, with boundaries varying only slightly from the Panel's preliminary report. The Panel and Minister agreed to Council's request not to name the wards according to suburb boundaries and determined a new set of ward names.

Action Title: 6.1.4.1 Website strategy and redevelopment of the Council website.

Develop and implement a website strategy and redevelop the Council website, with a focus on accessibility and ease of finding information, to increase community awareness and encourage broader participation in decision making.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Louisa Moy - Unit Manager Digital Communications and Marketing	In Progress	01-Jul-2023	30-Jun-2024	78%	90.00%	 AMBER

Action Progress Comments: Development of the website strategy to guide the development of the new website and future improvements has been completed.

Website content rewrite is in progress and will be completed in May. Launch of new site is currently on-track for June.

Action Title: 6.1.5.1 CX Program 2022-2024

Implement the CX Strategy's program of initiatives to realise and deliver the best service value for Yarra's customers, community, and internal teams. This is delivered through four strategic objectives Mindset | Systems Discipline | Collaboration | Empathy. This year Council will deliver service experience improvements with the official launch of additional digital channels, a relaunch of the CX program internally, establishment of a CX Centre of Excellence and creation of a Customer Service Charter.

Responsible Person	Status	Start Date	End Date	% Complete	Target	On Target %
Rose Barletta - Manager Customer Experience	In Progress	01-Jul-2023	30-Jun-2024	97%	75.00%	 GREEN

Action Progress Comments: Promotion of digital customer service options and channels is progressing with engagement of the Communications Team. The online promotion will be completed by end of year.

The CX working group has been re-established, research and benchmarking have been completed and a draft Customer Service Charter developed, Ongoing work is taking place with the working group to implement the program organisation wide.

7.5 Multicultural Partnerships Policy

Reference	D24/135275
Author	Cristina Del Frate - Senior Coordinator Equity and Inclusion
Authoriser	General Manager Community Strengthening
Disclosure	The authoriser, having made enquiries with members of staff involved in the preparation of this report, asserts that they are not aware of any general or material conflicts of interest in relation to the matters presented.

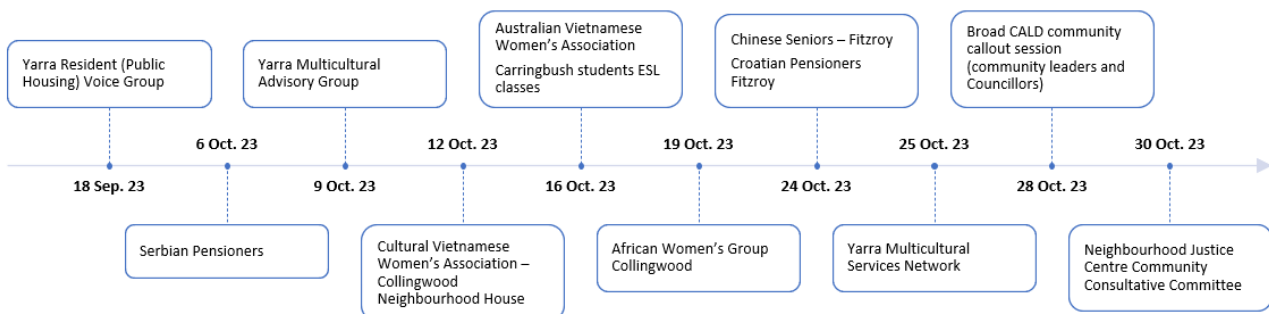
Purpose

- To present the Yarra Multicultural Partnerships Policy May 2024 for endorsement by Council.

Critical analysis

History and background

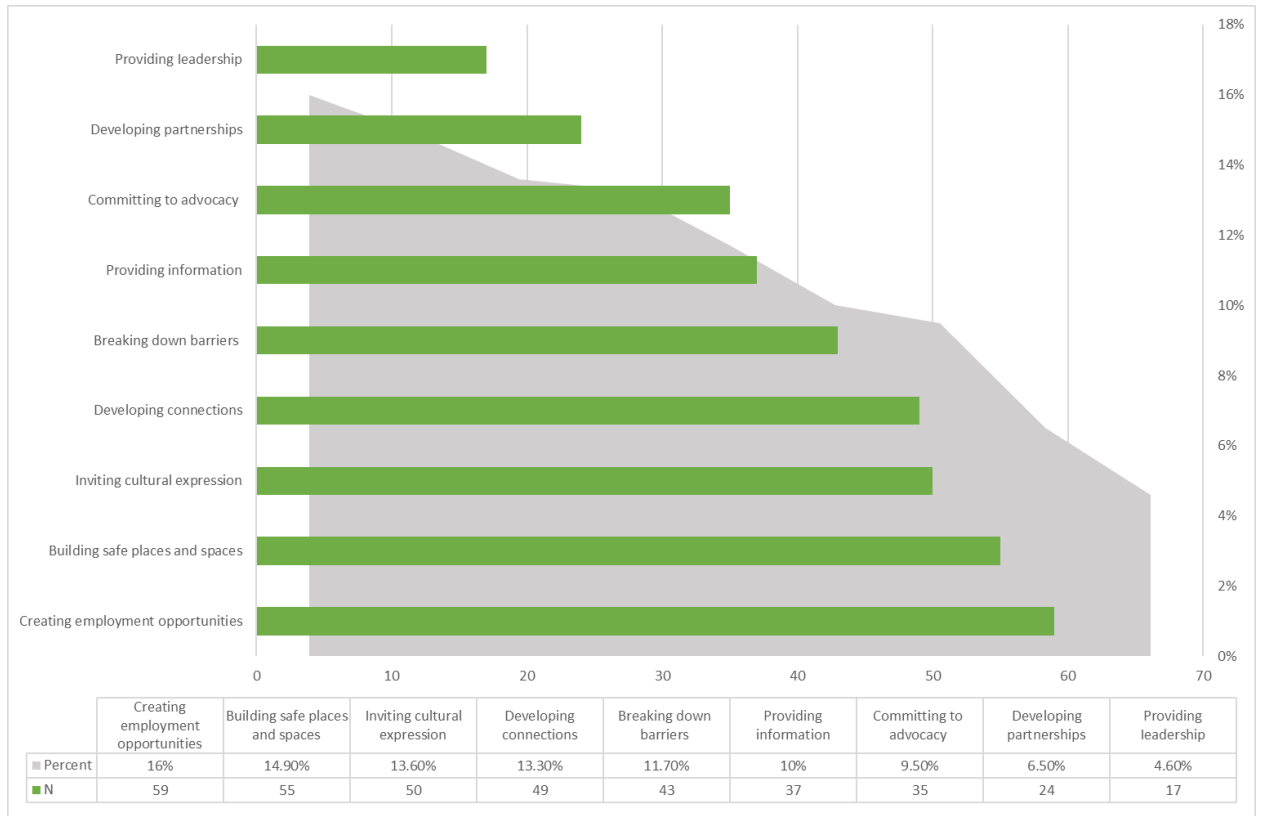
- The Multicultural Partnerships Plan 2019-2023 has expired and over the latter part of 2023 and into early 2024, the development of a new policy has been underway.
- The new Draft Multicultural Partnerships Policy aims to establish a comprehensive, strategic foundation outlining Yarra's commitment to supporting our multicultural community.
- The Draft Policy was developed through a review of the previous plan and current initiatives, external research, analysis of demographic trends and stakeholder engagement.
- The engagement was conducted between October-November 2023, and provided an opportunity for community and other key stakeholders to input into the direction of the new Draft Policy.
- The engagement included the following (as detailed in the diagram below):
 - Internal staff consultations;
 - Your Say Yarra webpage with a survey that is accessible in 10 diverse languages;
 - Pop-up sessions at Linear Park reserve as part of Councillor Conversations, and at the Richmond Estate Twilight Market; and
 - Twelve focus groups with key community CALD organisations and groups as detailed below, including the Yarra Multicultural Advisory Group.



- The key communications methods included:
 - The translation function on the Your Say Yarra webpage, including step by step instructions (in Language) on how to use the translation tool;
 - Yarra News;

- (c) Promotion and engagement via Bicultural Liaison Officers;
- (d) News item for corporate website;
- (e) Social media (including ads for CALD populations); and,
- (f) All necessary translations for social media and printed postcards.

8. During three pop-up sessions and via the Your Say Yarra site, Dotmocracy Boards were utilised to allow community members to vote on focus areas, with each participant receiving three dots (votes) to allocate on the board. A total of 148 votes were cast through the pop-ups, and 221 votes were submitted via Your Say Yarra. The graph below shows the combined results.



9. The most supported priority was creating employment opportunities, which received 59 votes (16%). Building safe places and spaces also emerged as a significant need, securing the second-highest support with 55 votes (14.9%).
10. The consultation yielded information from community, service providers, and Yarra staff which was collated and themed and the themes informed the development of the priority areas of the Draft MPP.

Discussion

11. The Draft Policy at **Attachment One** was developed after analysing and incorporating the following information:
- (a) A review of the former Multicultural Partnerships Plan, including an audit of the organisation’s current programs and initiatives aimed at multicultural communities;
 - (b) an environmental scan of the political context for multicultural affairs;
 - (c) demographic research, analysis and projection;
 - (d) benchmarking and service mapping; and
 - (e) consultation and engagement results.

12. The Draft Policy details the overarching policy principles guiding the Council's efforts, with the Refugee Statement and People Seeking Asylum Policy Statement integrated.
13. The Policy delineates the Council's commitments, organised into five thematic priority areas, shaped by extensive community engagement. These priorities demonstrate how we will act as a Council to ensure the City of Yarra is an inclusive place to live, work and enjoy for our multicultural community. The priorities are:
 - (a) Standing against racism;
 - (b) Effective communication and respectful engagement;
 - (c) Cultivating connections;
 - (d) Building inclusive and accessible spaces; and
 - (e) Fostering community capacity.
14. The Draft Policy sets expectations for our approach, ensures transparency, and strives for best-practice and equitable outcomes in our work and for community. A strengths-based approach is utilised, highlighting the community's current assets and resources to amplify these strengths and create opportunities for growth and self-determination.
15. Importantly, the Draft Policy applies an intersectional perspective, recognising how the overlap of racial marginalisation with aspects such as gender, sexuality, age, and disability intensifies and compounds discrimination and challenges.
16. In 2023, Council streamlined its quarterly progress reports to enhance clarity and transparency for the community. This consolidates updates on strategic goals, the Council Plan, budget, and capital projects.
17. As with the current Multicultural Partnerships Strategy, the new Multicultural Partnerships Policy will be reported on quarterly in the FY25 Quarterly Report. Officers will oversee and report on the alignment of our practices with the stated principles and how our activities advance the specified priorities.
18. While the Draft Policy is intended for long-term application, significant changes in the social environment, the broader policy landscape or Council's policy framework may necessitate updates, which can be readily initiated.

Community and stakeholder engagement

19. Community and stakeholder engagement, conducted in collaboration with the Council's Communications and Engagement team, was extensive. Methods of engagement were varied, to capture diverse groups in the community, and ensure inclusion and accessibility.
20. The Your Say Yarra (YSY) page also included a translation widget to change the language to ten community languages, which enabled non-English users to reply to the survey. Using Bicultural Liaison Officers, focus groups at times transformed into tutorials for community on learning how to navigate the Your Say Yarra page translation tool. Results for contributions to the YSY site from LOTE users was one of the most successful so far with 1,437 views and 76 contributions – the highest received from these cohorts.
21. To enable accessibility, officers ensured collateral was translated into community languages, and use of interpreters and Bicultural Liaison Officers was standard practice. In addition, use of pictures and plain English was maximised where possible to ensure accessibility.
22. The methodology for the consultation and engagement strategy was "Impact Consultation". This approach focuses on engaging specifically with those directly affected by a policy, program, or initiative rather than the broader public. By focussing on directly impacted individuals, the process ensures that the most relevant voices significantly influence decision-making and policy development, aligning with the principle of inclusivity and ensuring that those most affected have a say in matters that impact their lives directly.

Policy analysis

Alignment to Community Vision and Council Plan

23. The draft Multicultural Partnerships Policy (MPP) is strongly aligned with the Council Plan (2021-25), especially concerning the strategic objectives of:
 - (a) Social Equity and Health: to build a more resilient, inclusive, safe and connected community, which promote social, physical and mental wellbeing and celebrate and respect culturally vibrant and socially diverse communities; and
 - (b) Democracy and Governance: to provide opportunities for meaningful, informed and representative community engagement to inform Council's decision-making, as well as ensuring ways to amplify lesser-heard and underrepresented voices so that engagement is representative and inclusive of all people.
24. The Draft Policy is well-aligned with the guiding principles and commitments of Yarra's Community Vision, including aspiring for a community which cultural diversity is celebrated, where barriers to access and inclusion are broken down, and the community is empowered to work together and build connections.

Climate emergency and sustainability implications

25. Council's Climate Emergency Plan (CEP) seeks to foster a community that is engaged, healthy, and resilient to climate impacts, particularly for the most at-risk in our community. The plan emphasises enabling residents, businesses, and community groups to shift to renewable energy, targeting zero-net emissions municipality-wide.
26. The development of the new CEP's has involved significant consultation with multicultural community members and groups, who are more likely to be disproportionately impacted by climate change.

Community and social implications

27. The Draft Policy plays a key role in the development of the community through building relationships, developing skills, increasing awareness and resilience within the community.
28. The main objectives of inclusiveness, visibility and participation ensure that multicultural communities can benefit from opportunities for capacity building.

Economic development implications

29. Creating economic opportunities emerged as the top priority from the dotmocracy exercises.
30. Inclusive economic practices that promote diversity positively impact the Yarra community by fostering diverse participation in its economic life. Council recognises the economic benefits of multiculturalism, such as a diverse, innovative, and skilled workforce, which enhances Yarra's economic advantage.
31. The Draft Policy's priorities include opportunities, capacity building, and employment diversity, all contributing to Yarra's economic prosperity.

Human rights and gender equality implications

32. Council's Social Justice Charter acknowledges that the City of Yarra is a vibrant and diverse municipality. It is the traditional lands of the Wurundjeri Woi Wurrung and a place of special significance for the broader Aboriginal and Torres Strait Islander community. The City of Yarra is also home to diverse communities, which Council is proud of and recognises as an asset.
33. Council has an important role in upholding and protecting its diverse population's human rights. Council will actively work to reduce barriers, so that all residents can participate in the community and access services and information regardless of age, gender, sex, sexuality, income, education, cultural background, language, religion or disability.

34. The Draft Policy aligns with the Charter of Human Rights and Responsibilities Act 2006 and other international, national and state human rights legislation, declarations and conventions. The *Guiding Principles* and *Commitments* affirm a human rights perspective.
35. The Draft Policy has had a Gender Impact Assessment completed and is compliant with the obligations and objectives under the Victorian Gender Equality Act 2020.

Operational analysis

Financial and resource impacts

36. The implementation of the Multicultural Partnerships Policy will be undertaken within existing operational budgets. This is carried out through community development and social policy functions across many Council teams including Equity and Community Development, Communications and Engagement, People and Culture, and all frontline services such as Leisure, Venues, Libraries and Events, Families, Youth and Children, Aged Care and Disability.

Legal Implications

37. There are no legal implications.

Conclusion

38. The Draft Multicultural Partnerships Policy is informed by robust community engagement, which focussed on community members and stakeholder most impacted by this policy.
39. The Draft Policy has been developed to align with the Council Plan and Community Vision and strengthen work already occurring across Council in providing services and programs to multicultural communities and improving participation and accessibility.
40. Officers will oversee and report on the policy's implementation and alignment of our practices with the stated principles and priorities of the Multicultural Partnerships Policy, including formal reporting through the FY25 Quarterly Reporting process.

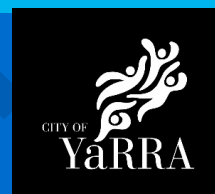
RECOMMENDATION

1. That Council endorses the Yarra Multicultural Partnerships Policy May 2024 at **Attachment One**.

Attachments

- 1 [↓](#) Attachment 1 - Draft Multicultural Partnerships Policy - May 2024

Yarra Multicultural Partnerships Policy



DRAFT

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.

DRAFT

<insert relevant National Relay Service info>

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A note on language

This document adopts the term *multicultural community* to refer to Yarra's population who speak English as a second language, are from non-English speaking countries and/or are from culturally diverse backgrounds. It also includes people born in Australia to parents of overseas descent or individuals from multi-faith backgrounds.

Overview

Purpose of this policy

The purpose of the Multicultural Partnerships policy is to guide the Council's support for the multicultural community within the City of Yarra. Through an extensive community engagement process, the priorities of this policy have been shaped by our key stakeholders, primarily our multicultural community.

The policy sets expectations for our approach, ensures transparency, and strives for best-practice and equitable outcomes in our work with and for the community. It aligns with and aims to complement existing strategies, policies, and plans, promoting a cohesive approach across various initiatives towards achieving common objectives for our community.

Scope

- This policy applies to Yarra City Council's work with our multicultural community.
- This policy applies to the whole of the Yarra City Council organisation.

An intersectional lens

The policy was developed with a strengths-based approach, highlighting our multicultural community's self-determination and valuable contributions to Yarra. It also acknowledges the complex challenges that arise from the intersection of cultural and racial marginalisation. Consequently, Council recognises that factors such as gender, sexuality, age, and disability can compound the marginalisation and discrimination experienced by members of our multicultural community.

Review of the policy

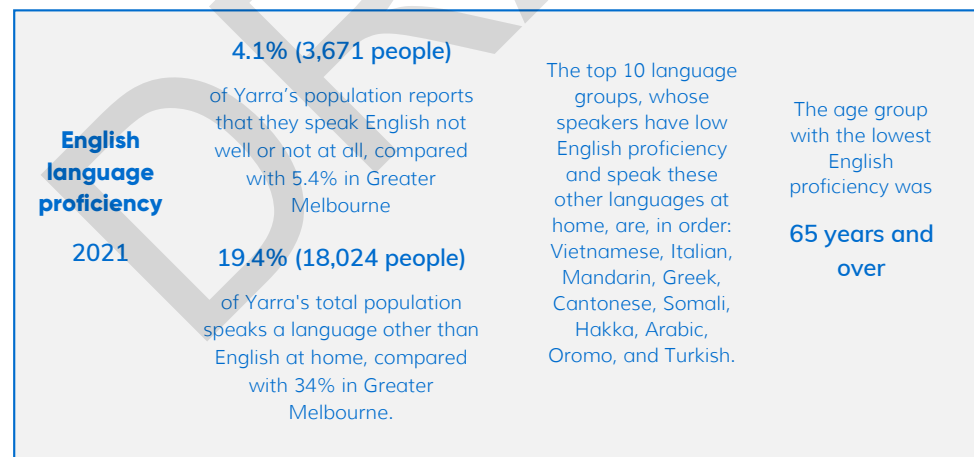
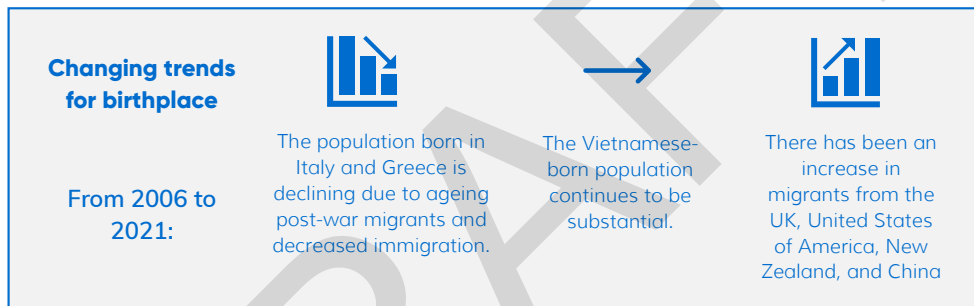
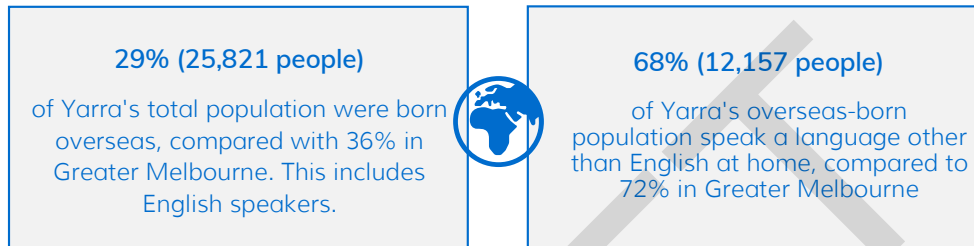
A review of the policy will occur at the point of major change to Council's policy context or the broader policy environment.

Our Community

Yarra respects and celebrates our multicultural community. Understanding data such as what languages people speak, changing trends in birthplace, and where people live helps us to respond and provide services that make a difference.

Demographics and analysis ¹²

Overseas born population and languages spoken at home



¹ Demographic information is based on the 2021 ABS Census data and data from the Department of Home Affairs (requested in 2023)

Overseas born by suburb



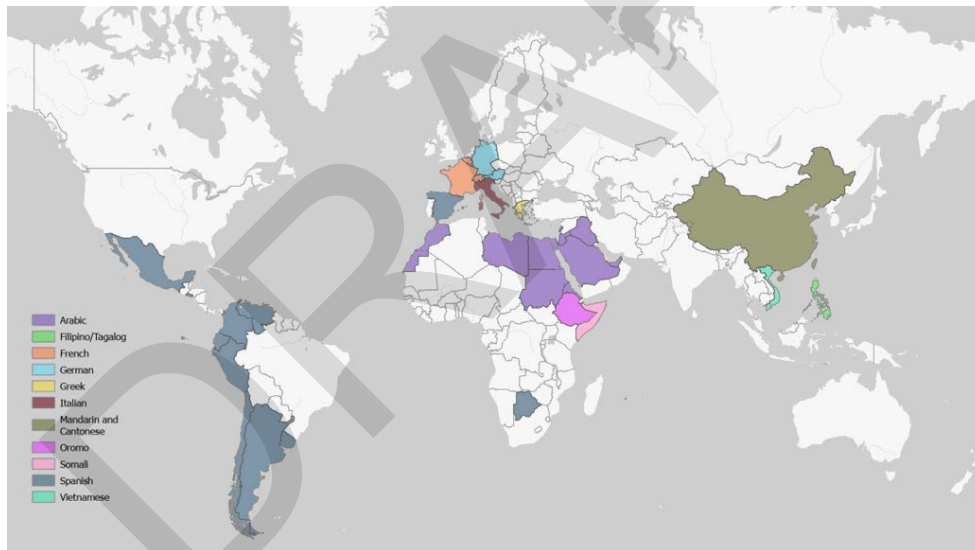
North Richmond is the most culturally diverse suburb, with 37% of its residents born overseas.

It's followed closely by Collingwood (35%) and Abbotsford (34%).

Clifton Hill is the least diverse, with 21% of its population born overseas.

Languages other than English spoken at home

Rank	Language	Number of people speaking language
1	Vietnamese	2,998
2	Greek	1,982
3	Mandarin	1,710
4	Italian	1,243
5	Cantonese	1,071
6	Spanish	865
7	French	607
8	Arabic	584
9	German	462
10	Somali	402
11	Oromo	330
12	Filipino/Tagalog	279



Top 12 Non-English Languages Spoken at Home and Country of Origin Approximated by Recorded Country of Birth

Migration streams

- Between Jan 2019 - Jul 2023 (averaged), 55% of migrants have arrived through the skilled stream, followed by those arriving through the family stream (43%).
- 23% of Yarra residents born overseas were recently arrived in Australia (2016-2021), a slightly higher proportion than that of Greater Melbourne (20%).

Top languages by social housing (including English speakers)

- Vietnamese (22%)
- Mandarin (6%)
- Somali, Cantonese, Arabic (5%)
- Oromo, Hakka (4%)
- Turkish, Amharic, Tigryinya (2%)

Religion

60%

of Yarra's residents do not identify with a religion.

The top 5 religions were:

- Western (Roman) Catholic (14.2%)
- Anglican (3.9%)
- Buddhism (3.4%)
- Greek Orthodox (3%)
- Islam (2.4%)

Between 2016 and 2021, Christianity experienced a significant decline, whereas Islam had the highest rate of growth.

Need for assistance (non-English speakers)

10% of Yarra's non-English speaking residents indicated a need for assistance, compared to 4% of Yarra's total population

Residents aged 65 years and over accounted for 72.6% of this group, and increased between 2016 and 2021

Unpaid care and unpaid childcare (non-English speakers)

13% of Yarra's non-English speaking residents provide unpaid assistance to a person with a disability, long term illness or old age, compared to 10.5% of Yarra's total population. Residents aged 65 years accounted for 72.6% of this group.

19% of Yarra's non-English speaking residents provides unpaid childcare, compared to 16.5% of Yarra's total population

Policy Context

Yarra has a longstanding commitment to welcoming and supporting culturally diverse communities. Numerous waves of migrant communities have settled in Yarra and contributed to the diverse characters of our municipality. Council continues to recognise the important contributions that newly arrived communities make to our local community. Through inclusive spaces, tailored programs, and responsive services, we empower diverse groups to participate fully in our community and celebrate their invaluable contributions.

International	Federal	State
UN Convention & Protocol Relating to the Status of Refugees (1951)	The Racial Discrimination Act (1975)	Victorian Racial and Religious Tolerance Act (2001)
UN International Convention on the Elimination of All Forms of Racial Discrimination (1996)	Australian Human Rights Commission Act (1986)	Victorian Charter of Human Rights and Responsibilities Act (2006)
UNESCO Universal Declaration on Cultural Diversity (2001)	Multicultural Access and Equity Policy Guide (2018)	Equal Opportunity Act (2010)
UNESCO's International Coalition of Cities Against Discrimination in Asia and Pacific Ten Point Commitment Plan (2009)	Multicultural Framework Review (2024)	Multicultural Victoria Act (2011)
		The Victorian Multicultural Policy Statement (2017)

What Yarra does

Yarra City Council delivers a range of services and programs that engage our multicultural community on multiple levels. Our invaluable partnerships provide us with the ability to extend our reach, which ranges from individual and group support to advocacy.

Our key partners

We work closely with our partners to support our multicultural community. Our partners include neighbourhood houses, local schools, employment programs, health services, outreach and support services and tertiary institutions.

Yarra Networks

The Yarra Multicultural Advisory Group (YMAG) promotes dialogue between Council and its multicultural communities, ensuring a broad representation through its open membership for Yarra's diverse community members, organisations, and service providers. With representation from two elected Councillors and supported by Council staff, YMAG's core duties involve advising on multicultural policies, advocating for multicultural communities, championing cultural diversity, and facilitating resource sharing among community groups.

Additionally, the Council helps facilitate the Yarra Multicultural Services Network (YMSN). In this forum, agencies that provide services for refugees, people seeking asylum, and newly arrived migrants in Yarra can collaborate, share resources, and

exchange best practices to enhance the support and services they offer to the community. This collective effort aims to ensure a coordinated approach to address these groups' unique needs and challenges, promoting a more inclusive and supportive environment within the Yarra region.

Advocacy

We support and are active members of a range of initiatives that support our multicultural community. These initiatives include Welcoming Cities, the Mayoral Taskforce for People Seeking Asylum, the Refugee Welcome Zone, We Stand Together, the community racism reporting tool, "Racism. It Stops with Me", and Refugee Week. Our support is dynamic, and we will continue to support new initiatives as they emerge.

Welcoming Cities is an initiative aimed at fostering inclusive and welcoming communities for all, with a special focus on immigrants and refugees. It supports local governments in their efforts to create policies and practices that help newcomers integrate and participate fully in the social, economic, cultural, and civic life of their communities.

The **Mayoral Taskforce for People Seeking Asylum** is a collective effort led by city mayors to address the needs and challenges faced by people seeking asylum. It aims to provide coordinated support and advocacy to improve the living conditions, access to services, and rights of individuals seeking asylum within their jurisdictions.

A **Refugee Welcome Zone** is a commitment made by a local government to welcoming refugees into their community. It involves a pledge to uphold the rights of refugees, promote their inclusion and participation, and enhance cultural and social understanding within the community.

We Stand Together is an initiative aimed at promoting unity and combating discrimination and racism in communities. It encourages individuals and organisations to stand in solidarity against hate and prejudice, fostering a more inclusive and respectful society.

The **Community Racism Reporting Tool** is an online platform or service that allows individuals to report instances of racism they experience or witness in their community. It is designed to collect data on racist incidents, provide support to victims, and inform policy and community responses to racism.

"**Racism. It Stops with Me**" is a campaign that invites all Australians to reflect on what they can do to counter racism wherever it happens. It seeks to promote a clear message that racism is unacceptable, and it is the responsibility of individuals and organisations to take a stand against it.

Refugee Week is an annual event celebrated in many countries to acknowledge and celebrate the positive contributions of refugees to society. It aims to educate the public about refugee experiences, highlight their achievements, and advocate for their rights and protection.

Yarra programs and services

We deliver culturally-specific services and programs provided through:

Social support groups for seniors	Council and Neighbourhood House playgroups	The Yarra Youth Centre and Richmond Youth Hub	Yarra Libraries (including story times, LOTE collections, digital help, workshops, and events)
Sportsgrounds Allocations Policy sets rules for allocating infrastructure to clubs, emphasising inclusivity.	Children's Services	Family Services	Maternal and Child Health

We build community capacity through:

Providing a significant number of grants to multicultural communities and projects	Accessible community training to build community capacity	Providing support for applications and processes for grants, children's services, support agencies	Language and literacy programs (including digital literacy)
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We facilitate and strengthen connections and knowledge through:

Advisory Committee representation	Festivals, events and celebrations for our diverse community	Bi-Cultural Liasion Officer program
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We remove barriers through:

Bespoke approach to communication methods	Our Bi-Cultural Liasion Officer program	Using interpreters and translations	Providing training and alleviating administrative burdens for grant applications	Using trauma-responsive practice	Prioritising relevant services to groups such as people from refugee backgrounds and people seeking aylum
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Our Guiding Principles

The following statements are an affirmation of Council's ongoing commitment to the multicultural community it serves. The statements outline our values and underpin all facets of our work, from advocacy to policy development to service provision.

Multicultural Yarra

Yarra City Council:

- Affirms that Aboriginal and Torres Strait Islander peoples are the first custodians of this country and continue their traditional custodianship of this land. The Council recognises the pre-colonial cultural diversity with over 250 First Peoples nations and commits to actively promoting, contributing to, and celebrating this heritage.
- Recognises cultural, linguistic, and religious diversity as integral to Yarra's history and identity, acknowledging that this diversity enriches the community.
- Respects and promotes the expression of culture, language, and religion, advocating for these expressions to be free from vilification or discrimination, as these are basic human rights for all people.
- Acknowledges the intersections within multicultural communities that may increase the risk of further disadvantage for specific groups, including women, refugees, people seeking asylum, People of Colour, older individuals, members of the LGBTIQ+ community, and people with disabilities.
- Promotes an inclusive community where all individuals are enabled to fully participate in the municipality's social, cultural, economic, and political opportunities, regardless of race, gender, culture, language, or religion.
- Welcomes refugees, people seeking asylum, and other newly arrived migrants to the municipality with respect and compassion, which is pivotal in fostering a welcoming and socially cohesive community.
- Rejects all forms of racial and religious vilification, violence, harassment, and unlawful discrimination, working towards a community free from racism.

Welcoming Refugees & People Seeking Asylum

Yarra City Council:

- Recognises and welcomes all individuals who have arrived on humanitarian visas, those seeking asylum, and refugees who arrive on other visa types, including family migration and skilled migration.
- Adheres to the United Nations definition of a person seeking asylum as someone seeking international protection whose claim has not yet been fully decided.
- Acknowledges the challenging journeys of people seeking asylum, often fleeing war and human rights violations and emphasises treating them with dignity and compassion, recognising their strengths and resilience.
- Commits to providing opportunities for refugees and people seeking asylum to actively participate and contribute to community life.
- Advocates for the rights of refugees and people seeking asylum to be free from hardship and to actively participate in the community, while also challenging discriminatory beliefs and policies.
- Celebrates and acknowledges the contributions of refugees and people seeking asylum to Yarra, recognising these communities' inherent strengths and resilience.

Our Commitments

Our commitments are themed into five priority areas that have been formed through extensive community engagement with a range of stakeholders. Our policy objectives demonstrate how we will act as a Council to ensure the City of Yarra is an inclusive place for our multicultural community to live, work, and enjoy.

Priority 1: Standing Against Racism

We are committed to:	
1.1	A zero-tolerance approach against racism and discrimination to the wider community
1.2	Fostering partnerships to eliminate racism and discrimination (e.g. anti-racism research and projects)
1.3	Enabling community and staff to report racial abuse and vilification and for our staff to promptly address issues that occur in Council spaces in a manner that the person reporting feels heard and understood
1.4	Raising awareness in the community on issues of racism and discrimination and providing up-to-date information on where to find support
1.5	Strengthening workplace practices and processes that ensure cultural safety for our multicultural community and staff
1.6	Role-modelling inclusive recruitment practices to increase diversity in the workplace, including in leadership roles
1.7	Actively welcoming refugee and asylum seeker families to Yarra by ensuring inclusive and relevant programs and services that help them feel valued and supported as integral members of our community.

Priority 2: Effective Communication and Respectful Engagement

We are committed to:	
2.1	Ensuring our communications and information dissemination are accessible to our multicultural community (e.g. picture-based, plain language, translation)
2.2	Adopting a flexible and tailored approach to communications and engagement that caters to the diverse needs of our multicultural community (e.g. paper-based, digital-based, Bi-Cultural Liaison Officer, online social messaging platform)
2.3	Actively informing our multicultural community of relevant social, environmental, economic, and political issues where relevant to Council's remit
2.4	Streamlining council processes and systems to increase accessibility and participation (e.g. website, language services, planning)
2.5	Improving the community's trust and understanding towards local government through accountable and respectful engagement and relationship-building
2.6	Utilising the model of Bicultural Liaison (i.e. staff who use cultural knowledge, language skills, lived experience and community connections to elevate community voices), to engage with the community. We respect the skills, time, and diverse commitments of Bi-Cultural staff and are committed to ethical remuneration and professional development opportunities
2.7	Engagement practices that are ethical, genuine and meaningful and represent the diversity within the community, avoiding over-reliance on the same cohorts and closing the loop on consultations

NB. This Priority is aligned to our [Community Engagement Policy](#)

Priority 3: Cultivating Connections

We are committed to:	
3.1	Working with our partners and stakeholders to deliver a wide range of services to the community, and seeking new opportunities where possible, responding to emerging issues as they arise
3.2	Fostering connections and building relationships between groups that share cultural identities and/or language
3.3	Facilitating opportunities for inter-cultural learning and celebration through programs and events
3.4	Building relationships with our community and partners through participation and support of community events,
3.5	Commemorating and celebrating significant dates for our multicultural community by honouring longstanding traditions while remaining responsive to our community's changing demographics and cultural identities.

Priority 4: Building Inclusive and Accessible Spaces

We are committed to:	
4.1	Working with our multicultural community on how Council parks, public spaces and facilities can be more accessible, representative, safe and liveable
4.2	Educating, advocating and supporting local businesses, service providers and sporting clubs to ensure programs and activities provided in Yarra are done so in an equitable and inclusive manner
4.3	Continuing the use of an inclusion and diversity lens when allocating sports grounds and facilities
4.4	Continuing to promote accessible Council services and programs that cater to the specific needs of our multicultural communities, developing further when they no longer meet the needs of the community
4.5	Building inclusive and accessible spaces, programs and events for our multicultural community that extends to considering intersecting identities. We recognise that individuals within our community may face unique barriers to access and participation.

Priority 5: Fostering Community Capacity

We are committed to:	
5.1	Working with partners to support learning, skills development, and employment opportunities for our multicultural communities
5.2	Building the capacity of community groups to establish and independently sustain community projects and/or programs beyond the initial Yarra grants.
5.3	Promoting and facilitating accessible volunteering and community training opportunities to enhance employment opportunities for our multicultural community
5.4	Supporting and guiding multicultural communities to navigate council systems (e.g. planning processes, grant applications)

Monitoring, Reporting and Updating

In 2023, the Council streamlined its quarterly progress reports to enhance clarity and transparency for Councillors and the community, focusing on reducing the number of reports while increasing transparency. The revised Quarterly Report consolidates updates on strategic goals, the Council Plan, the budget, and capital projects, aiming to simplify reporting and effectively highlight our achievements.

The strategy updates and highlights section of the Q1 Quarterly Report will include a feature on the Multicultural Partnerships Policy. Officers are tasked with monitoring and documenting how practices align with the policy's principles and how our initiatives propel its key priorities forward.

The Multicultural Partnerships Policy is intended for long-term application; however, it is acknowledged that significant changes in the social environment, the broader policy landscape or Council's own policies that may necessitate updates, which will be initiated as and when needed.

DRAFT

7.6 Community Grants FY2025 Initiation Report

Reference	D24/90943
Author	Cristina Del Frate - Senior Coordinator Equity and Inclusion
Authoriser	General Manager Community Strengthening
Disclosure	The authoriser, having made enquiries with members of staff involved in the preparation of this report, asserts that they are not aware of any general or material conflicts of interest in relation to the matters presented.

Purpose

1. The purpose of this report is to seek Council's endorsement for the community grants programs to be initiated for financial year 2024/25. The funding for the respective grants is subject to the adoption of the 2024/25 budget.

Critical analysis

History and background

2. Community development is the process of building and strengthening the capacities of communities to shape their own future. Through the Yarra Community Grants Program (CGP), each year Council provides significant funding to empower individuals and organisations to work together to address common challenges and achieve shared goals. The supported areas encompass community development, arts and culture, climate action and sustainability, sports and recreation, as well as youth and family initiatives.
3. The CGP contributes to projects and initiatives that are locally based and provide a program, service or activity of benefit to the Yarra community. Projects considered to be the responsibility of the State or Federal Governments, businesses and other for-profit organisations are not eligible for funding.
4. To be eligible for funding, applicants must be a not-for-profit, incorporated community organisation or meet one of several specific exceptions e.g., unincorporated community groups auspiced by an incorporated organisation, individual artists or arts-related businesses operating under an active sole trader ABN.
5. Training programs are also delivered to build capacity for local not-for-profit and community organisations such as project management essentials, partnerships and network building, financial administration, cultural competency, and managing members and volunteers.

Discussion

6. In 2024, multiple grant rounds will be initiated for the 2024/25 financial year. The funding of these grants is subject to the annual budget process to be adopted by Council in June 2024.
7. This report outlines the sub-programs and streams of the CGP to be initiated in 2024/25.

Rolling Grants

8. Small Project Grants are quick response grants for projects relating to Arts and Culture, Community Projects and Climate Action and Environment. Applicants can receive one grant of up to \$1,000 per financial year. Arts and Culture applicants can apply for up to \$2,000. This grant remains open until the funds (\$95,520) are exhausted.
9. The Room to Create Grants are for goods and/or services that will assist creative spaces, such as live music venues and galleries, to operate in Yarra. This grant remains open until the funds (\$24,375) are exhausted.
10. The Youth-Led Grants are grants of up to \$3,000 for youth-led projects with a pool of \$30,000 included in the Family Youth and Children stream.

Community Development

11. The Community Development Stream is designed to strengthen the social and cultural diversity of the City of Yarra and encourage people from all backgrounds to participate in community life. This stream supports the valuable work undertaken by a diverse range of not-for-profit organisations and community groups in Yarra who run projects building social inclusion, supporting social justice and strengthening our local communities. This stream focuses on projects that address strategies from the Council Plans.
12. There are six sub-categories in the Community Development stream of the 2025 Annual Grants, namely: Community Support (up to \$10k) for projects by larger not-for-profits, Community Strengthening (up to \$5k) to support smaller local community-run groups seeking to hold activities in Yarra, Community Celebrations (up to \$4k) supporting smaller events including street closures and multicultural celebrations, Social Enterprise (up to \$10k) supporting organisations and businesses aimed at the creation of employment opportunities for people facing barriers to workforce participation, Community Housing (up to \$50k) and Major Projects up to \$50k. The total pool is \$633,427.
13. In 2023, the Council endorsed a review of the CGP for the 2023/2024 period. As a result, new rounds of multi-year grants (i.e., funding to support projects over several years) were not initiated, and alternative arrangements were made:
 - (a) As part of the 2023 Annual Grants Initiation Report, the three-year Investing in Community grant pool was merged into the Annual Grants. A new grant stream, Major Community Projects (up to \$50,000), was created. It is proposed that this arrangement continue into the 2024/2025 financial year; and
 - (b) The three-year Organisational Support Grants for Culturally and Linguistically Diverse and seniors' groups conclude this year. For the 2024/2025 financial year, a one-year extension is proposed to be provided to the 41 groups that received funding in the 2023/2024 financial year, subject to their ongoing eligibility. The total amount allocated will be up to \$150,000.
14. Several grants have been extended due to the review of the CGP. The Richmond and Collingwood Youth Estate Grants were extended until mid-2024, with an allocation of \$195,640. Additionally, the Celebrate Yarra grant, which supports the Victoria Street Lunar Festival, Johnston Street Fiesta, and Gertrude Street Projection Festival, has been extended under CEO delegation until mid-2025, with a total funding of \$105,000.

Arts and Culture Annual Grants

15. The Arts and Culture Annual Grants will revert to one round per year after having trialled two rounds in 2023/24. The number of applications doubled from 65 to 118 compared to the previous year.
16. The Yarra Arts Fellowship and the Sustainable Arts Grants, introduced in the 2023/24 cycle, is proposed to continue. The total funding pool of \$540,774 also includes the Celebrate Yarra stream.

Family, Children and Youth

17. The Family, Youth & Children Stream includes two categories, namely: Family & Early Years Category, and Youth & Middle Years Category. The maximum grant is \$10,000 and the pool is \$162,698.

Sport and Recreation

18. The Sports and Recreation stream supports projects that increase inclusion, diversity and access to opportunities that increase physical activity levels. The maximum grant is \$5,000 and the pool is \$58,000.

Climate Action and Environment

19. The Climate Action and Environment Stream seeks to support initiatives that accelerate community-led climate action and environmental support at a local level. The total pool is \$42,000.

Yarra Energy Foundation: Council contribution and the transition to self-sufficiency

20. While historically outside the CGP, a major initiative in advancing Council’s climate change objectives has been the support provided towards the establishment and growth of the Yarra Energy Foundation Ltd.
21. Council established the Yarra Energy Foundation Ltd (YEF) in 2010 as an independent not-for-profit organisation to support the Council's goal of achieving carbon neutrality in the City of Yarra and encourage such action more broadly.
22. Since the conclusion of multi-year agreements in mid-2021, Council has been supporting the Yarra Energy Foundation Ltd through a contribution recorded via annual funding agreements. In FY 24, \$150,000 was provided for operational costs (e.g., staff salaries, rent, and utilities).
23. From the outset, it was envisaged that the YEF would ultimately achieve financial self-sufficiency. YEF has been an important player in facilitating the shift toward energy efficiency and increasing access to sustainable energy.
24. In FY25, it is proposed that Council fund \$150,000 for YEF, marking the final contribution towards their operational expenses. This assistance will help YEF continue its work in promoting energy efficiency and sustainable energy access as it progresses toward self-sufficiency.
25. This amount will be funded through a corresponding reduction in the annual Community Grant’s envelope, specifically the Major Community Projects Stream.

The 2024/2025 Grants Sub Programs and Budget

26. The table below provides an overview of the budget for the sub-programs and streams of the CGP and indicates whether they will be initiated in 2024 and where there are changes to ensure that the Council can respond effectively to the findings of the review of the CGP in 2024/25.

Table 1: CGP Sub Programs to be initiated for FY25

Sub Program	Initiated in 2024	Additional information	Budget for 24/25 FY
Annual Grants: Community Development Stream	yes	Annual	\$633,427
Annual Grants: Major Community Projects		The multi-year Investing in Community Grants (pool of \$306,380) were suspended due to the CGP review. Accordingly, the temporary stream of Major Community Projects has been established using part of these funds.	\$156,380
Yarra Energy Foundation: Contribution for the Transition to Self-Sufficiency	yes	This is the Council's final contribution to support YEF's transition towards self-sufficiency. This will be covered via a funding and service agreement between Council and YEF. This funding has been offset by the suspended multi-year Investing in Community Grants.	\$150,000

Annual Grants: Family, Children and Youth Stream	yes	Annual	\$132,698
Annual Grants: Annual grants for Climate Action and Environment	yes	Annual (redirected from Community Development Stream)	\$42,000
Annual Grants: Arts and Culture	yes		\$500,774
Annual Grants: Sports	yes	Annual no change	\$58,000
Rolling Grant: Small Projects	yes	Annual (until exhausted) \$75,520 plus \$20,000 from Arts.	\$95,520
Rolling Grants: Youth-led grants	Yes	Annual (until exhausted) (taken from Family youth and children's stream)	\$30,000
Rolling Grant: Room to Create Rolling Grant (venue acoustic attenuation)	yes	Annual (until exhausted)	\$24,375
Rolling Grant: Sustainability Arts Grants	yes	Annual (until exhausted)	\$10,000
Rolling Grant: Arts Fellowship	yes	Annual (until exhausted)	\$10,000
Total			\$1,536,794

Table 2: CGP Sub Programs with continued funding from earlier rounds

Sub Program	Initiated in 2024	Additional information	Budget for 24/25 FY
Community Partnership Grants	no	This is a four-year grant. The current round ends in 2025.	\$455,466
Fitzroy Adventure Playground	no	Council resolved on 20 March 2024 to proceed with a 3-year grant from 1 July 2023 to 30 June 2026.	\$150,000
Richmond and Collingwood Youth Estate Grants	no	This grant is due to conclude in June 2024. Consideration of a further extension will be subject to the outcomes of advocacy to the State Government for continued funding for the Richmond Youth Hub for FY25.	\$195,640
Celebrate Yarra	no	Extended until mid-2025. (Victoria Street Lunar Festival, Johnston Street Fiesta, and Gertrude Street Projection Festival)	\$105,000
Total			\$906,106

27. With \$1,536,794 allocated for grants initiated in FY25, and an additional \$906,106 committed from earlier rounds, the total expenditure on community grants for FY25 is proposed to be \$2,442,900.

Options

28. Initiate the Annual Grants for FY25 as detailed in this report, noting that the funding for the respective grants is subject to the adoption of the 2024/25 budget (**Recommended**).
29. Postpone the initiation of the Annual Grants until after the FY25 Council budget is adopted. This postponement would affect the timelines for grant advertising, information sessions, applications, and assessment (**Not recommended**).

Community and stakeholder engagement

30. In support of the Grants Review process, internal and external reference groups will be established to consider preliminary findings and recommendations.
31. The reach of the CGP is extensive, as is the list of stakeholders. Each year over 200 organisations and many individuals are accessing Council funding. For the holistic review of the CGP, consultation and engagement will be extensive in reach and through varied channels.

Policy analysis

Alignment to Community Vision and Council Plan

32. The Community Grants objectives are closely aligned with the Council Plan 2021–25 and Community Vision. Community Grants are intended to support the delivery of the Council Plan and are a key means by which its strategic objectives can be realised in partnership with the community.
33. All six strategic objectives of the Council Plan are supported through the Grants Program, either via the proposed and delivered programs or through the process of empowering community groups and organisations to deliver them.
34. Arts and Culture Grants reflect the five priorities from the 2022-2026 Arts and Culture Strategy:
- (a) Our Aboriginal and Torres Strait Islander arts and cultures are at the heart of Yarra;
 - (b) Artists are essential to a thriving Yarra;
 - (c) Our arts and culture shape Yarra's places and spaces;
 - (d) We celebrate and support our creative and diverse community, and
 - (e) Our arts contribute to an ecologically sustainable future.

Climate emergency and sustainability implications

35. Yarra's Annual Grants Program has a Climate Action and Environment Stream to encourage and support projects that align with the Climate Emergency Plan.
36. The Sustainable Arts Grants will provide support for creative projects to meet higher levels of sustainability and waste reduction.
37. The Arts and Culture Annual Grant program priority 'Our arts contribute to an ecologically sustainable future' will encourage and reward artists and organisations that deliver projects which directly engage with climate emergency and sustainability through their work and outcomes.
38. As noted earlier in this report, it is proposed that Council fund YEF \$150,000, as its final contribution towards operational expenses, aiding YEF's as it transitions to self-sufficiency.

Community and social implications

39. The Grants program aims to address numerous social, and community issues/needs across areas such as arts and culture, sustainability, community development, sport and recreation, family, children, and youth.
40. The guidelines for each of the streams are aligned with the priorities of building community, encouraging social inclusion, celebrating diversity, building social cohesion, and improving community health and wellbeing.

Economic development implications

41. The Grants program provides a flexible and responsive source of funds to community-based not-for-profit organisations. Funding supports projects that deliver outcomes outlined within the Council Plan and target the areas of highest need within the community. The aim is to improve the long-term outlook for local families and businesses by strengthening the local not-for-profit sector's capacity and generating economic activity.
42. Projects that support people who are newly arrived to Australia, young people and families through skills development and projects that support service coordination have a direct economic benefit. In the 2024 Annual Grants round, 40 applications (40% of successful applications) were for projects held in Yarra's public housing estates or primarily engaging public housing residents.
43. The festivals and events funded by grants bring economic benefits and assist with branding Yarra as a destination city.

Human rights and gender equality implications

44. The grant guidelines align with the Victorian Charter of Human Rights and Responsibilities Act 2006 and Yarra's Social Justice Charter and actively support people to participate in and contribute to their community.
45. Annual Grants applications seek information on how applicants will address issues of gender equality in their proposed initiative, ensuring that project design is managed from the outset.

Operational analysis

Financial and resource impacts

46. As noted earlier in this report, the allocation for grants to be initiated in FY25 is \$1,536,794, and funding already committed from earlier rounds totals \$906,106. Therefore, the total expenditure on community grants for FY25 is \$2,442,900.
47. The funding for these grants is subject to the adoption of the 2024/25 budget.

Legal Implications

48. There are no legal issues identified in this report.

Conclusion

49. The grants to be initiated in 2024 represent a significant financial investment by Council to ensure social, cultural and sustainability outcomes for the local Yarra community.
50. The grant round opens in mid-June, and applications must be submitted by 31 July 2024. Grant outcomes will be announced in November 2024, following the endorsement of the Council, and based on the assessment and recommendations of the various community panels. Funded projects are set to commence in January 2025.

RECOMMENDATION

1. That Council:
 - (a) endorses the following Community Grants streams to be initiated in 2024/25, subject to the final approval of the 2024/25 Council budget:
 - (i) 2025 Annual Grants;
 - (ii) 2024/25 Small Project Grants;
 - (iii) 2024/25 Room to Create Responsive Grants;
 - (iv) 2024/25 Sustainability Arts Grants; and
 - (v) 2024/25 Arts Fellowship Arts Grants.
 - (b) endorses the following proposed allocations of funds totalling \$1,536,794, subject to the final approval of the 2024/25 Council budget:
 - (i) \$1,366,899 for the 2025 Annual Grants Program;
 - (ii) \$95,520 for the 2024/25 Small Projects Grants;
 - (iii) \$30,000 for the 2024/25 Youth-Led Grants;
 - (iv) \$24,375 for the 2024/25 Room to Create Responsive Grants;
 - (v) \$10,000 for the 2024/25 Sustainability Arts Grants; and,
 - (vi) \$10,000 for the 2024/25 Arts Fellowship Grants;
 - (c) notes that The Arts and Culture Annual Grants will revert to one round per year after trialling two rounds in 2023/24;
 - (d) notes that no new multi-year grants will be initiated (given the current review of the Community Grants Program) and endorses the following alternative arrangements:
 - (i) The funds usually allocated to the Investing in Community stream will be diverted to the Annual Grants through a Major Community Projects stream, with an allocation of \$306,380 for the fiscal year 2024/2025; and
 - (ii) The 41 culturally and linguistically diverse and seniors' groups that have previously received Organisational Support Grants will be awarded a one-year funding extension, contingent on their ongoing eligibility, with a funding allocation of up to \$150,000 for 2024/2025.
 - (e) endorses a \$150,000 funding allocation to aid YEF in its transition to self-sufficiency, and notes that this will be the Council's final financial contribution towards the operational expenses of YEF; and
 - (f) notes that the report outlining the findings and recommendations from the Community Grants Program Review will be presented to the Council for consideration later this year.

Attachments

There are no attachments for this report.

7.7 Portable Buildings World Heritage Listing Proposal

Reference	D24/151364
Author	Richa Swarup - Principal Advisor City Heritage
Authoriser	General Manager City Sustainability and Strategy
Disclosure	The authoriser, having made enquiries with members of staff involved in the preparation of this report, asserts that they are not aware of any general or material conflicts of interest in relation to the matters presented.

Purpose

1. To respond to the General Business Motion of 12 March 2024 relating to portable buildings' heritage listing.

Critical analysis

History and background

2. A group of professionals and community members, led by Professor Miles Leweis and Tony Issacson have been working towards the recognition and listing of portable buildings across Australia on the World Heritage List.
3. In 2021, Council was informed and invited to attend the Launch of the Portable Buildings World Heritage Nomination Taskforce (the Taskforce).
4. The role of the Taskforce is to advocate and carry the matter forward until it is taken up by the relevant governments.
5. The Taskforce has identified 120 prefabricated buildings all over Australia that could be considered as a group for the World Heritage listing.
6. This includes the highest number of buildings in the State of Victoria. The table below provides the numbers of buildings identified in the different states.

	State	Number of buildings identified
1	Queensland	4
2	New South Wales	19
3	Northern Territory	2
4	South Australia	14
5	Tasmania	4
6	Victoria	68
7	Western Australia	9
	Total	120

7. The full list of places can be found at <https://www.portablebuildingsaustralia.org/portfolio-2/new-portfolio-item>
8. Seven buildings are located within the City of Yarra (Yarra).

9. The list of buildings in Yarra and their current heritage status is provided in the table below:

S.N.	Identified Building/Address	Heritage Status	Ownership	Comments
1	Singapore cottage [ex Brunswick], 136 Sackville Street, Collingwood	VHR H0610 (HO134)	Privately Owned	The VHR listing and the statement of significance reflect upon two cottages the third one is not mentioned. The extent of the overlay covers only one cottage. Officers have asked for clarification from Heritage Victoria about the above.
2	Singapore cottage [ex Hoddle St], 136 Sackville Street, Collingwood - in storage	H0610 (HO134)		
3	Singapore Cottage [ex Longmore St] 136 Sackville Street, Collingwood	Heritage status not clear		
4	Singapore Cottage [ex Henry St], 125 Easey St, Collingwood;	Falls within. HO321 (Gold Street Precinct Heritage Overlay)	Privately Owned	A brick building on the site is listed as individually significant within HO 321 there is no mention of the Singapore Cottage.
5	House, 5 Tranmere St, North Fitzroy,	Individually significant within HO 327 the (North Fitzroy Heritage Precinct)	Privately Owned	
6	J H Porter [maker] store, Fairfield Park	VHR H2243,	Development Victoria	Earlier located on the Gas Works site Fitzroy North and has been relocated to the Fairfield Park in 2021.
7	All Saints Parish Hall, 95 King William St, Fitzroy	VHR H2172	Privately Owned	

10. Over the years, the Taskforce has contacted councils in Australia and prepared a draft proposal for processing these places for the world heritage nomination.
11. The Taskforce has also written to various councils to write a letter to the Hon Sonya Kilkeny Minister for Planning in support of the World Heritage nomination and provide any further information on the above buildings which may be available with the Council.
12. On 12 March 2024, responding to a General Business Motion on Portable Buildings Heritage Listing, Council resolved that:

“a report be prepared for the May Council meeting in relation to the potential World Heritage listing of Portable Buildings, including six buildings in City of Yarra and including:

- (a) *officer's advice regarding the possible recognition and support of the proposal for World Heritage nomination of number of nineteenth century 'portable buildings' in Australia (<https://www.portablebuildingsaustralia.org/>), including six within the City of Yarra (Singapore cottage [ex Brunswick Rd], 136 Sackville St, Collingwood; Singapore cottage [ex Hoddle St], in storage; Singapore Cottage [ex Longmore St] 136 Sackville St, Collingwood; Singapore cottage [ex Henry St], 125 Easey St, Collingwood]; J H Porter [maker] store, Fairfield Park; All Saints Parish Hall, 95 King William St, Fitzroy);*
- (b) *information regarding the planning permit application for the property at 5 Tranmere St, North Fitzroy including the details relating to the partial demolition of the building;*
- (c) *information regarding the existing planning controls that apply to the property at 125 Easey St and officers advice whether a planning scheme amendment to provide additional protections for the building should be progressed by Council Noting that the existing dwelling is included within a precinct overlay;*
- (d) *writing to the Minister of Planning, the Hon Sonya Kilkenny MP in support of the World Heritage nomination, as suggested in a letter of 13 June 2023 received from Tony Isaacson, Convenor of the Portable Buildings World Heritage Nomination Task Force; and*
- (e) *confirmation that fifteen councils are supporting a bid for World Heritage nomination of the Victorian Goldfields (<https://goldfieldsworldheritage.com.au/>) and seek to form an equivalent coalition in support of the Portable Buildings proposal, by approaching in the first instance the cities of Greater Geelong, Melbourne and Port Phillip."*

Discussion

World Heritage listing process:

- 13. In Australia, the preparation of a World Heritage nomination is the responsibility of the State (in which the place is located) in consultation with the Commonwealth Government. If properties transcend State boundaries, the Commonwealth Government coordinates preparation of the nomination.
- 14. The usual process is that places under consideration are heritage listed at state level first and then submitted for the National Heritage List.
- 15. The nominated sites are included on the Australian Tentative List for World Heritage Nomination (the Tentative List) and remain on the tentative list for at least one year before the World Heritage nomination is submitted.
- 16. The state consults with the relevant local government bodies and interested groups (including indigenous, conservation and industry groups) on properties to be nominated to Australia's World Heritage Tentative List prior to making a submission.
- 17. The Commonwealth Government ensures that the nomination is prepared in accordance with the World Heritage Convention and the *Operational Guidelines for the Implementation of the World Heritage Convention* (the Operational Guidelines), the relevant State is consulted, and the nomination is submitted by the Commonwealth Government to the World Heritage Committee for consideration. The Commonwealth then liaises with the World Heritage Centre regarding the progression of the nomination.
- 18. Council does not have direct responsibility for the preparation or submission of the nomination.

Portable Buildings World Heritage Nomination Taskforce's rationale for the world heritage listing of the portable buildings.

- 19. The Taskforce has developed a draft proposal. The key points in their rationale for the significance of the place include:
 - (a) *"The prefabricated buildings of the nineteenth century, known at the time as 'portable buildings', constitute an international phenomenon of historical, economic and technical significance;*

- (b) *Most of the world's surviving examples are in Australia, and especially in Victoria. They came mainly but by no means exclusively in response to the gold discoveries of the 1850s, because by the 1850s suppliers were geared up for export, having already sent buildings - in much smaller numbers - to the Californian gold rushes. All of the early Californian examples have since been destroyed, and an interesting side-effect of this is that the Australian buildings best illustrate what was once to be found in San Francisco;*
 - (c) *Australia not only has more prefabricated buildings of this period than any other country: it has, by a considerable margin, more than the rest of the world combined; and*
 - (d) *The present proposal is also international in character but because the buildings involved are from different countries and are of considerable significance to those countries, the United Kingdom, Singapore, the United States and Germany have been engaged with during the preparation of this proposal."*
20. Some of the technological aspects identified in the proposal are:
- (a) a patent system combining timber and iron;
 - (b) cladding in sheet zinc;
 - (c) cladding in corrugated galvanised iron;
 - (d) continuous arched roof;
 - (e) the first panelised systems in timber;
 - (f) various patented systems of cast iron framing components;
 - (g) carpentry roofing in corrugated iron, using minimal ties
 - (h) cast plate iron with lead-run joints;
 - (i) patent conical roof vents; and
 - (j) adapting Malay and Chinese traditions to European requirements
21. The Taskforce's proposal suggests that this nomination will satisfy the following two world heritage criteria:
- "Criteria (ii): to exhibit an important interchange of human values, over a span of time, or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning, or landscape design.*
- Criteria (v) to be an outstanding example of a type of building, architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history."*
22. A complete list of the UNESCO criteria for assessment of the outstanding universal value for the World Heritage listing can be found at Attachment 1.
23. The proposed draft statement of significance by the Taskforce includes:
- "From the earliest tents and yurts, prefabrication has been a major means by which humanity has been able to survive in adverse situations and conditions. The prefabricated buildings of the nineteenth century, which were known at the time as 'portable buildings', constitute an international phenomenon of particular historical, economic and technical significance. The exponential growth of prefabrication was one of the major outcomes of the Industrial Revolution, and these buildings are also associated with historical, episodes of great moment – including exploration, gold rushes, the Crimean War, and the development of steam navigation. They are also a reflection of economic conditions, because the trade in buildings required cheaper labour, cheaper materials and/or superior production capacity in the country of origin, as compared with the country of receipt. The individual structures are of varying integrity, but the ensemble is a remarkably complete conspectus of this international phenomenon. It is essential that all the items be preserved, and the most significant of them be fully restored and made accessible to the public."*

Officers' response to various points raised by the Council:

(a) Possible recognition and support of the proposal for World Heritage nomination of number of nineteenth century 'portable buildings' in Australia, including six within the City of Yarra

24. The current research and the draft proposal by the Taskforce have highlighted significant aspects that need to be recognised as they enhance our understanding of the development and spread of portable buildings in Australia and the World.
25. It is understood that if tested individually, some of these buildings may not satisfy the world heritage criteria for listing, however, the proposal suggests that their contribution needs to be assessed as a group.
26. Council has not undertaken any specific research in relation to this proposal for World Heritage listing. However, since four out of seven buildings are already a part of the VHR listing (noting that status of one requires clarification) and others are located within a heritage overlay, Council may consider supporting the Taskforce in their further research and proposal for the nomination.
27. It is also understood that preparation of the nomination for the world heritage listing requires considerable research, consultation, comparative analysis and assessment (under the UNESCO criteria for the assessment of the outstanding universal value) by the State/Commonwealth Government who have the responsibility to list the places at the State and National levels before the nomination is submitted.
28. In view of the above, officers recommend that Council write a letter appreciating the research and documentation undertaken by the Taskforce so far and provide its in-principle support for their further research on the proposal for the Portable buildings' World Heritage Nomination.

(b) Information regarding the planning permit application for the property at 5 Tranmere Street, North Fitzroy including the details relating to the partial demolition of the building.

29. 5 Tranmere Street North Fitzroy is an Individually significant graded property in the North Fitzroy Heritage Precinct. As detailed below, a planning permit has been recently issued (and subsequently amended) by Council for partial demolition and works to extend the existing dwelling. The assessment of both the original and amended permit applications included a full consideration against the heritage requirements of the Yarra Planning Scheme, including the appropriateness of the proposed demolition.

Original planning permit application (PLN22/0349)

30. A planning permit application was made on 14 May 2022 for partial demolition, alterations and a ground floor addition to the existing dwelling. The partial demolition specifically comprised:
 - (a) Section of wall on the east elevation (to accommodate side extension);
 - (b) Tiber cladding on south (front) and west elevations (to accommodate replacement cladding);
 - (c) Section of wall on the west elevation (to accommodate a window);
 - (d) Front verandah including verandah roof and support posts (non-original fabric);
 - (e) Window on the front façade of the dwelling (non-original fabric); and
 - (f) Side security gate/roller door and concrete paving within eastern setback.
31. The application was advertised, and no objections were received:
 - (a) The application was assessed against the requirements of the Yarra Planning Scheme, including the Heritage Overlay requirements and Council's local heritage policy at Clause 22.02. It was referred to Council's Heritage Advisor for review. The extent of demolition was supported as it would not negatively affect the significance of the place. In particular;

- (b) The extent of demolition was limited, and the replacement works were deemed to be sensitive and sympathetic to the heritage character of the dwelling;
 - (c) The main building form and roof form was predominately maintained; and
 - (d) The front verandah and window on the front façade were not original.
32. For these and other (non-heritage) reasons, the application was supported and a planning permit was issued on 27 January 2023. Plans were subsequently endorsed.

Amendment application (PLN22/0349.01)

33. An application to amend the planning permit was made on 4 July 2023. This sought to modify the extent of weatherboards being removed and replaced with a new material. Specifically, the extent of weatherboards to be removed and replaced was being increased on the west and east (side) elevations. The applicant submitted that this was required because on commencement of the works it was discovered that the condition of the weatherboards was in worse condition than expected.
34. The amendment application was not advertised as it was determined that the change would not cause any additional material detriment to any person.
35. The amendment application was assessed against the heritage requirements of the Yarra Planning Scheme and was referred to Council's Heritage Advisor for review. The assessment acknowledged that existing fabric should be retained as possible, however that where the existing weatherboards were deteriorated beyond repair and reuse, it was acceptable to remove them. However, this was subject to them being replaced by boards identical in dimension and appearance to the existing boards, and real timber.
36. For these reasons, the application was supported subject to a condition that required the endorsed plans to show the replacement weatherboards being real timber and the same dimensions as the existing original weatherboards. The amended permit was issued on 2 November 2023.

(c) The existing planning controls that apply to the property at 125 Easey Street and whether a planning scheme amendment to provide additional protections for the building should be progressed by Council (Noting that the existing dwelling is included within a precinct overlay).

37. 125 Easey Street, Collingwood is currently included as individually significant within HO321 (Gold Street Precinct Heritage Overlay). This site has a small building citation on VHD as below:
- "A single storey brick dwelling built about 1868 and sympathetically restored. The unusual verandah timber valance (partially new) and the interior doors, architraves and fireplaces are noteworthy. The alterations and additions at the rear are excluded from the Classification."*
38. It indicates that the listed building is a brick building at the rear of the property whereas the proposal under consideration for the world heritage listing is for a Singapore Cottage on this address (located in the front portion of the site).
39. Council's records show that the Singapore Cottage (Ex Henry Street) was shifted to 125 Easy Street and was constructed on the site around 2016-2017.
40. The cottage was recognised to be significant during the planning permit process and was allowed to be reconstructed on the site.
41. Since the Singapore Cottage is not documented as a part of the heritage overlay documents for the site and considering that there are only a few surviving structures of this type that are being considered for World Heritage nomination, it is the officer recommendation that Council undertake necessary research and consultation, document the history and associated heritage values; and process it for inclusion in the local heritage overlay under the Yarra Planning Scheme pursuing a Planning Scheme Amendment process.

(d) Writing to the Minister of Planning, the Hon Sonya Kilkenny MP in support of the World Heritage nomination, as suggested in a letter of 13 June 2023 received from Tony Isaacson, Convenor of the Portable Buildings World Heritage Nomination Task Force.

42. Council officers recommend writing to the Minister of Planning, the Hon Sonya Kilkenny MP providing its in-principle support for the Portable Buildings World Heritage Nomination Task Force's work so far and for any further research towards the proposal on the basis that:
- (a) Considerable work has already been done by the Taskforce in creating a list of 120 buildings in different parts of Australia and in preparing a proposal for their nomination as a group;
 - (b) Preparation of a final nomination will require validation of the existing research, further research if needed, consultation, comparative analysis and assessment of the place (under the UNESCO criteria for the assessment of the outstanding universal value) by the State/Commonwealth Government (who have the responsibility to list the places at the State and National levels and submit the nomination) which may take significant time; and
 - (c) Many buildings identified under the proposal, like the ones included within the City of Yarra are simple structures and may be at risk of deterioration, demolition or redevelopment. This necessitates the need for an appropriate management regime for their future maintenance and management; especially if they are worthy of world heritage listing. This also affirms the need for a priority by the State/Commonwealth government for assessment of the proposal.
43. It is also worth noting in this regard that without proper assessment of places by the State/Commonwealth Government for the World Heritage nomination of the identified places, it is difficult to understand what impacts it may have on the surrounding properties as a result of the world heritage listing and if there would be a buffer zone.
44. Further, the views of the owners of these buildings are also not known and therefore only an in-principle support as stated above can be considered at this stage.

(e) Confirmation that fifteen councils are supporting a bid for World Heritage nomination of the Victorian Goldfields (<https://goldfieldsworldheritage.com.au/>) and seek to form an equivalent coalition in support of the Portable Buildings proposal, by approaching in the first instance the cities of Greater Geelong, Melbourne and Port Phillip.

45. Council's Principal Adviser City Heritage reviewed the information on the Victorian Goldfield World Heritage Bid website (<https://goldfieldsworldheritage.com.au/>) and has had discussions with one of their contact persons for information on the partnership arrangements. This has confirmed that fifteen councils have formed a partnership in support of the bid by way of signing a Memorandum of Understanding (MoU) for advocacy, cooperation and their ongoing support for the development of this bid.
46. The discussion has also revealed that:
- (a) Development of a formal partnership arrangement between a large number of councils has taken a long time (nearly 5 years); and
 - (b) The partnership has been effective in many ways such as:
 - (i) In seeking a formal and ongoing commitment by the councils;
 - (ii) Participation and engagement by the CEOs/Executives and the mayors of various councils;
 - (iii) Budget allocations;
 - (iv) Cities of Ballarat and Bendigo have committed to further research and officer time in the development, administration, and advocacy of this proposal;
 - (v) Understanding of the social and economic benefits of the proposal by the participating councils;

- (vi) Advocacy at the government as well as community level. On one hand this has been instrumental in the prioritisation of the proposal by the government; on the other hand, it has explained the tourism and resultant economic benefits to the community and various councils; and
 - (vii) Generation of funds by the group that has also helped in further research and engagement of experts to prepare comparative analysis of similar sites in other parts of the world. This would provide support to the bid.
47. Yarra officers have contacted relevant councils to explore the possibility of forming a partnership in support of the Portable Buildings proposal.
48. The general view of these councils (at an officer level) was that since many councils in Victoria are involved such a collaboration should be coordinated by Heritage Victoria or the Task Force.

Community and stakeholder engagement

49. Officers from cities of Melbourne, Port Phillip, Stonnington and Geelong; as well as the contact person from the City of Greater Bendigo (for the information on the partnership arrangements for the World Heritage nomination of the Victorian Goldfields site) were consulted before providing the response on a specific topic.

Policy analysis

Alignment to Community Vision and Council Plan

50. Identification and protection of portable buildings aligns with the Council Plan (2021-25) objective on Places and Nature and specifically with its Strategy 4 “*Protect, promote and maintain our unique heritage and ensure development is sustainable*”.

Climate emergency and sustainability implications

51. Protection and conservation of portable buildings is complementary to sustainability objectives as it reduces consumption of natural resources for building purposes and is thus consistent with the sustainability and climate emergency objectives.

Community and social implications

52. Documentation and protection of portable buildings by world heritage listing has immense research and educational value.
53. The proposal not only provides opportunities to the local community to be connected to the past but would also benefit the wider Australian and the international community.

Economic development implications

54. World Heritage listing of places in Yarra will attract more visitors and researchers to the area, which would indirectly result in better economic returns.

Human rights and gender equality implications

55. There are no known, adverse human rights implications of this proposal at this stage.

Operational analysis

Financial and resource impacts

56. The cost towards research, consultation and preparation of a Statement of Significance based on PPN1 format for Singapore Cottage at 125 Easey Street can be managed in the heritage budget for 2024-25. Undertaking a planning scheme amendment has not been programmed for 2024-25.
57. Prioritising such an amendment for a single property would be resource and time intensive to the Council. It is therefore recommended that the amendment be included as a part of a larger amendment.

[Legal Implications](#)

58. Protection of places via the World Heritage listing is consistent with the provisions of the Planning and Environment Act 1987, Victorian Heritage Act 2017 as well as the Environment Protection and Biodiversity Conservation Act 1999, of Australia.

[Conclusion](#)

59. Above discussions indicate that the Taskforce on the Portable Buildings' World Heritage Nomination has developed a unique proposal which could be supported by the Council.

[RECOMMENDATION](#)

1. In view of the above it is recommended that Council:
 - (a) writes a letter to the Taskforce appreciating the research and documentation undertaken by them and provide its in-principle support for any further research on the proposal for the Portable buildings' World Heritage Nomination;
 - (b) writes a letter to the Minister of Planning, the Hon Sonya Kilkeny MP indicating its in-principle support and the need to prioritise further research, consultation and assessment towards listing of Portable Buildings' proposal on the Tentative List;
 - (c) authorises officers to:
 - (i) to undertake further research and consultation for the preparation of a Statement of Significance;
 - (ii) prepare and present a program for a Planning Scheme Amendment for 125 Easey Street as a part of a larger amendment; and
 - (iii) clarify the heritage registration of the two cottages located on 136 Sackville Street from Heritage Victoria.

[Attachments](#)

- 1 [↓](#) Attachment 1 - UNESCO Criteria for the Assessment of Outstanding Universal Value

Criteria for the assessment of Outstanding Universal Value

- (i) represent a masterpiece of human creative genius;
- (ii) exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design;
- (iii) bear a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared;
- (iv) be an outstanding example of a type of building, architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history;
- (v) be an outstanding example of a traditional human settlement, land-use, or sea-use which is representative of a culture (or cultures), or human interaction with the environment especially when it has become vulnerable under the impact of irreversible change;
- (vi) be directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance. (The Committee considers that this criterion should preferably be used in conjunction with other criteria);
- (vii) contain superlative natural phenomena or areas of exceptional natural beauty and aesthetic importance;
- (viii) be outstanding examples representing major stages of earth's history, including the record of life, significant on-going geological processes in the development of landforms, or significant geomorphic or physiographic features;
- (ix) be outstanding examples representing significant on-going ecological and biological processes in the evolution and development of terrestrial, fresh water, coastal and marine ecosystems and communities of plants and animals; and
- (x) contain the most important and significant natural habitats for in-situ conservation of biological diversity, including those containing threatened species of Outstanding Universal Value from the point of view of science or conservation.

7.8 Proposed Road Discontinuance of Road abutting 111 Best Street, Fitzroy North

Reference	D24/108958
Author	Fadi Fakhoury - Principal Infrastructure Engineer
Authoriser	General Manager Infrastructure and Environment
Disclosure	The authoriser, having made enquiries with members of staff involved in the preparation of this report, asserts that they are not aware of any general or material conflicts of interest in relation to the matters presented.

Purpose

1. For Council to consider whether the road shown as the 18.3 square metre parcel marked '1' on the title plan attached as **Attachment One** to this report (road), being part of the land contained in certificate of title volume 653 folio 457, should be discontinued pursuant to the Local Government Act 1989 (Act) and sold to the owner of 111 Best Street, Fitzroy North.

Critical analysis

History and background

2. The road is the area shown coloured red on the plan attached as **Attachment Two** to this report (site plan). A copy of the title search of the road is attached as **Attachment Three** to this report, which shows that Mark Moss is the registered historic proprietor of the road. However, the road is vested in Council and is a 'road' for the purposes of the Act.
3. The applicants are the registered proprietor of the adjoining property being the whole of the land contained in certificate of title volume 2347 folio 265, known as 111 Best Street, Fitzroy North shown delineated in blue on the site plan at **Attachment Two** (adjoining property).
4. The applicants have requested that Council discontinue and sell the road to them (proposal).
5. The applicants have agreed to pay Council's costs and disbursements associated with the proposed discontinuance of the road, together with the market value for the transfer of the discontinued road to the applicants.
6. Council considered the proposal on 15 August 2023 and resolved that:
 - (a) *acting under section 17(4) of the Road Management Act 2004, resolves that the road abutting 111 Best Street, Fitzroy North, being part of the land in certificate of title volume 8258 folio 156 (and shown as the 18.3 square metre parcel on the plan attached as Attachment Two), be removed from Council's Register of Public Roads on the basis that the Road is no longer required for general public use for the reasons set out in the body of this report; and*
 - (b) *acting under clause 3 of schedule 10 of the Local Government Act 1989 (Act):*
 - (i) *resolves that the required statutory procedures be commenced to discontinue the Road;*
 - (ii) *directs that, under sections 207A and 223 of the Act, public notice of the proposed discontinuance be given in "The Age" newspaper;*
 - (iii) *resolves that the public notice required to be given under sections 207A and 223 of the Act should state that if the Road is discontinued, Council proposes to sell the Road to the adjoining owner for market value (plus GST); and*
 - (iv) *authorises the Valuations Coordinator to undertake the administrative procedures necessary to enable Council to carry out its functions under section 223 of the Act in respect of this matter.*

Adjoining Owners

7. As the adjoining property is the only property which directly abuts the road, the applicants were not required to seek the consent of any other adjoining owners to the proposal.

Road Status

8. The road:
- (a) is part of the land remaining in certificate of title volume 653 folio 457; and
 - (b) is shown as a 'road' on title; and
 - (c) was listed on Council's Register of Public Roads.
9. As the road is a 'road' for the purposes of the Act, Council has the power to consider discontinuing the road. If discontinued, the road will vest in Council.
10. It was considered that the road is not reasonably required for public use as:
- (a) the road is not constructed as a road or available for use by the public as a right of way;
 - (b) there is no evidence of the road being used by the general public as a vehicular or pedestrian right of way;
 - (c) the road has been wholly enclosed within the physically fenced boundaries of the adjoining property, and partly encroached over by part of the dwelling located on the adjoining property since at least 12 October 2009; and
 - (d) the road is not currently being used or accessed by the general public.

Discussion

Public Notice

11. The required public notice was placed in:
- (a) the Age on 11 October 2023; and
 - (b) Council's website on Thursday 12 October 2023.
12. No submissions were received by Council in response to the public notice by the closing date, being 10 November 2023.

Public Authorities

13. The following statutory authorities have been advised of the proposal and have been asked to respond to the question of whether they have any existing assets in the road that should be saved under section 207C of the Act:
- (a) Greater Western Water;
 - (b) Melbourne Water;
 - (c) CitiPower;
 - (d) United Energy;
 - (e) Multinet Gas;
 - (f) Telstra;
 - (g) Optus;
 - (h) APA Gas; and
 - (i) Yarra City Council.
14. Council, Melbourne Water, CitiPower, United Energy, Multinet Gas, APA Gas and Greater Western Water have advised that they have no assets in or above the road and no objection to the proposal.

15. Optus has advised that it has no assets in or above the road.
16. On 21 December 2022, Telstra advised that it has no assets located within or above the road, and no objection to the proposal, provided that the applicant:
 - (a) calls Dial Before You Dig prior to any construction activities in the vicinity of Telstra's communication plant; and
 - (b) upon receipt of plans, obtains a Telstra accredited asset plant locator to confirm the location of the plant.
17. A copy of the correspondence received from Telstra is attached as **Attachment Four** to this report.

Options

18. Council has the option to discontinue the road or not to discontinue the road.

Community and stakeholder engagement

19. All community and stakeholder engagement activities associated with this matter are listed above.

Policy analysis

Alignment to Community Vision and Council Plan

20. This report aligns to strategy objective 6 in the 2021-25 Council Plan – manage our financial responsibility and improve long-term financial management planning.
21. Council's 'Management Policy in relation to laneways, passageways and rights of way in Yarra' adopted by Council in December 2019, states, laneways and passageways that are not reasonably required for public use are likely to include;
 - (a) laneways and passageways that only provide access to adjacent properties and have no through connection (unless stormwater drainage function or identified legitimate community needs); and
 - (b) disused laneways and passageways.
22. The policy also states, *"in cases where there is no strategic or longer term municipal value, Council's preference will be to discontinue the laneway or passageway and sell the land to a new owner based on a cost agreed with Council's Property Services branch."*

Climate emergency and sustainability implications

23. There are no climate emergency and sustainability implications.

Community and social implications

24. There are no community or social implications.

Economic development implications

25. There are no Economic development implications.

Human rights and gender equality implications

26. There are no human rights or gender issues.

Operational analysis

Financial and resource impacts

27. The applicant has agreed to acquire the road for its market value (plus GST).
28. In addition to the market value of the road (plus GST), the applicant has agreed to pay Council's costs and disbursements associated with the proposal.

[Legal Implications](#)

29. If the road is discontinued and sold to the applicant, Council will require the applicant to consolidate the title to the former road with the title to the adjoining property, within 6 months of the date of transfer of the road to the applicants.

[Conclusion](#)

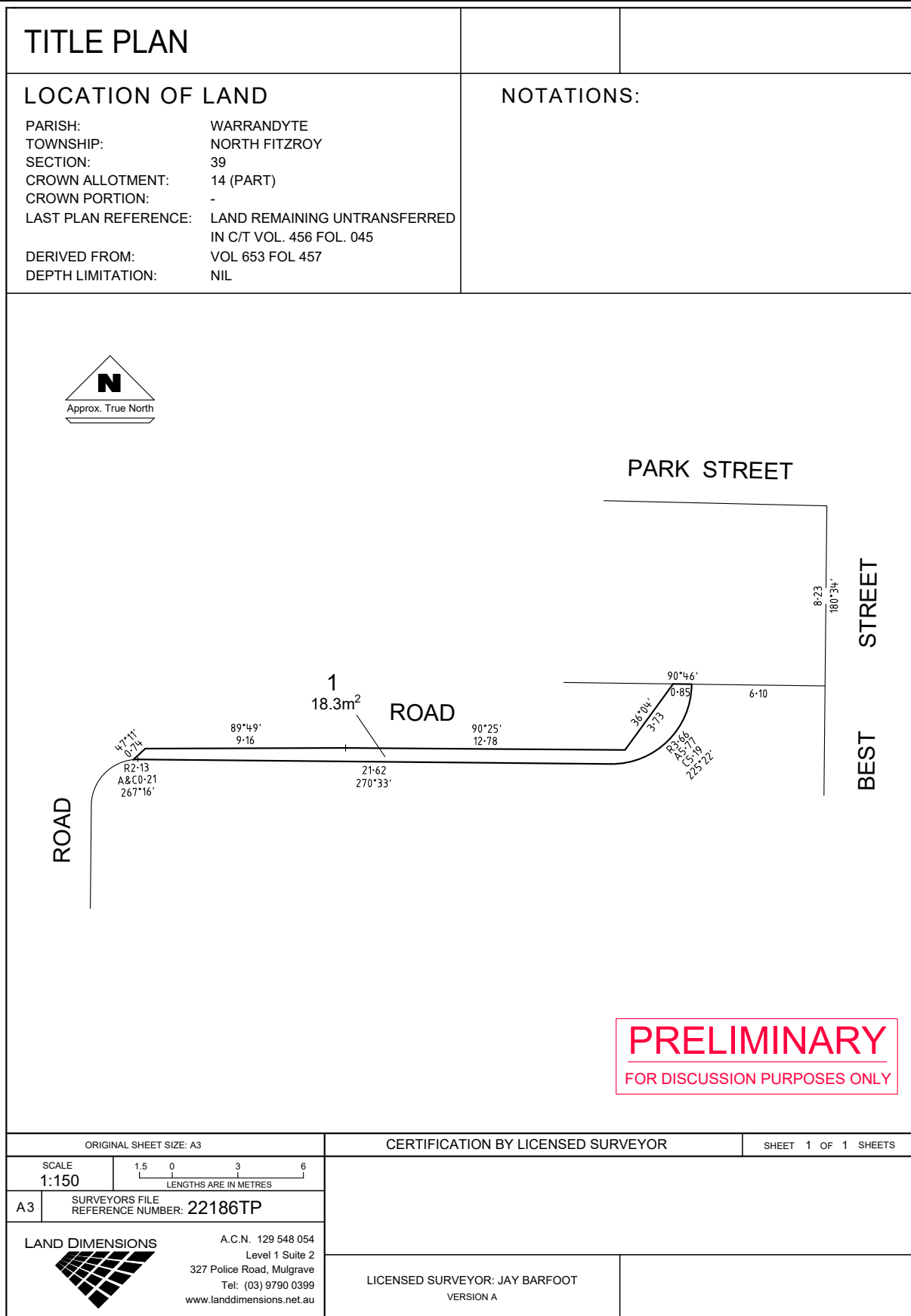
30. It is considered that the road is not reasonably required for public use for the reasons set out above.
31. The required statutory procedures to discontinue the Road have been completed.
32. Council must now decide whether the Road should be discontinued and sold pursuant to clause 3 of schedule 10 of the Act.

[RECOMMENDATION](#)

1. That Council, acting under clause 3 of schedule 10 of the Local Government Act 1989 (Act):
 - (a) resolves, having followed all the required statutory procedures pursuant to sections 207A and 233 of the Act pursuant to its power under clause 3 of Schedule 10 of the Act, and being of the opinion that the 18.3 square metre portion of road identified on the title plan attached as **Attachment One** to this report (Road) abutting 111 Best Street, Fitzroy North, being part of the land contained in certificate of title volume 653 folio 457, is not reasonably required for public use for the reasons set out in this report, to discontinue the Road;
 - (b) authorises that a notice pursuant to the provisions of clause 3(a) of Schedule 10 of the Act is to be published in the Victoria Government Gazette;
 - (c) directs that, once discontinued, the Road be transferred to the owner of 111 Best Street, Fitzroy North (Applicant) for no less than the market value (plus GST) as valued prior to completing the transfer ownership;
 - (d) authorises the General Manager Infrastructure and Environment to sign any transfer or transfers of the Road and any other documents required to be signed in connection with the discontinuance of the Road and its subsequent transfer to the Applicant;
 - (e) directs that any easements, rights or interests required to be created or saved over the Road by any authority be done so and not be affected by the discontinuance and sale of the Road; and
 - (f) directs that the Applicant be required to consolidate the title to the discontinued Road with the land contained in the certificates of title to the surrounding land, by no later than six months after the date of transfer of the discontinued Road.

[Attachments](#)

- [1](#) Attachment 1 - Title Plan
- [2](#) Attachment 2 - Site plan
- [3](#) Attachment 3 - Title search of Road
- [4](#) Attachment 4 - Telstra Response





[9112242:37217635_1]

Attachment 3 Attachment 3 - Title search of Road

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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 00653 FOLIO 457

Security no : 124102072113E

Produced 22/11/2022 04:30 PM

LAND DESCRIPTION

Lot 1 on Title Plan 894758J.
Being the land remaining untransferred in this folio.
PARENT TITLE Volume 00456 Folio 045
Created by instrument 0035750 22/12/1873

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
MARK MOSS of 100 BOURKE STREET MELBOURNE
0035750 22/12/1873

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE DIAGRAM ON IMAGED FOLIO VOLUME 653 FOLIO 457 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

DOCUMENT END

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531691

Entered in the Register Book, 457
Vol. 653, Fol. 1364/1



A. Seery

Assistant Registrar of Titles.

VICTORIA.

Certificate of Title,

UNDER THE "TRANSFER OF LAND STATUTE."

Mark Hess of the Number one hundred Bourke Street West in the City of Melbourne in the County of Bourke Gentleman is now the Proprietor of an Estate in Fee-simple, subject to the Encumbrances notified hereunder in All that piece of Land, delineated and colored red on the Map in the margin, containing *thirteen acres and two tenths of an acre* or thereabouts being *part of Crown Section thirty nine* in the County of Bourke *North Flzroy*

ORIGINAL CERTIFICATE
NOT TO BE REPRODUCED WITHOUT THE WRITTEN CONSENT OF THE REGISTRAR



Dated the *twenty* second day of *December* One thousand eight hundred and seventy three.

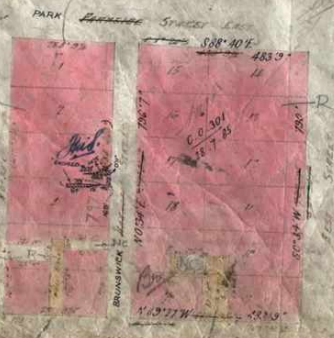
G441/99
A. Seery
24-7-1961

A. Seery

Assistant Registrar of Titles.

ENCUMBRANCES REFERRED TO.

As to the land colored brown the easements created by and under the authority of the Statute in that behalf made and numbered twenty seven thousand one hundred and twenty two twenty nine thousand seven hundred and thirty eight thirty three thousand one hundred and thirty three thousand six hundred and thirty in the Register Books.



APP. G441/99

The measurements are in
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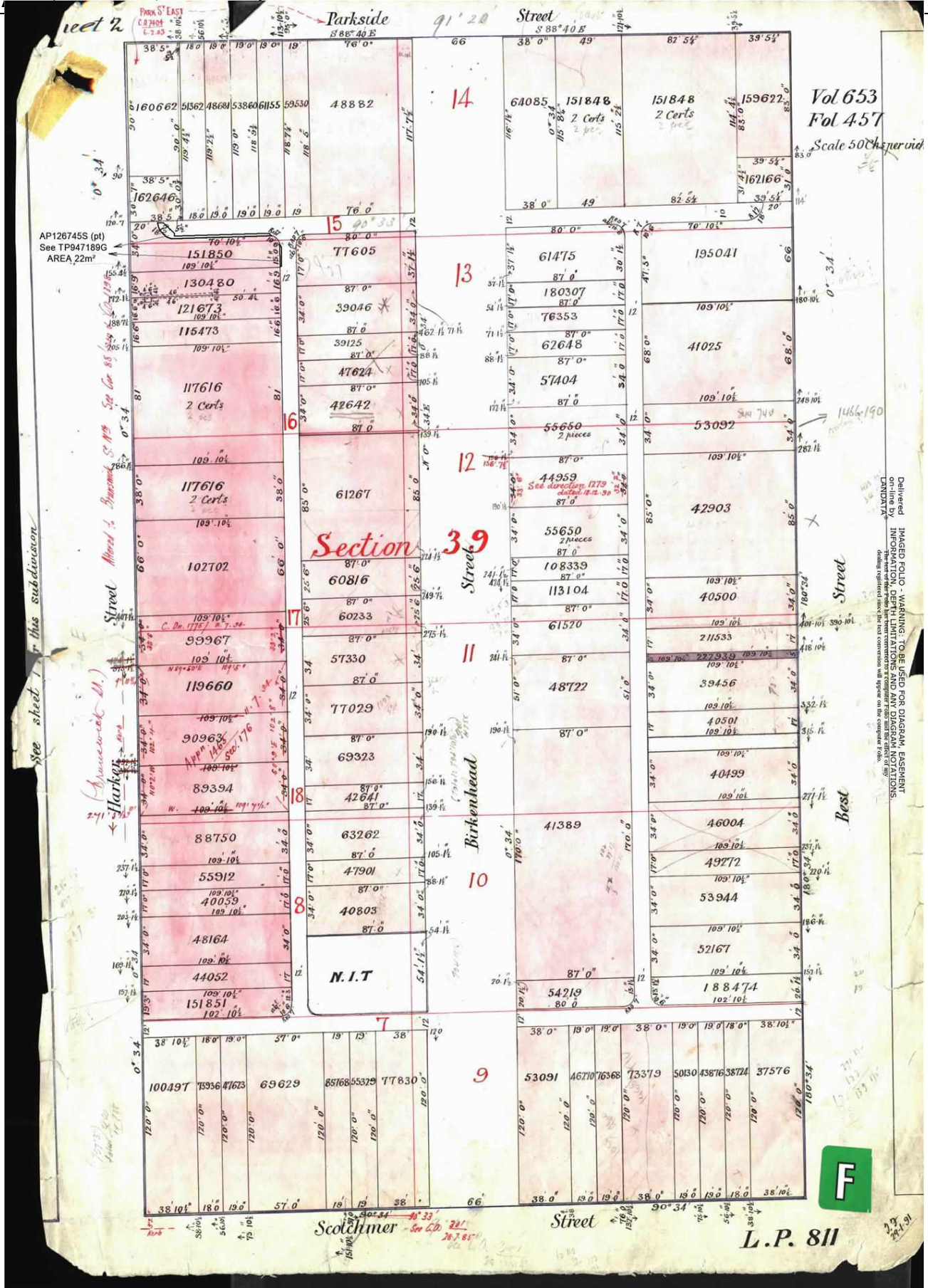
V456 291045

2 35750

NATURE OF INSTRUMENT.	TIME OF ITS PRODUCTION FOR REGISTRATION.	NAMES OF THE PARTIES TO IT.	NUMBER OR SYMBOL THEREON.
<p>Transfer as to part and creation of easement Canceled as to the land in Certificate of Title V656 131155 Area 5 $\frac{9}{10}$.</p>	<p>The 25th day of January 1874 at 2:20 o'clock in the afternoon C. Seery Asst. Regr. of Titles</p>	<p>Mark Moss to Henry Deyton C. Seery Assistant Registrar of Titles</p>	<p>36268</p>
<p>Transfer as to part and creation of easement Canceled as to the land in Certificate of Title V656 131155 Area 16 $\frac{8}{10}$.</p>	<p>The 25th day of January 1874 at 2:30 o'clock in the afternoon C. Seery Asst. Regr. of Titles</p>	<p>Mark Moss to Ellen Stewart C. Seery Assistant Registrar of Titles</p>	<p>36268</p>
<p>Transfer as to part and creation of easement Canceled as to the land in Certificate of Title V73 21311424 Area 17 $\frac{1}{10}$.</p>	<p>The 16th day of April 1874 at 2:30 o'clock in the afternoon C. Seery Asst. Regr. of Titles</p>	<p>Mark Moss to Michael Grady, Frederick Lloyd and Thomas Grady C. Seery Assistant Registrar of Titles</p>	<p>3756</p>
<p>Transfer as to part and creation of easement Canceled as to the land in Certificate of Title V137 1414 Area 7 $\frac{9}{10}$.</p>	<p>The 6th day of June 1874 at 10 o'clock in the forenoon C. Seery Asst. Regr. of Titles</p>	<p>Mark Moss to Isabella Batman C. Seery Assistant Registrar of Titles</p>	<p>38721</p>
<p>Transfer as to part and creation of easement Canceled as to the land in Certificate of Title V137 599 Area 10 $\frac{7}{10}$.</p>	<p>The 18th day of June 1874 at 10:15 o'clock in the forenoon C. Seery Asst. Regr. of Titles</p>	<p>Mark Moss to Mary D. Halloran C. Seery Assistant Registrar of Titles</p>	<p>39025</p>
<p>Transfer as to part and creation of easement Canceled as to the land in Certificate of Title V135 777 Area 5 $\frac{4}{10}$.</p>	<p>The 22nd day of June 1874 at 11:48 o'clock in the forenoon C. Seery Asst. Regr. of Titles</p>	<p>Mark Moss to Emma Selina Narracott C. Seery Assistant Registrar of Titles</p>	<p>39125</p>

For continuation of endorsement see V456 291045
 Assistant Registrar of Titles

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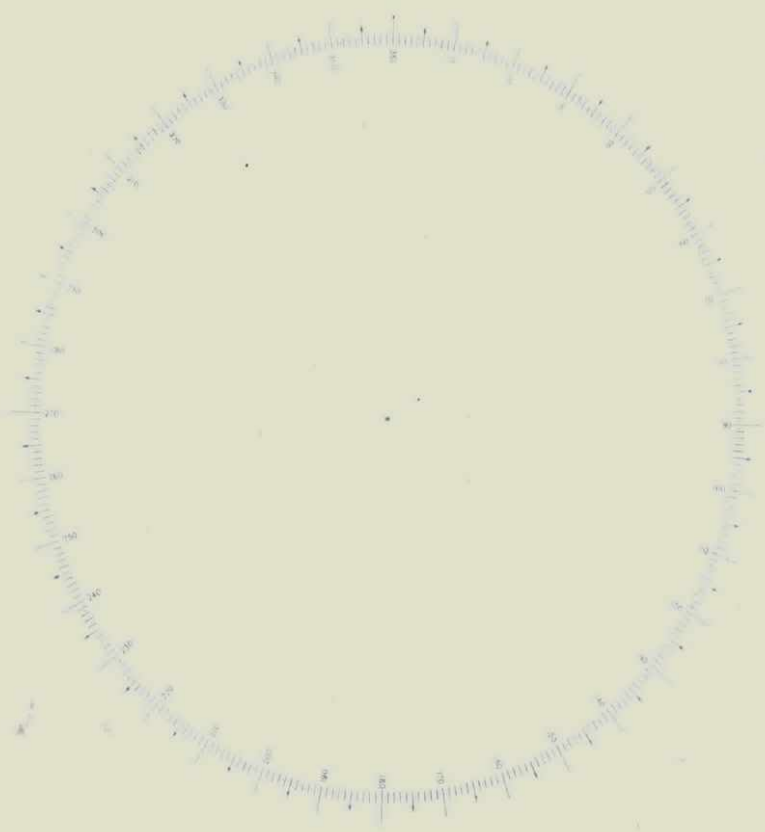


Titles Office Record of Subdivision

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Register Book Vol..... fol.....



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NATURE OF INSTRUMENT.	DAY AND HOUR OF ITS PRODUCTION.	NAMES OF THE PARTIES TO IT.	NUMBER OR SYMBOL THEREON.
<p>Transfer as to part and creation of Easement</p> <p>Cancelled as to the land in Cert. of Title vol 707 fol 141322 Area 13 7/10 p.</p> <p><i>C. J. Scrymgeour</i> Asst. Reg. of Titles</p>	<p>The 14th day of August 1874 at 2.30 o'clock in the afternoon</p>	<p>Mark Moss to Francis Gosse <i>C. J. Scrymgeour</i> Assistant Registrar of Titles</p>	<p>40499</p>
<p>Transfer as to part and creation of Easement</p> <p>Cancelled as to the land in Cert. of Title vol 707 fol 141323 Area 13 7/10 p.</p> <p><i>C. J. Scrymgeour</i> Asst. Reg. of Titles</p>	<p>The 14th day of August 1874 at 2.44 o'clock in the afternoon</p>	<p>Mark Moss to Jenny Thoburn Miller <i>C. J. Scrymgeour</i> Assistant Registrar of Titles</p>	<p>40500</p>
<p>Transfer as to part and creation of Easement</p> <p>Cancelled as to the land in Cert. of Title vol 707 fol 141324 Area 6 9/10 p.</p> <p><i>C. J. Scrymgeour</i> Asst. Reg. of Titles</p>	<p>The 14th day of August 1874 at 2.45 o'clock in the afternoon</p>	<p>Mark Moss to Joseph Shadon Burford <i>C. J. Scrymgeour</i> Assistant Registrar of Titles</p>	<p>40501</p>
<p>Transfer as to part and creation of easement</p> <p>Cancelled as to the land in Cert. of Title vol 709 fol 141659 Area 10 9/10 p.</p> <p><i>Wm. J. L. Laidlaw</i> Asst. Reg. of Titles</p>	<p>The 1st day of September 1874 at 12.11 o'clock in the afternoon</p>	<p>Mark Moss to James Wylie <i>C. J. Scrymgeour</i> Assistant Registrar of Titles</p>	<p>40003</p>
<p>Transfer as to part and creation of Easement</p> <p>Cancelled as to the land in Cert. of Title vol 711 fol 142219 Area 27 1/2 p.</p> <p><i>Wm. J. L. Laidlaw</i> Asst. Reg. of Titles</p>	<p>The 10th day of September 1874 at 2.40 o'clock in the afternoon</p>	<p>Mark Moss to Robert Skellard <i>Wm. J. L. Laidlaw</i> Assistant Registrar of Titles</p>	<p>41025</p>

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 For construction of easements see *Wm. J. L. Laidlaw*



This is the skin marked "A" referred to in certificate of Title Vol. 653 for 130457

NATURE OF INSTRUMENT	DAY AND HOUR OF ITS PRODUCTION	NAMES OF THE PARTIES TO IT	NUMBER OR SYMBOL THEREON
<p>Transfer as to part and creation of easement. Canceled as to the land in lot 1700 area 13 1/2 acs.</p>	<p>The 6th day of July 1874 at 2.46 o'clock in the afternoon.</p>	<p>Mark Moss to Susan Duncan Assistant Registrar of Titles</p>	<p>39456 ✓</p>
<p>Transfer as to part and creation of easement. Canceled as to the piece of land commencing at the S.W. corner then E 37 ft 6 in along lot line thence N 12 4 ft 5 in to a private road thence W 37 ft 6 in into thence S 125 ft 4 in to the commencing point. Area 17 1/2 acs.</p>	<p>The 31st day of July 1874 at 2.46 o'clock in the afternoon.</p>	<p>Mark Moss to George Irvine Assistant Registrar of Titles</p>	<p>39912 ✓</p>
<p>Transfer as to part and creation of easement. Canceled as to the rest piece of land 17 ft to Harris St by 107 ft 10 1/2 in to private road commencing at 3 1/4 in from lot line, 41 feet in length of lot 1700 area 18 1/2 acs.</p>	<p>The 30th day of July 1874 at 2.38 o'clock in the afternoon.</p>	<p>Mark Moss to Charles Thomas Crispie Assistant Registrar of Titles</p>	<p>40059 ✓</p>
<p>Transfer as to part and creation of easement. Canceled as to the rest piece of land 17 ft to Harris St by 115 ft to main St commencing 1 1/2 ft from lot line, 41 feet in length of lot 1700 area 14 1/2 acs.</p>	<p>The 30th day of July 1874 at 2.39 o'clock in the afternoon.</p>	<p>Mark Moss to Patrick McDonald Assistant Registrar of Titles</p>	<p>40060 ✓</p>

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B

NATURE OF INSTRUMENT.	DAY AND HOUR OF ITS PRODUCTION.	NAMES OF THE PARTIES TO IT.	NUMBER OR SYMBOL THEREOF.
<p>Trans for as to part and creation of Easement</p> <p>Cancelled as to the land in Cert of Title 1.711. F 112 143. area 19 7/100</p>	<p>The 16th day of September 1874 at 2.46 o'clock in the afternoon</p> <p><i>Wm. D. Land</i> Asst Reg of Titles</p>	<p>Mark Moss to Edward Douglas of plan <i>Wm. D. Land</i> Assistant Registrar of Titles</p>	<p>71148 ✓</p>
<p>Transfer as to part and Creation of Easement</p> <p>Cancelled as to the rectangular piece of land 170 ft. to Birkhead St. by a depth of 87 ft. is a private road commencing 152 ft. 1/2 from Birkhead St. described in Cert of Title 1.716. F 113 154 area 1/2 1/2 1/4</p>	<p>The 18th day of September 1874 at 2.19 o'clock in the afternoon</p> <p><i>Wm. D. Land</i> Asst Reg of Titles</p>	<p>Mark Moss to Elijah Giff <i>Wm. D. Land</i> Assistant Registrar of Titles</p>	<p>71138 ✓</p>
<p>Transfer as to part and Creation of Easement</p>	<p>The 25th day of September 1874 at 2.10 o'clock in the afternoon</p>	<p>Mark Moss to Mary Ann Perkins <i>Wm. D. Land</i> Assistant Registrar of Titles</p>	<p>71139 ✓</p>
<p>Transfer as to part and Creation of Easement</p> <p>Cancelled as to a rectangular piece of land 25 ft to Scotchman St by 12 ft. 6 in. & commencing 60 ft. 6 in from Barker St desc in Cert of Title 1.726. F 115 153. area 11/100</p>	<p>The 4th day of November 1874 at 9.56 o'clock in the afternoon</p> <p><i>Wm. D. Land</i> Asst Reg of Titles</p>	<p>Mark Moss to Francis J. S. Squire <i>Wm. D. Land</i> Asst Reg of Titles</p>	<p>71220 ✓</p>
<p>Transfer as to part and Creation of Easement.</p> <p>Cancelled as to a rectangular piece of land 17 ft. to Birkhead St by a depth of 87 ft. and commencing 27 ft. 1/2 in. North from the intersection of Scotchman and Birkhead Streets described in Cert of Title 1.729. F 115 133 area 54/100</p>	<p>The 30th day of November 1874 at 2.58 o'clock in the afternoon.</p> <p><i>Wm. D. Land</i> Asst Reg of Titles</p>	<p>Mark Moss to Thosid Garson <i>Wm. D. Land</i> Asst Reg of Titles</p>	<p>71264 ✓</p>

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NATURE OF INSTRUMENT.	DAY AND HOUR OF ITS PRODUCTION.	NAMES OF THE PARTIES TO IT.	NUMBER OR SYMBOL THEREON.
<p>Transfer as to part and Creation of Easement.</p> <p>Cancelled as to a rectangular piece of land 34 ft. to Birkenhead St. by a depth of 87 ft. and commencing 234 ft 9 in South from the intersection of Birkenhead St and Parkside St East - described in part of Title 1.729 St 1445734. Area 408/10 ps.</p>	<p>The 30th day of November 1874 at 2-59 o'clock in the afternoon.</p>	<p>Mark Moss to Annie Sadler</p> <p><i>[Signature]</i> Apt. Reg. of Titles</p>	<p>42642</p>
<p>Transfer as to part and Creation of Easement.</p> <p>Cancelled as to rect piece of land 85 ft to Beest St by 109 ft 10 in commencing 282 ft 11 in from Parkside St East desc & cont of Title 1.725. 2144856. Area 374/10 ps.</p>	<p>The 10th day of December 1874 at 10-30 o'clock in the forenoon</p>	<p>Mark Moss to Hugh John Clarke</p> <p><i>[Signature]</i> Apt. Reg. of Titles</p>	<p>42903</p>
<p>Transfer as to part and Creation of Easement</p> <p>Cancelled as to a rectangular piece of land 19 ft. to Scotchman St by a depth of 120 ft. and commencing 86 ft 10 1/2 in West from the intersection of Beest and Scotchman Sts - described in part of Title 1.743 St 148415. Area 83/10 perches</p>	<p>The 10th day of February 1875 at 10-30 o'clock in the forenoon</p>	<p>Mark Moss to Alfred Millis</p> <p><i>[Signature]</i> Apt. Reg. of Titles</p>	<p>43876</p>
<p>Transfer as to part and Creation of easement</p> <p>Cancelled as to rect piece of land 17 ft to Harker St by 109 ft 10 1/2 in commencing 152 ft 11 in from Scotchman St desc in cont of Title 1.745. 21488570. Area 67/10 ps</p>	<p>The 19th day of February 1875 at 12:55 o'clock in the afternoon</p>	<p>Mark Moss to William Goggin</p> <p><i>[Signature]</i> Apt. Reg. of Titles</p>	<p>44052</p>

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In continuation of an instrument recorded on 11/11/1874

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C.

NATURE OF INSTRUMENT.	DAY AND HOUR OF ITS PRODUCTION.	Sub. Regr. of Title NAMES OF THE PARTIES TO IT.	NUMBER OR SYMBOL THEREON.
<p>Transfer as to part and creation of easement</p> <p>Cancelled as to nearly wet piece of land 37 ft 6 in to Parkside St by 125 ft along E. side of lot. It also as to area nearly wet piece 37 ft 6 in to Parkside St by 12.5 ft 7 in. along W side of lot as desc'd in Cert of Title V. 750. 5149815</p> <p>area 34 7/10 ps.</p>	<p>The 10th day of March 1875 at 2:55 o'clock in the afternoon</p>	<p>Mark Moss to Henry Inaed Hartshorn</p> <p>Wm. Ireland Sub. Regr. of Title</p>	<p>44507 ✓</p>
<p>Transfer as to park and creation of easement</p> <p>Cancelled as to wet piece of land 34 ft to Birkenhead St by 87 ft commencing 284 ft 3 in from Parkside St desc'd in Cert of Title V. 754. 5150608</p> <p>area 10 7/10 ps.</p>	<p>The 5th day of April 1875 at 9:55 o'clock in the forenoon</p>	<p>Mark Moss to Catherine O'Brien</p> <p>Assistant Registrar of Titles</p>	<p>44959 ✓</p>
<p>Transfer as to part and creation of easement</p> <p>Cancelled as to wet piece of land 34 ft to Best St by 109 ft 10 1/2 in from Satchmer St desc'd in Cert of Title V. 764. 5152768</p> <p>area 13 7/10 ps.</p>	<p>The 20th day of May 1875 at 8. 10 o'clock in the afternoon</p>	<p>Mark Moss to Edmund Henry Chown</p> <p>Asst. Regr. of Titles</p>	<p>46001 ✓</p>
<p>Transfer as to part and creation of easement</p> <p>Cancelled as to wet piece of land 19 ft to Satchmer St by 126 ft commencing 35 ft from Birkenhead St desc'd in Cert of Title V. 768. 5153451</p> <p>area 8 3/10 ps.</p>	<p>The 3rd day of June 1875 at 10. 25 o'clock in the forenoon</p>	<p>Mark Moss to Josiah McParry</p> <p>Asst. Regr. of Titles</p>	<p>46270 ✓</p>



NATURE OF INSTRUMENT.	DAY AND HOUR OF ITS PRODUCTION.	NAMES OF THE PARTIES TO IT.	NUMBER OF SHEETS THEREON.
<p>Transfer as to part and Creation of easement Canceled as to a rect. piece of land 19 ft. to Scotchman St by a depth of 12 ft. commencing 56.10 1/2 in. E. from the intersection of Barker St and Scotchman St. desc. in Cert. of Title 7752 & 156229 Area 83/10ps.</p>	<p>The 3rd day of August 1875 at 11 o'clock in the afternoon</p>	<p>Mark Moss to Elizabeth Cochrane Stamplane Asst Regr of Titles</p>	<p>4765</p>
<p>Transfer as to part and Creation of easement Canceled as to a rect. piece of land 17 ft. to Birkenhead St by a depth of 87 ft commencing 32 1/4 ft. 9 in. South from the intersection of Parkside St E and Birkenhead St desc. in Cert. of Title 782 & 156239 Area 54/10ps.</p>	<p>The 3rd day of August 1875 at 11 o'clock in the afternoon</p>	<p>Mark Moss to Mary Bond Stamplane Asst Regr of Titles</p>	<p>4765</p>
<p>Transfer as to part and Creation of easement Canceled as to rect piece of land 17 ft to Birkenhead St by 87 ft commencing 32 of 1/4 in from Scotchman St desc in Cert of Title 783 & 156503 Area 54/10ps</p>	<p>The 10th day of August 1875 at 12.26 o'clock in the afternoon</p>	<p>Mark Moss to William Bowley Stamplane Asst Regr of Titles</p>	<p>4790</p>
<p>Transfer as to part and Creation of easement Canceled as to rect piece of land 34 ft to Barker St by 109 ft 10 in commencing 16 of 1/2 in from Scotchman St desc in Cert of Title 1788 & 157515 Area 137/10ps</p>	<p>The 4th day of September 1875 at 10.12 o'clock in the forenoon</p>	<p>Mark Moss to William George Thompson Stamplane Asst Regr of Titles</p>	<p>4766</p>
		<p>For construction of easements see annexed plan marked 79 Stamplane Asst Regr of Titles</p>	

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"D"

Stampd
Asst. Regr. of Titles

NATURE OF INSTRUMENT.	DATE AND HOUR OF ITS PRODUCTION.	NAMES OF THE PARTIES TO IT.	NUMBER OR SYMBOL THEREON.
<p>Transfer as to part and Creation of Easement</p> <p>Cancelled as to nearly rect piece of land 19 ft to Parkside St E by 119 ft 2 in commencing 5 ft 10 in from Marker St desc in Cert of Title 1796. St 159045.</p> <p>area 8 ³/₁₀ pps.</p>	<p>The 25th day of September 1875 at 11.6 o'clock in the forenoon.</p>	<p>Mark Moss to The Honorable Permanent Property Investment and Managing Society</p>	<p>Stampd Asst. Regr. of Titles</p> <p>48681 ✓</p>
<p>Transfer as to part and Creation of Easement</p> <p>Cancelled as to the land in Cert of Title 1796. St 159176.</p> <p>area 16 ³/₁₀ pps.</p>	<p>The 29th day of September 1875 at 2.40 o'clock in the afternoon</p>	<p>Mark Moss to James Howles</p>	<p>Stampd Asst. Regr. of Titles</p> <p>48722 ✓</p>
<p>Transfer as to part and Creation of Easement</p> <p>Cancelled as to nearly rect piece of land 7 ft 6 in to Parkside St E by 117 ft 7 in along Rottenhead St desc in Cert of Title 1799. St 159779.</p> <p>area 32 ⁹/₁₀ pps.</p>	<p>The 6th day of October 1875 at 11.16 o'clock in the forenoon</p>	<p>Mark Moss to Patrick Macaulay</p>	<p>Stampd Asst. Regr. of Titles</p> <p>48822 ✓</p>
<p>Transfer as to part and Creation of Easement</p> <p>Cancelled as to nearly rect piece of land 25 ft 6 in to Bechtlers St by 174 ft 5 in commencing 3 ft 6 in from Ras. St desc in Cert of Title 1799. St 159780.</p> <p>area 11 ⁴/₁₀ pps.</p>	<p>The 6th day of October 1875 at 11.17 o'clock in the forenoon</p>	<p>Mark Moss to Martin O'Brien</p>	<p>Stampd Asst. Regr. of Titles</p> <p>48853 ✓</p>

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NATURE OF INSTRUMENT.	DAY AND HOUR OF ITS PRODUCTION.	NAMES OF THE PARTIES TO IT.	NUMBER OR SYMBOL THEREON.
<p>Transfer as to part and creation of easement of 51' or thereabouts in afternoon</p> <p>Cancelled as to rect piece of land 17 ft to Best St by 109 ft 10 1/2 in commencing 220 1/2 in from Scotchman St desc in Cert of title 1853. S 160532.</p> <p>area 687 sq ft.</p>	<p>The 25th day of October 1875 at 11 o'clock in the afternoon</p>	<p>Mark Moss to The Victorian Permanent Property Investment and Building Society</p> <p>Stamplman Asst Regr. of Titles</p>	<p>49272</p>
<p>Transfer as to part and creation of easement</p> <p>Cancelled as to rect piece of land 19 ft to Scotchman St by 120 ft commencing 75 1/2 in from Best St desc in Cert of title 1812 S 162352.</p> <p>area 5 3/4 sq ft.</p>	<p>The 3rd day of December 1875 at 1:52 o'clock in the afternoon</p>	<p>Mark Moss to Christiani Nielsen</p> <p>Stamplman Asst Regr. of Titles</p>	<p>50130</p>
<p>Transfer as to part and creation of easement</p> <p>Cancelled as to rect piece of land 18 ft to Parkside St E by 119 ft 4 1/2 in commencing 87 1/2 in from Barker St desc in Cert of title 1825. S 164946.</p> <p>area 487 sq ft.</p>	<p>The 11th day of January 1876 at 2:38 in the afternoon</p>	<p>Mark Moss to Mother Jane Ward</p> <p>Stamplman Asst Regr. of Titles</p>	<p>57362</p>
<p>Transfer as to part and creation of easement</p> <p>Cancelled as to rectangular piece of land 36 ft to Best St by 109 ft 10 1/2 in commencing 152 ft 1/2 in from Scotchman St desc in Cert of title 1835. S 164884.</p> <p>area 13 1/2 sq ft.</p>	<p>The 20th day of March 1876 at 2 o'clock in the afternoon</p>	<p>Mark Moss to Anne Saggart</p> <p>Stamplman Asst Regr. of Titles</p> <p>For continuation of endorsements see annexed plan marked "E."</p> <p>Stamplman Asst Regr. of Titles</p>	<p>52107</p>

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NATURE OF INSTRUMENT.	DAY AND HOUR OF ITS PRODUCTION.	NAMES OF THE PARTIES TO IT.	NUMBER OR SYMBOL THEREON.
<p>Transfer as to part and Creation of easement Cancelled as to rectangular piece of land 35ft to Scotchman St by 120ft along sixteenhead St desc in Cert of Title Vol 844 fol 18739. Area 16 7/100</p>	<p>The 26th day of April 1876 at 11.26 o'clock in the afternoon</p>	<p>Mark Moss to William Lee Jumplume Asst Reg of Titles</p>	<p>53091 ✓</p>
<p>Transfer as to part and Creation of easement Cancelled as to rectangular piece of land 34ft to East St by 10 1/2 ft. 10 1/2 in commencing 21st 10 1/2 in from Parkside St East desc in Cert of Title Vol 844 fol 18740. Area 13 7/100</p>	<p>The 26th day of April 1876 at 11.27 o'clock in the afternoon</p>	<p>Mark Moss to Charles East Jumplume Asst Reg of Titles</p>	<p>53092 ✓</p>
<p>Transfer as to part and Creation of easement Cancelled as to nearly rectangular piece of land 19ft to Parkside St East by 119ft commencing 75ft. 10 1/2 in from Walker St desc in Cert of Title Vol 853. fol 170526. Area 8 3/100</p>	<p>The 26th day of May 1876 at 2.46 o'clock in the afternoon</p>	<p>Mark Moss to The United Victoria Permanent Building and Investment Society Jumplume Asst Reg of Titles</p>	<p>53860 ✓</p>
<p>Transfer as to part and Creation of easement Cancelled as to rectangular piece of land 34ft to East St by 10 1/2 ft. 10 1/2 in commencing 186ft 1 1/2 in from Scotchman St desc in Cert of Title Vol 860. fol 171925. Area 13 7/100</p>	<p>The 1st day of June 1876 at 2.47 o'clock in the afternoon</p>	<p>Mark Moss to Thomas Henry Simpson Jumplume Asst Reg of Titles</p>	<p>53944 ✓</p>
<p>Transfer as to part and Creation of easement Cancelled as to the land in Cert of Title Vol 862. fol 172590. Area 6 4/100</p>	<p>The 15th day of June 1876 at 11.53 o'clock in the afternoon</p>	<p>Mark Moss to Alexander Carnell Jumplume Asst Reg of Titles</p>	<p>55219 ✓</p>

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NATURE OF INSTRUMENT.	DAY AND HOUR OF ITS PRODUCTION.	NAMES OF THE PARTIES TO IT.	NUMBER OR SYMBOL THEREON.
Transfer as to part and Creation of Easement Canceled as to the land in Cert of title Vol 879. Fol 173672. Area 11 3/4000	The 18 th day of July 1876. at 2. 20 o'clock in the afternoon J. J. Sullivan Asst. Reg. of Titles	Mark Mass to Henry Charles Chouva J. J. Sullivan Asst. Reg. of Titles	55141 ✓
Transfer as to part and Creation of Easement Canceled as to rectangular piece of land 19ft to Letchmore St by 130ft commencing 151ft 10 1/2 in from Barker St Section east of title Vol 872. Fol 174333. Area 8 1/4000	The 28 th day of July 1876. at 2 o'clock in the afternoon. J. J. Sullivan Asst. Reg. of Titles	Mark Mass to John March J. J. Sullivan Asst. Reg. of Titles	55329 ✓
Transfer as to part and Creation of Easement Canceled as to the land in Cert of title Vol 878. Fol 175454. Area 2 1/4000	The 11 th day of August 1876 at 12. o'clock noon J. J. Sullivan Asst. Reg. of Titles	Mark Mass to Patrick Brady J. J. Sullivan Asst. Reg. of Titles	5566 ✓
Transfer as to part and Creation of Easement Canceled as to the land in Cert of title Vol 880. Fol 175946. Area 6 1/4000	The 22 nd day of August 1876 at 10.15 o'clock in the forenoon. J. J. Sullivan Asst. Reg. of Titles	Mark Mass to Charles Thomas Briepe J. J. Sullivan Asst. Reg. of Titles	55912 ✓
Transfer as to part and Creation of Easement Canceled as to rectangular piece of land 34 ft to Barkerhead St by 77 ft commencing 40.1 ft from Parkside East of title Vol 901. Fol 180033. Area 10 1/4000	The 17 th day of October 1876 at 10. 15. O'clock in the forenoon J. J. Sullivan Asst. Reg. of Titles	Mark Mass to William Francis Kent J. J. Sullivan Asst. Reg. of Titles For continuation of easements as provided in marked P.	57330 ✓

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J. Campbell
Asst. Registrar of Titles.

NATURE OF INSTRUMENT.	DAY AND HOUR OF ITS PRODUCTION.	NAMES OF THE PARTIES TO IT.	NUMBER OR SYMBOL THEREON.
Transfer as to part and Creation of easement	The 20 th day of October 1876 at 10.35 o'clock in the forenoon	Marko Moss to James Gunn	57404 ✓
Cancelled as to rectangular piece of land 34ft to Birkenhead St by 87ft commencing 216ft. 2in from Parkside St. Sect in Cert of Title Vol. 904 Fol. 180686. Area 10 1/2 fsp.		<i>J. Campbell</i> Asst. Reg. of Titles	
Transfer as to part and Creation of Easement	The 5 th day of December 1876 at 10 o'clock in the forenoon	Marko Moss to Dennis Manton	58363 ✓
Cancelled as to nearly rect. piece of land 25ft. to Satchmer St. by 121ft. commencing 34ft. 6in. West from Barker St. Sect in Cert. of Title Vol. 910 Fol. 187935 Area 11 1/2 fsp.		<i>J. Campbell</i> Asst. Reg. of Titles	
Transfer as to part and Creation of Easement	The 25 th day of January 1874 at 2.51 o'clock in the afternoon	Marko Moss to William White	59435 ✓
Cancelled, as to the rectangular piece of land 75 feet to Rae St. by a depth of 125 ft. 5 inches Sect commencing 218 ft. 9 in. North from Satchmer St. Sect in Cert. of Title Vol. 922 Fol. 18223 Area 24 1/2 fsp.		<i>J. Campbell</i> Asst. Reg. of Titles	
Transfer as to part and Creation of Easement	The 31 st day of January 1874 at 2.30 o'clock in the afternoon	Marko Moss to United Victoria Permanent Building and Investment Society.	59530 ✓
Cancelled as to the land in Cert of Title Vol. 900 Fol. 181707 Area 8 1/2 fsp.		<i>J. Campbell</i> Asst. Reg. of Titles	



NATURE OF INSTRUMENT.	DAY AND HOUR OF ITS PRODUCTION.	NAMES OF THE PARTIES TO IT.	NUMBER OF FOLIO TITLES.
<p>Transfer as to part and Creation of Easement Cancelled as to the land subject of title 60230/00 185927 Area 8 1/10 p.</p>	<p>The 28th day of February 1877 at 2:51 o'clock in the afternoon.</p>	<p>Mark Moss to Charles James Lovell</p>	<p>60233</p>
<p>Transfer as to part and Creation of Easement Cancelled as to a rectangular piece of land 25 1/2 m to Bunkerhead St. by 87 ft or commencing 353 ft 9 in from part of St. Paul's Church in C. 1. of title 602936 for 187127 Area 2 1/2 p.</p>	<p>The 22nd day of March 1874 at 2 1/2 o'clock in the afternoon.</p>	<p>Mark Moss to Thomas Williams</p>	<p>60816</p>
<p>Transfer as to part and Creation of Easement Cancelled as to the land in lot of title 602937 for 187380. Area 8 2/10 p.</p>	<p>The 24th day of March 1877 at 10:55 o'clock in the forenoon.</p>	<p>Mark Moss to The United Victoria Permanent Building and Investment Society</p>	<p>61155</p>
<p>Transfer as to part and Creation of Easement Cancelled as to the rectangular piece of land 58 ft to Bunkerhead Street by a depth of 87 ft or a right of way and commencing 268 ft 9 in from Bunkerhead St. East. Described in Cert. of Title 1.9417. 188035 Area 27 1/10 p.</p>	<p>The 10th day of April 1877 at 2.52 o'clock in the afternoon</p>	<p>Mark Moss to Thomas Joseph Lewis</p>	<p>61267</p>

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G

C. S. 1678
15th 2nd 95
C. S. 1678
15th 2nd 95
C. S. 1678
15th 2nd 95

NATURE OF INSTRUMENT.	DAY AND HOUR OF ITS PRODUCTION.	NAMES OF THE PARTIES TO IT.	NUMBER OR SYMBOL THEREON.
<p>Transfer as to part and Creation of Easement</p> <p>Commenced as to the land in part of lot 10947 for 189373. See 11th 10/10/10</p> <p><i>C. S. 1678 15th 2nd 95</i> Asst. Registrar of Titles</p>	<p>The 19th day of April 1877 at 11.24 o'clock in the forenoon</p>	<p>Mark Moss to Catherine Calman</p>	61475 ✓
<p>Transfer as to part and Creation of Easement</p> <p>Commenced as to the land in part of lot 10947 for 189374. See 10th 10/10/10</p> <p><i>C. S. 1678 15th 2nd 95</i> Asst. Registrar of Titles</p>	<p>The 21st day of April 1877 at 10.13 o'clock in the forenoon</p>	<p>Mark Moss to James Electric Bay</p>	61520 ✓
<p>Transfer as to part and Creation of Easement</p> <p>Commenced as to the land in part of lot 10956 for 191105. See 5th 10/10/10</p> <p><i>C. S. 1678 15th 2nd 95</i> Asst. Registrar of Titles</p>	<p>The 14th day of June 1877 at 11.21 o'clock in the forenoon.</p>	<p>Mark Moss to Margaret Stewart</p>	62064 ✓
<p>Transfer as to part and Creation of Easement</p> <p>Commenced as to rectangular piece of land 346 sq ft to Warkenthead St by 87 ft commencing 237 ft from Lot 10960 St. See 10th 10/10/10</p> <p><i>C. S. 1678 15th 2nd 95</i> Asst. Registrar of Titles</p>	<p>The 27th day of June 1877 at 2.35 o'clock in the afternoon</p>	<p>Mark Moss to Sarah Ann Benge</p>	63262 ✓
<p>Transfer as to part and Creation of Easement</p> <p>Commenced as to the land in part of lot 10969 for 173100. See 17th 10/10/10</p> <p><i>C. S. 1678 15th 2nd 95</i> Asst. Registrar of Titles</p>	<p>The 28th day of July 1877 at 10.55 o'clock in the forenoon.</p>	<p>Mark Moss to Daniel Mealing</p>	64085 ✓

See 947-374 this app no 00520

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T00653-457-9-2

NATURE OF INSTRUMENT.	DAY AND HOUR OF ITS PRODUCTION.	NAMES OF THE PARTIES TO IT.	NUMBER OF STRIPS THEREON.
<p>Transfer as to part and Creation of Easement</p> <p>Cancelled as to rectangular piece of land 33 ft to Walker St by 125 ft commencing 215 ft 7 in from Scotchman St desc in b. of title of 1042 of 2007 20. Area 45 1/2 sq ft.</p>	<p>27th day of December 1897 at 2.15 o'clock in the afternoon</p>	<p>Mark Moss to Peter and Rich and Elizabeth Long</p> <p>Amplified Asst. Registrar of Titles</p>	<p>67789</p>
<p>Transfer as to part and Creation of Easement</p> <p>Cancelled as to the land in b. of title of 1022 of 2002 & 6. Area 10 1/2 sq ft.</p>	<p>The 11th day of March 1898 at 9.46 o'clock in the afternoon</p>	<p>Mark Moss to Eugene O'Connell</p> <p>Amplified Asst. Registrar of Titles</p>	<p>69390</p>
<p>Transfer as to part and Creation of Easement</p> <p>Cancelled as to rectangular piece of land 57 ft to Scotchman St by 120 ft commencing 75 ft 10 1/2 in from Walker St desc in b. of title of 1022 of 2002 & 50. Area 35 1/2 sq ft.</p>	<p>The 22nd day of March 1898 at 11.40 o'clock in the afternoon</p>	<p>Mark Moss to Samuel Hill, and Henry W. Suggan</p> <p>Amplified Asst. Registrar of Titles</p>	<p>69607</p>
<p>Transfer as to part and Creation of Easement</p> <p>Cancelled as to rectangular piece of land 18 ft to Walker St by 125 ft commencing 288 ft 7 in from Scotchman St desc in b. of title of 1042 of 2007 20. Area 8 1/2 sq ft.</p>	<p>The 2nd day of July 1898 at 11.13 o'clock in the afternoon</p>	<p>Mark Moss to Andrew Chambers</p> <p>Amplified Asst. Registrar of Titles</p> <p>For continuation of E endorsements see the annexed skin marked H</p>	<p>71835</p>

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H

NATURE OF INSTRUMENT.	DAY AND HOUR OF ITS PRODUCTION.	NAMES OF THE PARTIES TO IT.	NUMBER OR STRONG THEREON.
<p>Transfer as to part and Creation of Easement Cancelled as to the land in cert of title vol 653 fol 311843 See 16/1/96 Stamplanned Asst Regs of Titles</p>	<p>The 6th day of September 1896 at 11:18 o'clock in the forenoon Stamplanned Asst Regs of Titles</p>	<p>Mark Moss to The Australian Mutual Permanent Building Society Stamplanned Asst Regs of Titles</p>	<p>743379 ✓ Asst Regs of Titles</p>
<p>Transfer as to part and Creation of Easement Cancelled as to the land in cert of title vol 1081 fol 216091 See 8/1/96 Stamplanned Asst Regs of Titles</p>	<p>The 8th day of January 1879 at 11:8 o'clock in the forenoon Stamplanned Asst Regs of Titles</p>	<p>Mark Moss to Joseph Charles Stamplanned Asst Registrar of Titles</p>	<p>75773 ✓ Asst Registrar of Titles</p>
<p>Transfer as to part and Creation of Easement Cancelled as to the land in cert of title vol 1083 fol 216199 See 7/1/96 Stamplanned Asst Regs of Titles</p>	<p>The 15th day of January 1879 at 2 31 o'clock in the afternoon Stamplanned Asst Regs of Titles</p>	<p>Mark Moss to Emma Selley Stamplanned Asst Registrar of Titles</p>	<p>75936 ✓ Asst Registrar of Titles</p>
<p>Transfer as to part and Creation of Easement Cancelled as to the land in cert of title vol 1087 fol 217334 See 25/1/96 Stamplanned Asst Regs of Titles</p>	<p>The 5th day of February 1879 at 11:55 o'clock in the forenoon Stamplanned Asst Regs of Titles</p>	<p>Mark Moss to Patrick Doherty Stamplanned Asst Regs of Titles</p>	<p>746353 ✓ Asst Regs of Titles</p>



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NATURE OF INSTRUMENT.	DAY AND HOUR OF ITS PRODUCTION.	NAMES OF THE PARTIES TO IT.	NUMBER OR SYMBOL THEREON.
Transfer as to part and creation of easement in the form of a cancelled as to the land in part of the lot 1088 for 217460 Area 8 3/100	The 11 th day of February 1899 at 10-10 o'clock in the forenoon	Mark Moss to Sarah Orchard Stamplene Chanc Reg. of Titles	76318 ✓
Transfer as to part and creation of easement in the form of a cancelled as to the land in part of the lot 1092 for 218304 Area 16 1/100	The 5 th day of March 1899 at 11.30 o'clock in the forenoon	Mark Moss to William Stiles Stamplene Chanc Reg. of Titles	76959 ✓
Transfer as to part and creation of easement in the form of a cancelled as to the land in part of the lot 1093 for 218594 Area 108/100	The 10 th day of March 1899 at 12.15 o'clock in the afternoon	Mark Moss to John Danks Stamplene Chanc Reg. of Titles	77029 ✓
Transfer as to part and creation of easement in the form of a cancelled as to the land in part of the lot 1097 for 219698 Area 11 7/100	The 4 th day of April 1899 at 12.15 o'clock in the afternoon	Mark Moss to Margaret Gross Stamplene Chanc Reg. of Titles	77109 ✓
Transfer as to part and creation of easement in the form of a cancelled as to rectangular piece of land off the lot 1101 along the boundary of the lot 1102 for 220222 Area 16 7/100	The 22 nd day of April 1899 at 2.56 o'clock in the afternoon	Mark Moss to Margaret Lacy Stamplene Chanc Reg. of Titles	77830 ✓

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Chanc Reg. of Titles
 For continuation of easement marked I
 annexed plan

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 Certificate of Title Vol. 653 Fol. 120457

[Signature]
 Asst Registrar of Titles.

NATURE OF INSTRUMENT.	DAY AND HOUR OF ITS PRODUCTION.	NAMES OF THE PARTIES TO IT.	NUMBER OR SYMBOL THEREON.
Transfer as to part and creation of Easement Canulth as to the land in cert of title vol 1101 fol 22042 Area 11 1/4.	The 3rd day of May 1899 at 10:40 o'clock in the forenoon	Mark Moss to Mary Atkins <i>[Signature]</i> Asst Regr of Titles	278082 ✓
Transfer as to part and creation of easement Canulth as to the land in cert of title vol 1113 fol 25556 Area 8 1/2.	The 2nd day of July 1899 at 9:50 o'clock in the afternoon	Mark Moss to Investor Keenan <i>[Signature]</i> Asst Regr of Titles	493831 ✓
Transfer as to part and creation of Easement Canulth as to the land in cert of title vol 1180 fol 231954 Area 8 1/4.	The 2nd day of June 1880 at 10:38 o'clock in the forenoon	Mark Moss to William Hannaprid <i>[Signature]</i> Asst Regr of Titles	85768 ✓
Transfer as to part and creation of easement Canulth as to the land in cert of title vol 1209 fol 241343 Area 13 1/2.	The 18th day of October 1880 at 2:32 o'clock in the afternoon	Mark Moss to Charles Thomas <i>[Signature]</i> Asst Regr of Titles	88450 ✓

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NATURE OF INSTRUMENT.	DAY AND HOUR OF ITS PRODUCTION.	NAMES OF THE PARTIES TO IT.	NUMBER OR SYMBOL THEREON.
<p>Transfers as to part and creation of Easement cancelled as to the land in best title vol 1215 fol 245 25 26 area 13 7/100</p>	<p>The 10th day of November 1880 at 9:49 o'clock in the afternoon</p>	<p>Mark Moss to John McKimery</p>	<p>89394 ✓</p>
<p>Transfer as to part and creation of Easement cancelled as to the land in best title vol 12 20 fol 245 26 area 13 7/100</p>	<p>The 3rd day of February 1881 at 10-51 o'clock in the forenoon</p>	<p>Mark Moss to Ellen Ford</p>	<p>890463 ✓</p>
<p>Transfer as to part CANCELLED AS TO THE LAND IN CERTIFICATE OF TITLE VOL. 1311 FOL. 262 038 AREA AC. RDS. 13 3/4 PER.</p>	<p>10th December 1881</p>	<p>Mark Moss to Elijah Henry Pastmore Edwards</p>	<p>89967 ✓</p>
<p>Transfer as to part and creation of Easement CANCELLED AS TO THE LAND IN CERTIFICATE OF TITLE VOL. 1311 FOL. 262 039 AREA AC. RDS. 8 3/4 PER.</p>	<p>10th December 1881 at 11. 4 a.m.</p>	<p>Mark Moss to Elijah Henry Pastmore Catherine Harvey</p>	<p>89968 ✓</p>

For continuation of Endorsements see the annexed sheet marked J.

Assist. Reg. of Titles.

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James
Asst Registrar of Titles.

NATURE OF INSTRUMENT.	DATE AND HOUR OF ITS PRODUCTION.	NAMES OF THE PARTIES TO IT.	NUMBER OR SYMBOL THEREOF.
Transfer as to part and Creation of Easement CANCELLED AS TO THE LAND IN CERTIFICATE OF TITLE VOL. 1216 FOL. 263042. AREA AC. RDS. 17 1/10 PER.	The 30 th day of December 1881 at 2.52 p.m.	Mark Abos to Robert Adam Abachintosh	+108477
<i>James</i> ASST REGR OF TITLES.		<i>James</i> Asst Regr of Titles	
Transfer as to part and Creation of Easement CANCELLED AS TO THE LAND IN CERTIFICATE OF TITLE VOL. 1326 FOL. 267159 AREA AC. RDS. 26 1/10 PER.	The 13 March 1882 1.36 P.M.	Mark Abos to Elijah Henry James Edwards	+102702
<i>James</i> ASST REGR OF TITLES.		<i>James</i> Asst Regr of Titles.	
Transfer as to part and Creation of Easement Cancelled as to the land in Cert. of Title Vol. 1382 Fol. 270579 Area 5.50	The 12 th day of August 1882 at 10.45 a.m.	Mark Abos to The Board of Universal Laminating Society	+708335
<i>James</i> Asst Regr of Titles. 12th August 1882		<i>James</i> Asst Regr of Titles	
Transfer as to part and Creation of Easement CANCELLED AS TO THE LAND IN CERTIFICATE OF TITLE VOL. 1023 FOL. 26423. AREA AC. RDS. 5 1/10 PER.	The 5 th day of January 1883 at 3 p.m.	Mark Abos to The North Victoria Permanent Property Building and Investment Society	+1131041
<i>James</i> ASST REGR OF TITLES.		<i>James</i> Asst Regr of Titles	


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NATURE OF INSTRUMENT.	DAY AND HOUR OF ITS PRODUCTION.	NAMES OF THE PARTIES TO IT.	NUMBER OR SYMBOL THEREON.
<p>Transfer as to part and creation of Easement CANCELLED AS TO THE LAND IN CERTIFICATE OF TITLE VOL. 1463 FOL. 292419 & 20 AREA AC. RDS. 6 ¹⁰/₁₀₀ PER.</p> <p><i>James H. Wood</i> ASST REGR OF TITLES.</p>	<p>The 21 March 1883 at 2.50 PM</p>	<p>Mark Moss to George Hoanford the Younger <i>James H. Wood</i> Asst Regr of Titles.</p>	<p>41544</p>
<p>Transfer as to part and creation of Easement CANCELLED AS TO THE LAND IN CERTIFICATE OF TITLE VOL. 1463 FOL. 292419 & 20 AREA AC. RDS. 32 ¹⁰/₁₀₀ PER. 15 ¹⁰/₁₀₀ Woods</p> <p><i>James H. Wood</i> ASST REGR OF TITLES.</p>	<p>The 21st May 1883 at 12 35 pm</p>	<p>Mark Moss to Elijah Henry Cassmore Edwards Brode Asst Regr of Titles.</p>	<p>119616</p>
<p>Transfer as to part and creation of Easement CANCELLED AS TO THE LAND IN CERTIFICATE OF TITLE VOL. 1478 FOL. 245477 AREA AC. RDS. 13 ¹⁰/₁₀₀</p> <p><i>James H. Wood</i> ASST REGR OF TITLES.</p>	<p>The 7th July 1883 at 10 54 am</p>	<p>Mark Moss to James McKeelvie <i>James H. Wood</i> Asst Regr of Titles.</p>	<p>119660</p>
<p>Transfer as to part and creation of Easement CANCELLED AS TO THE LAND IN CERTIFICATE OF TITLE VOL. 1495 FOL. 595905 AREA AC. RDS. 6 ¹⁰/₁₀₀ PER.</p> <p><i>James H. Wood</i> ASST REGR OF TITLES.</p>	<p>The 10th September 1883 at 2.55 PM</p>	<p>Mark Moss to Charles Pearson <i>James H. Wood</i> Asst Regr of Titles.</p>	<p>121673</p>
<p>Transfer as to part and creation of Easement CANCELLED AS TO THE LAND IN CERTIFICATE OF TITLE VOL. 1508 FOL. 301445 AREA AC. RDS. 15 ¹⁰/₁₀₀ PER.</p> <p><i>James H. Wood</i> ASST REGR OF TITLES.</p>	<p>The 30th October 1883 at 2.58 PM</p>	<p>Mark Moss to John Robertson Kelly <i>James H. Wood</i> Asst Regr of Titles.</p>	<p>123525</p>

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This is the Sheet marked **L** referred to in the Certificate of Title entered in the Register Book Vol. *653* Fol. *130115*
Wm. Symphorne
 Registrar of Titles.

Nature of Instrument.	Day and Hour of its Production.	Names of the Parties to it.	Number or Symbol thereon.
Transfer as to part and creation of Easement CANCELLED AS TO THE LAND IN CERTIFICATE OF TITLE VOL. 1543 FOL. 308185 AC. RDS. 78 PER. 10 <i>Wm. Symphorne</i> ASST REGISTRAR OF TITLES.	The <i>10th</i> day of <i>March</i> 1884 at <i>11.12</i> o'clock in the <i>fore</i> noon.	<i>Mark Moss</i> to <i>Edward Gilgan</i> <i>Wm. Symphorne</i> Assistant Registrar of Titles.	x 128404
Transfer as to part and creation of Easement CANCELLED AS TO THE LAND IN CERTIFICATE OF TITLE VOL. 1556 FOL. 311164 AC. RDS. 303 PER. 10 <i>Wm. Symphorne</i> ASST REGISTRAR OF TITLES.	The <i>22nd</i> day of <i>April</i> 1884 at <i>11.58</i> o'clock in the <i>fore</i> noon.	<i>Mark Moss</i> to <i>The Modern Permanent Building and Investment Society</i> <i>Wm. Symphorne</i> Assistant Registrar of Titles.	x 129694
Transfer as to part and creation of Easement CANCELLED AS TO THE LAND IN CERTIFICATE OF TITLE VOL. 1565 FOL. 312967 AC. RDS. 67 PER. 10 <i>Wm. Symphorne</i> ASST REGISTRAR OF TITLES.	The <i>8th</i> day of <i>May</i> 1884 at <i>12.35</i> o'clock in the <i>after</i> noon.	<i>Mark Moss</i> to <i>The Modern Permanent Building and Investment Society</i> <i>Wm. Symphorne</i> Assistant Registrar of Titles.	x 130480
Transfer as to part and creation of Easement CANCELLED AS TO THE LAND IN CERTIFICATE OF TITLE VOL. 1571 FOL. 314077 AC. RDS. 156 PER. 10 <i>Wm. Symphorne</i> ASST REGISTRAR OF TITLES.	The <i>23</i> day of <i>May</i> 1884 at <i>10.21</i> o'clock in the <i>fore</i> noon.	<i>Mark Moss</i> to <i>Henry Howie</i> <i>Wm. Symphorne</i> Assistant Registrar of Titles.	x 131112
Transfer as to part and creation of Easement CANCELLED AS TO THE LAND IN CERTIFICATE OF TITLE VOL. 1571 FOL. 314077 AC. RDS. 54 PER. 10 <i>Wm. Symphorne</i> ASST REGISTRAR OF TITLES.	The <i>23</i> day of <i>May</i> 1884 at <i>10.22</i> o'clock in the <i>fore</i> noon.	<i>Mark Moss</i> to <i>Edw. Henry Roseme Edwards</i> <i>Wm. Symphorne</i> Assistant Registrar of Titles.	x 131112  T00653-457-13-1
Transfer as to part and creation of Easement CANCELLED AS TO THE LAND IN CERTIFICATE OF TITLE VOL. 1579 FOL. 315773 AREA AC. RDS. 156 PER. 10 <i>Wm. Symphorne</i> ASST REGISTRAR OF TITLES.	The <i>25</i> day of <i>June</i> 1884 at <i>3</i> o'clock in the <i>after</i> noon.	<i>Mark Moss</i> to <i>Henry Howie</i> <i>Wm. Symphorne</i> Assistant Registrar of Titles.	x 132035

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Nature of Instrument.	Day and Hour of its Production.	Names of the Parties to it.	Number or Symbol thereon.
<p>Transfer of part and creation of easement CANCELLED AS TO THE LAND IN CERTIFICATE TITLE VOL. 1646 FOL. 3290 AREA AG. NOS. 97/10 PER.</p>	<p>The 24 day of September 1884 at 12.30 o'clock in the afternoon.</p>	<p>Mark Moss to Robert Graham</p>	<p>144231</p>
<p>Assistant Registrar of Titles.</p>			
<p>Transfer of part and creation of easement CANCELLED AS TO THE LAND IN CERTIFICATE TITLE VOL. 1646 FOL. 329120 AREA PER. 97/10 PER.</p>	<p>The 24 day of September 1884 at 12.31 o'clock in the afternoon.</p>	<p>Mark Moss to William Phillips</p>	<p>144232</p>
<p>Assistant Registrar of Titles.</p>			
<p>Transfer of part and creation of easement CANCELLED AS TO THE LAND IN CERTIFICATE TITLE VOL. 1662 FOL. 332395 AREA 3¹⁰ 36¹⁰ PER. 22¹⁰ 70</p>	<p>The 12 day of February 1885 at 11.57 o'clock in the afternoon.</p>	<p>Mark Moss to Henry Hoose</p>	<p>143691</p>
<p>Assistant Registrar of Titles.</p>			
<p>Transfer of part and creation of easement CANCELLED AS TO THE LAND IN CERTIFICATE TITLE VOL. 1662 FOL. 332397 AREA 9¹⁰ PER. 70</p>	<p>The 12 day of February 1885 at 11.57 o'clock in the afternoon.</p>	<p>Mark Moss to George William Leber Watson</p>	<p>143692</p>
<p>Assistant Registrar of Titles.</p>			
<p>Transfer of part and creation of easement CANCELLED AS TO THE LAND IN CERTIFICATE TITLE VOL. 1662 FOL. 332398 AREA 8¹⁰ PER. 70</p>	<p>The 12 day of February 1885 at 11.57 o'clock in the afternoon.</p>	<p>Mark Moss to William Cote</p>	<p>143693</p>
<p>Assistant Registrar of Titles.</p>			
<p>Transfer of part and creation of easement CANCELLED AS TO THE LAND IN CERTIFICATE TITLE VOL. 1686 FOL. 337069 1 22</p>	<p>The 24 day of April 1885 at 1.35 o'clock in the afternoon.</p>	<p>Mark Moss to Elijah Henry Passmore Edwards</p>	<p>146662</p>
<p>Assistant Registrar of Titles.</p>			

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No

McKinnon
Registrar of Titles.

Nature of Instrument.	Day and Hour of its Production.	Names of the Parties to it.	Number or Symbol thereon.
Transfer of part and creation of easement <i>1728</i> <i>20/19</i> <i>34</i> <i>McKinnon</i>	The <i>28</i> day of <i>May</i> 18 <i>85</i> at <i>5</i> o'clock in the <i>after</i> noon.	<i>Mark Moss</i> to <i>Elizabeth Henry Passmore</i> wards <i>McKinnon</i> Assistant Registrar of Titles.	<i>157848</i>
Transfer of part and creation of easement <i>1739</i> <i>347000</i> <i>McKinnon</i>	The <i>26</i> day of <i>June</i> 18 <i>85</i> at <i>11.35</i> o'clock in the <i>evening</i> noon.	<i>Mark Moss</i> to <i>The South Victoria Permanent Property Building and Investment Society</i> <i>McKinnon</i> Assistant Registrar of Titles.	<i>157850</i>
Transfer of part and creation of easement <i>1739</i> <i>347000</i> <i>McKinnon</i>	The <i>3</i> day of <i>July</i> 18 <i>85</i> at <i>12.13</i> o'clock in the <i>after</i> noon.	<i>Mark Moss</i> to <i>The South Victoria Permanent Property Building and Investment Society</i> <i>McKinnon</i> Assistant Registrar of Titles.	<i>157851</i>
Transfer of part and creation of easement CANCELLED AS TO THE LAND IN CERTIFICATE OF TITLE VOL. 1156 FOL. 357079 AREA AC. 1.127 PER. 10	The <i>21</i> day of <i>October</i> 18 <i>85</i> at <i>3</i> o'clock in the <i>after</i> noon.	<i>Mark Moss</i> to <i>Paul Francis Costello</i> <i>McKinnon</i> Assistant Registrar of Titles.	<i>157028</i>
Transfer of part CANCELLED AS TO THE LAND IN CERTIFICATE OF TITLE VOL. 1775 FOL. 354986 AREA AC. 1.127 PER. 10	The <i>3rd</i> day of <i>December</i> 18 <i>85</i> at <i>10.17</i> o'clock in the <i>fore</i> noon.	<i>Mark Moss</i> to <i>Walter Phelan</i> <i>McKinnon</i> Assistant Registrar of Titles.	<i>159622</i>
Transfer of part CANCELLED AS TO THE LAND IN CERTIFICATE OF TITLE VOL. 1781 FOL. 356141 AREA AC. 1.127 PER. 10	The <i>18</i> day of <i>December</i> 18 <i>85</i> at <i>11.52</i> o'clock in the <i>after</i> noon.	<i>Mark Moss</i> to <i>South Victoria Permanent Property Building and Investment Society</i> <i>McKinnon</i> Assistant Registrar of Titles.	<i>161162</i>

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Nature of Instrument.	Day and Hour of its Production.	Names of the Parties to it.	Number or Symbol thereon.
<p>Transfer as to part and creation of easement <small>CANCELLED AS TO THE LAND IN CERTIFICATE OF TITLE VOL. 1780 FOL. 357002</small></p>	<p>The 27 day of January 1886 at 3 o'clock in the afternoon.</p>	<p>Mark Moss To Elijah Henry Passmore Edwards</p>	<p>162166</p>
<p>Transfer as to part and creation of easement <small>CANCELLED AS TO THE LAND IN CERTIFICATE OF TITLE VOL. 1790 FOL. 35790</small></p>	<p>The 28 day of January 1886 at 3 o'clock in the afternoon.</p>	<p>Mark Moss To Richard Hoop</p>	<p>162646</p>
<p>Transfer as to part and creation of easement <small>CANCELLED AS TO THE LAND IN CERTIFICATE OF TITLE VOL. 1815 FOL. 36262</small></p>	<p>The 3 day of May 1886 at 3 o'clock in the afternoon.</p>	<p>Mark Moss To John Watson</p>	<p>167657</p>
<p>Transfer as to part and creation of easement <small>CANCELLED AS TO THE LAND IN CERTIFICATE OF TITLE VOL. 1815 FOL. 36267</small></p>	<p>The 3 day of May 1886 at 12.5 o'clock in the afternoon.</p>	<p>Mark Moss To John Henry Watson</p>	<p>167658</p>
<p>Transfer as to part and creation of easement <small>CANCELLED AS TO THE LAND IN CERTIFICATE OF TITLE VOL. 1808 FOL. 37242</small></p>	<p>The 22 day of October 1886 at 2.48 o'clock in the afternoon.</p>	<p>Mark Moss To Cornelius Crowe</p>	<p>176151</p>
<p>Transfer as to part and creation of easement <small>CANCELLED AS TO THE LAND IN CERTIFICATE OF TITLE VOL. 1884 FOL. 37693</small></p>	<p>The 17th day of January 1887 at 3.58 o'clock in the afternoon.</p>	<p>Mark Moss To Samuel Braddy</p>	<p>180307</p>

For continuation of endorsement see the annexed sheet marked J.

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Mark Moss
Assistant Registrar of Titles.

Nature of Instrument.	Day and Hour of its Production.	Names of the Parties to it	Number or Symbol thereon.
<p><i>Transfer as to part and creation of easement</i></p> <p>AS TO THE LAND IN CERTIFICATE VOL. 1881 FOL 376694</p> <p><i>Mark Moss</i> Assistant Registrar of Titles.</p>	<p>The <i>18th</i> day of <i>January</i> 18<i>87</i> at <i>2.55</i> o'clock in the <i>after</i> noon.</p>	<p><i>Mark Moss</i> to <i>Roger Grassland</i></p> <p><i>Mark Moss</i> Assistant Registrar of Titles.</p>	<p><i>182466</i></p>
<p><i>Transfer as to part and creation of easement</i></p> <p>AS TO THE LAND IN CERTIFICATE VOL. 1912 FOL 382310</p> <p><i>Mark Moss</i> Assistant Registrar of Titles.</p>	<p>The <i>11th</i> day of <i>May</i> 18<i>87</i> at <i>12.11/2</i> o'clock in the <i>after</i> noon.</p>	<p><i>Mark Moss</i> to <i>John Joseph Greed</i></p> <p><i>Mark Moss</i> Assistant Registrar of Titles.</p>	<p><i>188474</i></p>
<p><i>Transfer as to part and creation of easement</i></p> <p>AS TO THE LAND IN CERTIFICATE VOL. 1918 FOL 387600</p> <p><i>Mark Moss</i> Assistant Registrar of Titles.</p>	<p>The <i>18th</i> day of <i>August</i> 18<i>87</i> at <i>31</i> o'clock in the <i>after</i> noon.</p>	<p><i>Mark Moss</i> to <i>The South Victoria Permanent Building and Investment Society</i> <i>vs Davidson</i></p> <p><i>Mark Moss</i> Assistant Registrar of Titles.</p>	<p><i>195841</i></p>
<p><i>Transfer as to part and creation of easement</i></p> <p>AS TO THE LAND IN CERTIFICATE VOL. 2004 FOL 400705</p> <p><i>Mark Moss</i> Assistant Registrar of Titles.</p>	<p>The <i>22nd</i> day of <i>March</i> 18<i>88</i> at <i>2.50</i> o'clock in the <i>after</i> noon.</p>	<p><i>Mark Moss</i> to <i>Ellen Kingston</i></p> <p><i>Mark Moss</i> Assistant Registrar of Titles.</p>	<p><i>211035</i></p>
<p><i>Transfer as to part and creation of easement</i></p> <p>AS TO THE LAND IN CERTIFICATE VOL. 2044 FOL 408659</p> <p><i>Mark Moss</i> Assistant Registrar of Titles.</p>	<p>The <i>11th</i> day of <i>July</i> 18<i>88</i> at <i>11</i> o'clock in the <i>fore</i> noon.</p>	<p><i>Mark Moss</i> to <i>Simon Duncan</i></p> <p><i>Mark Moss</i> Assistant Registrar of Titles.</p>	<p><i>222400</i></p>
<p>TRANSFER AS TO PART No. <i>6333881</i> registered <i>22nd September 1896</i> see <i>L.G.D. file No 1805</i> CANCELLED AS TO PART See Vol. <i>9208</i> Fol. <i>387</i></p> <p><i>Mark Moss</i> Assistant Registrar of Titles.</p>	<p>The <i>22nd</i> day of <i>September</i> 18<i>96</i> at <i>1805</i> o'clock in the <i>fore</i> noon.</p>	<p><i>Mark Moss</i> Assistant Registrar of Titles.</p>	<p><i>222400</i></p>



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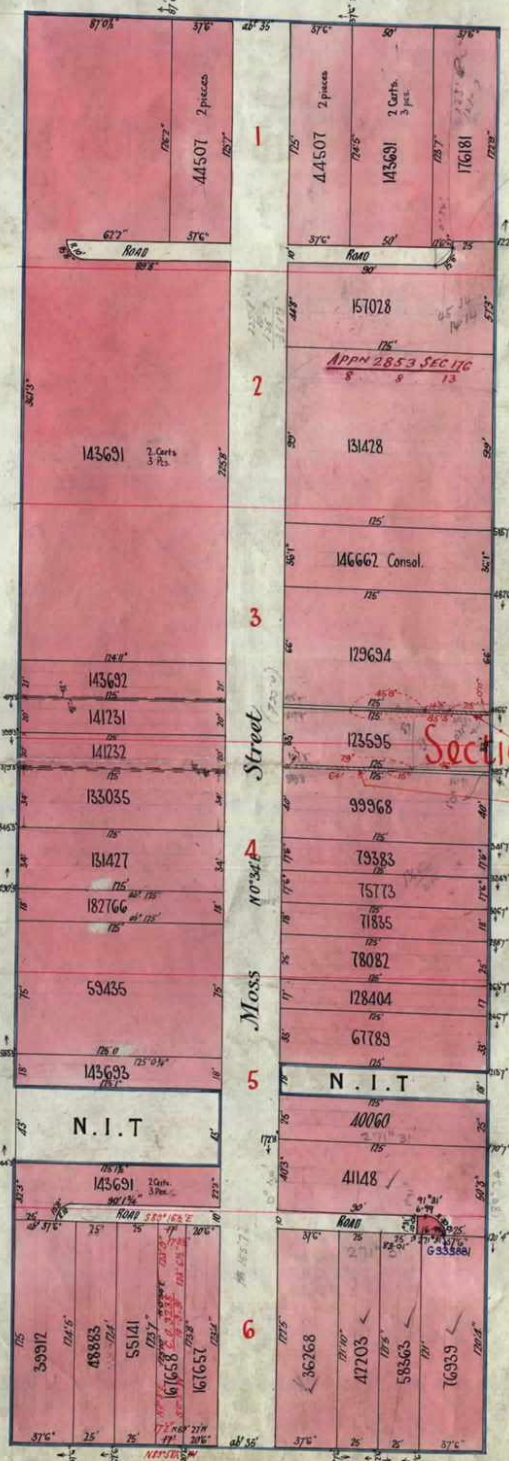
Nature of Instrument.	Day and Hour of its Production.	Names of the Parties to it.	Number or Series (to name).
	<p>The day of 18 at o'clock in the noon.</p>	<p>BY ORDER OF THE REGISTRAR OF TITLES DATED 11/01/2011 THE WITHIN DESCRIBED LAND BECAME VESTED IN DAVID KENNETH CHALMERS & ANNETTE MARIE TEPPER BOTH 852 BRUNSWICK STREET FITZROY NORTH CANCELLED AS TO PART See Vol. 11248 Fol. 742 Application No. 126745S Section 60</p> <p><i>Assistant Registrar of Titles.</i></p>	
	<p>The day of 18 at o'clock in the noon.</p>	<p><i>Assistant Registrar of Titles.</i></p>	
	<p>The day of 18 at o'clock in the noon.</p>	<p><i>Assistant Registrar of Titles.</i></p>	
	<p>The day of 18 at o'clock in the noon.</p>	<p><i>Assistant Registrar of Titles.</i></p>	
	<p>The day of 18 at o'clock in the noon.</p>	<p><i>Assistant Registrar of Titles.</i></p>	
	<p>The day of 18 at o'clock in the noon.</p>	<p><i>Assistant Registrar of Titles.</i></p>	

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Parkside S89°40'E Street

Vol. 653 Fol 457



For Subdivision of this part of the Side Sheet 2

Excised Vids APP 6441 SEC. 99

122' 4"
57' 3"
601' 7"
797' 7"

122'
10'
49'
96'
74'
603'



Scotchmer N83°26'W Street

LP.643

Sheet 1, Sheet 2 attached

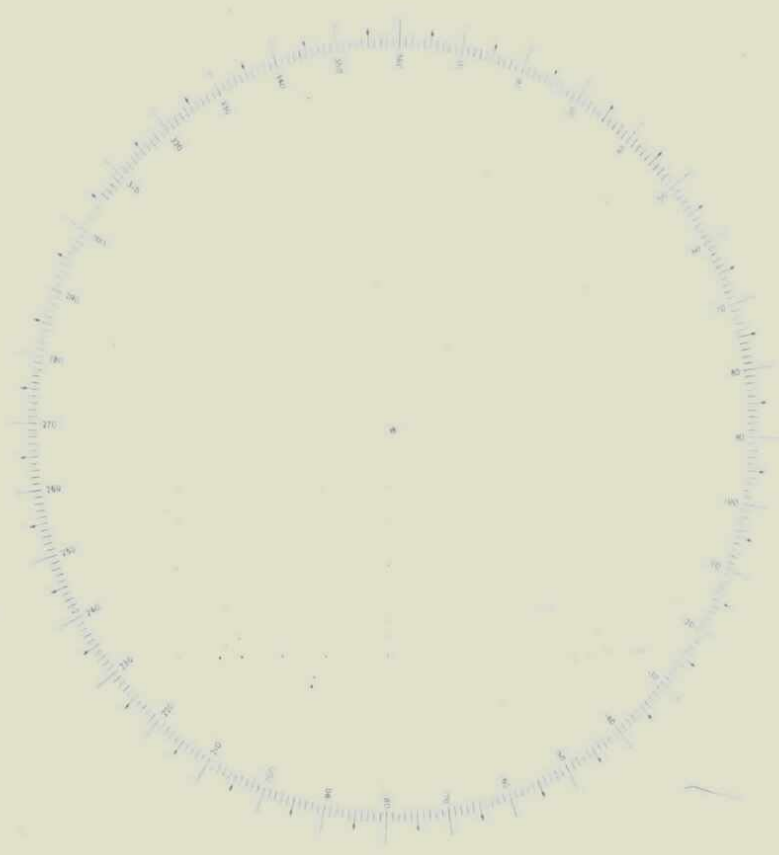
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Titles Office Record of Subdivision

SCALE

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Register Book Vol..... fol.....



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Date : **21/12/2022**

Your Ref: MAN:CORL:9112242
Our Ref: **MF427533-1**

Cornelius Lim
Cornelius.Lim@maddocks.com.au

Telstra Plan Services

Level 1, 275 George Street
Brisbane, QLD 4000

Postal Address:
275 George Street
Brisbane, QLD 4000

Email: F0501488@team.telstra.com

Dear Cornelius,

Re: Yarra City Council - Proposed discontinuance of road adjacent to 111 Best Street, Fitzroy North [MADD-M.FID3384455]

Thank you for your communication dated in relation to the location specified above.

Telstra's plant records indicate that there are no Telstra assets within the area of the proposal. Subject to your compliance with the below conditions, **Telstra has NO OBJECTIONS** to the **Road Closure**.

We note that our plant records merely indicate the approximate location of the Telstra assets and should not be relied upon as depicting a true and accurate reflection of the exact location of the assets. Accordingly, we note that all individuals have a legal "Duty of Care" that must be observed when working in the vicinity of Telstra's communication plant. It is the constructor's/land owner's responsibility to anticipate and request the nominal location of Telstra plant via the **Dial Before You Dig web site www.1100.com.au** in advance of any construction activities in the vicinity of Telstra's assets.

On receipt of plans, notwithstanding the recorded location of Telstra's plant, the constructor/land owner is responsible for obtaining a Telstra accredited Asset Plant Locator to perform cable location, potholing and physical exposure to confirm the actual location of the plant prior to the commencement of site civil work. Telstra reserves all rights to recover compensation for loss or damage caused by interference to its cable network or other property.

Telstra would also appreciate due confirmation when this proposed acquisition proceeds so as to update its Cadastre records. Information regarding acquisition of the land would be of benefit to us and should be directed to the following location:

VICTORIA

Telstra - Cadastre Updates
PO Box 61
Ballarat VIC 3353
Attention: - Team Leader
F1501634@team.telstra.com
F1103432@team.telstra.com

Please pass all information contained in this communication to all parties involved in this proposed process. If you have any difficulties in meeting the above conditions or if you have any questions relating to them, please do not hesitate to contact us at F0501488@team.telstra.com.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Anthony Lebessis', written in a cursive style.

Anthony Lebessis

For
Manager – Peter Anestopoulos
Telstra Plan Services
F0501488@team.telstra.com

7.9 Governance Report - May 2024

Reference	D24/126685
Author	Rhys Thomas - Senior Governance Advisor
Authoriser	General Manager Governance, Communications and Customer Experience
Disclosure	The authoriser, having made enquiries with members of staff involved in the preparation of this report, asserts that they are not aware of any general or material conflicts of interest in relation to the matters presented.

Purpose

1. The Governance Report is prepared as a periodic report to Council which provides a single reporting platform for a range of statutory compliance, transparency and governance related matters.

Critical analysis

History and background

2. To ensure compliance with the Local Government Act 2020 and in accordance with best practice and good governance principles, transparency and accountability, this standing report consolidates a range of governance and administrative matters.
3. Matters covered in this report are:
 - (a) Update on the State Government's Council integrity reforms;
 - (b) Correction to the instrument of delegation to Council staff;
 - (c) Audit and Risk Committee Biannual Activity Report; and
 - (d) Appointment of authorised officers under the Planning and Environment Act 1987.

Discussion

Update on the State Government's Council integrity reforms

4. Operation Sandon was an investigation by the Independent Broad-based Anti-Corruption Commission (IBAC) into allegations of corrupt conduct involving councillors and property developers in the City of Casey. It also examined the adequacy of Victoria's current systems and controls for safeguarding the integrity of the state's planning processes. The final report was released in July 2023.
5. A report was provided to Council on 15 August 2023, providing an overview of the IBAC report and the government's preliminary response.
6. On 20 March 2024, the Premier released the government's final response to the report's recommendations (see **Attachment One**). The response largely grouped the government's actions into two legislative reforms – changes to the Local Government Act 2020 and reform of the Planning and Environment Act 1987.
7. On 30 April 2024 the first of these processes commenced, when the Minister for Local Government introduced the Local Government Amendment (Governance and Integrity) Bill 2024 into Parliament (see **Attachment Two**). It passed its second reading on 1 May 2024 with debate adjourned for 14 days. The Bill will return to Parliament on 15 May 2024.
8. If passed, the Bill will amend the Local Government Act 2020 (the Act) in a number of areas:

Model Councillor Code of Conduct

9. The Act currently requires each Council to adopt a Councillor Code of Conduct by a two-thirds majority within four months of each general election, and sets out a series of matters that must be included. It is left to each Council to determine how these matters are to be addressed.
10. The amendments propose instead that Councillors be required to abide by a Model Councillor Code of Conduct. The content of the Model Code of Conduct will include standards of conduct to be observed by all Councillors and has been left to regulation. Further, the Model Code of Conduct is to be supported by new provisions relating to arbitration of disputes.
11. The amendments also provide that Council must adopt “policies in relation to good governance” in relation to prescribed matters. These matters have been left to regulation.

Mandatory Councillor training

12. The Act currently requires the CEO to deliver induction training to all Councillors within the first six months of their term. A series of topics are prescribed in regulation to be included. The receipt of a Councillor allowance by Councillors is conditional upon the completion of this training.
13. The amendments propose that the period in which the induction training be conducted be reduced to four months, and that Councillors be required to conduct annual professional development training. The nature of that training has been left to regulation.
14. The amendments also propose the introduction of training for Mayors, Deputy Mayors and Acting Mayors, which must be conducted within one month of election to that role. The detail of that training has been left to regulation.
15. These training provisions are not intended to take effect until after this year’s Council elections.

Ministerial powers in relation to Councillor conduct

16. The Act currently provides for a range of sanctions following a finding of misconduct, serious misconduct or gross misconduct. The most serious of these can result in the dismissal of a Councillor and a disqualification from continuing to be a Councillor for a further eight years. This power can only be exercised by the Victorian Civil and Administrative Tribunal after an application by the Chief Municipal Inspector.
17. The amendments propose that the Minister shall have the authority to stand down a Councillor for a period of twelve months if they are satisfied that the Councillor is creating a health and safety risk, subject to certain natural justice provisions. This something that will no longer first require a finding of serious misconduct by a Councillor Conduct Panel and application to VCAT.
18. In addition, any Councillor who has been stood down in this way will become ineligible to hold the office of Mayor or Deputy Mayor, or chair a delegated committee for the remainder of the term.
19. Further, the amendments propose that the Governor in Council (on recommendation of the Minister) have the authority to disqualify a Councillor from holding office for eight years where their Council has been dismissed, and where a Municipal Monitor or Commission of Enquiry made specific adverse findings about that Councillor.

Automatic disqualification of Councillors

20. The Act currently enables a Councillor Conduct Panel to make a finding of serious misconduct in relation to a Councillor, and may reprimand the Councillor, direct that they make an apology, suspend them for up to 12 months and declare them ineligible to chair a delegated committee. In the event of a second or subsequent such finding of serious misconduct, the penalties are unchanged.

21. The amendments propose that if a Councillor who has been suspended from office or subject to a finding of serious misconduct within the previous eight years is subject to a second adverse decision, they are automatically disqualified from holding the office of Councillor for a period of four years from the date of the second finding.

Indemnification of Councillors

22. The Act currently requires each Council to indemnify Councillors against all actions in respect of their good faith behaviour as a Councillor.
23. The amendments propose that Council be prohibited from indemnifying Councillors for legal cost incurred as a result of an application made for an internal arbitration process or Councillor Conduct Panel hearing, unless leave to be represented has been specifically granted.

Expansion of the role of a Municipal Monitor

24. The Act currently sets out the functions of a Municipal Monitor, which largely focus on governance processes and the conduct of a council as whole.
25. The amendments propose that the role be expanded to include the ability to report on the conduct of an individual Councillor where the monitor forms the view that they are a risk to health and safety or are preventing the Council from operating effectively. New natural justice provisions are proposed to support the change.

Infringement Notices

26. The Act currently sets a number of penalty provisions, expressed in the Act as penalty unit. The application of these penalties requires a successful prosecution.
27. The amendments propose that the Chief Municipal Inspector be given the power to serve an infringement notice on any person whom they reasonably believe has committed an offence against the Act or regulations. The exact offences to be treated in this way has been left to regulation.

Close of the Roll

28. In a circular provided by LGV, (based on advice from the Victorian Electoral Commission (VEC)), the Bill includes an amendment to the date for the close of the roll for the upcoming council elections.
29. This will mean that the date for the close of the roll will be extended from 57 days to 80 days before the election. For all elections after the October 2024 election, including by-elections, the date for the close of the roll will be extended from 57 days to 73 days.
30. The close of the roll is the first critical date for an election period. By moving this date earlier other key dates including nomination day, the lodgement date for candidate statements and questionnaires, and the period for mailing out of ballot materials can also be brought forward through the Local Government (Electoral) Regulations 2020 to ensure they are sustainable.
31. According to LGV, these changes will ensure that:
- (a) the timeframe for roll certification is increased to 23 business days (currently 13 business days) to ensure adequate time to process enrolment applications and complete related roll certification processes;
 - (b) the nomination period is extended to 6.5 businesses days (currently 3.5 business days);
 - (c) preparation of the ballot packs will be increased to 12 business days (currently 8 business days); and
 - (d) mailout of the ballot materials will occur over 4 business days (currently 3 business days) to manage the risk of mail service level reductions and provide additional safeguards against election fraud.

Other Amendments

32. There are a number of other amendments proposed by the Bill:
- (a) An expansion in the role of the Mayor to include the promotion of behaviour among Councillors that is consistent with the Model Councillor Code of Conduct;
 - (b) The introduction of a deadline for the publication of a summary of personal interests returns;
 - (c) An administrative correction relating to the disposal of land for no or nominal consideration;
 - (d) New immunity and confidentiality provisions relating to various parties in the Councillor integrity process;
 - (e) A mechanism to enable the Chief Municipal Inspector to provide a report to Parliament in some circumstances;
 - (f) A provision to automatically stand down a Councillor who has been charged with certain offences, rather than first requiring a decision by VCAT; and
 - (g) Provision or a broader range of options to the Principal Councillor Conduct Registrar, including the referral of a matter back to a Council or another body.

Planning related matters

33. The planning related recommendations of Operation Sandon (see **Attachment Three**) have largely been referred to a wider review of the Planning and Environment Act that the government has committed to as part of its recently released Victoria's Housing Statement: The decade ahead 2024-2034. That review will likely visit the decision making processes associated with the standard planning permit pathways and focus on the associated timelines.
34. Perhaps most significantly among the responses, is the response to Recommendations 10 to 12, which propose an alternative decision making process, including the removal of statutory planning responsibility from Councillors. In its response, the government says, "the option to implement new decision-making models will be considered as part of the review and rewrite of the Planning and Environment Act 1987." This leaves open the possibility that a change could be made to the Planning and Environment Act to change the definition of the responsible authority for the issuance of planning permits and remove Council's powers in this regard.
35. Further information will be provided to Councillors upon any foreshadowing or direction from the government in relation to this proposal.

Extension of the Election Period

36. Separate to the amendments introduced by the Bill, Local Government Victoria have confirmed with officers that a change to Regulation 5 of the Local Government (Electoral) Regulations 2020 is also planned to be made, to have the effect of altering the definition of 'nomination date' so that it will fall seven days earlier than the current date.
37. This will have the effect of extending the Council election period, which will now commence at 12 noon on Tuesday 17 September and conclude at 6.00pm on Saturday 26 October 2024.
38. Section 100(2)(a) of the *Local Government Act 2020* requires that during an election year, the Mayor must present the Council's audited annual report at a Council meeting open to the public no later than the day before the election day. The election period does not affect the obligations of councils to complete and present their annual report in the specified timeframes.

Other proposed changes to the electoral regulations

39. In a circular provided by LGV, (based on advice from the Victorian Electoral Commission (VEC)), the following amendments to the Local Government (Electoral) Regulations 2020 have also been recommended as part of review of the regulations before the general elections;

Candidate statement word limit - The Local Government (Electoral) Regulations currently permit candidate statements to comprise a maximum of 300 words. This limit was increased from 200 to 300 words for the 2020 local government elections in response to the pandemic. As candidates no longer face barriers to campaigning activities, it's proposed to return the word limit to 200 words.

Exemptions from compulsory voting - The exemptions from compulsory voting will be expanded to include people who are experiencing homelessness and people in custody or detention. Voters will also be excused from receiving an apparent failure to vote notice if their ballot is received by the VEC within 7 days after the close of the postal vote receipt period, to ensure that voters who post their vote by the close of voting are not penalised if it is not delivered by the close of postal vote receipt period.

Correction to the instrument of delegation to Council staff

40. On 10 October 2023, Council adopted an instrument of delegation from Council to members of Council staff. The instrument provides the necessary authority to Council officer across the organisation to exercise a range of legislative powers on Council's behalf.
41. In implementing the instrument, an administrative error has been detected, in that a range of powers have been delegated to the staff member identified by the acronym of "DCPO", without including the necessary definition of this acronym. While it had been intended at the time of making that instrument that a position of "Development Contributions Plan Officer" would be created, an alternative approach has been implemented and that position has not been established. The fact that the DCPO acronym will not match the wording of the responsible officer's position title is of no legal consequence.
42. It is now necessary for Council to add the following definition to the instrument endorsed by Council in October 2023:

DCPO	means	Project Officer – Projects and Reserve Fund Analyst; Senior Coordinator Asset Management and Capital Works; Manager Building and Asset Management; AND General Manager Infrastructure and Environment
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43. In order to make the necessary amendment, it is recommended that Council endorse the addendum to the existing instrument provided at **Attachment Four**.

Audit and Risk Committee Biannual Activity Report

44. A copy of the Audit and Risk Committee Biannual Activity Report for the period 1 July to 31 December 2023 can be found at **Attachment Five**.
45. Section 54(5) of the Local Government Act 2020 provides that an Audit and Risk Committee:
"prepare a biannual audit and risk report that describes the activities of the Audit and Risk Committee and includes its findings and recommendations; and provide a copy of the biannual audit and risk report to the Chief Executive Officer for tabling at the next Council meeting."
46. Tabling of a biannual activity report provides transparency on the operation of the committee, as well as highlighting the high level considerations of the committee.

47. The nature of the matters considered by the Audit and Risk Committee is such that the report can provide a summary of the matters considered, but cannot set out the detailed findings or recommendations in relation to Council's control framework, as to do so would expose Council to undue risk.
48. In addition to the activity report, all Councillors are provided with the agendas and minutes of Audit and Risk Committee meetings, and are invited to attend in an observer capacity.
49. The Audit and Risk Committee's oversight role is primarily discharged by providing advice and direction to Council's Chief Executive Officer and senior management, particularly those within the finance, risk management and governance portfolios. That said, it is recognised that there may be circumstances where the Committee may wish to provide advice direct to the Council.
50. The Charter of the Audit and Risk Committee (**Attachment Six**) provides three mechanisms for the committee to provide this advice:
- (a) Firstly, the Council has authorised the Audit and Risk Committee through its Charter to request that the Chief Executive Officer table a report from the Committee at a meeting of the Council;
 - (b) Secondly, the Local Government Act 2020 provides that the Chief Executive Officer must table a report of the Committee at a meeting of the Council where requested by the Committee Chair; and
 - (c) Thirdly, the Local Government Act 2020 provides that a Committee may make formal recommendations to Council in this biannual activity report.
51. In the period 1 July to 31 December 2023, neither the Committee nor the Committee Chair requested that the Chief Executive Officer table a report at a Council meeting.
52. At its meeting on 4 April 2024, the Audit and Risk Committee made the following formal recommendation to Council:
- "That Council note the following statement from the City of Yarra Audit and Committee:*
- 'The Audit and Risk Committee acknowledges the progress by management toward ongoing financial sustainability, including the adoption by Council of a Financial Sustainability Strategy and the preparation of a balanced draft 2024/2025 budget for Council's consideration. The Committee notes the significant focus, effort and achievements of management to date to achieve these outcomes and the ongoing commitment to managing these risks.'*
53. This recommendation is presented as a stand-alone recommendation of this Governance Report.

Appointment of authorised officers under the Planning and Environment Act 1987

54. In order to conduct inspection, enforcement and prosecution activities on Council's behalf, officers require specific authorisation under the relevant legislation. While authorisation for most legislation is provided by the Chief Executive Officer acting under delegation, specific provisions of the Planning and Environment Act 1987 require that the authorisation be made directly by Council resolution.
55. In order to undertake the duties of office, staff members listed in the recommendation require authorisation under the Planning and Environment Act 1987.
56. In addition, authorisation must also be provided under section 313 of the Local Government Act 2020 in order to enable these officers to commence enforcement action where necessary.
57. The proposed Instrument of Appointment and Authorisation is provided at **Attachment Seven**.

Options

58. There are no options presented in this report.

Community and stakeholder engagement

59. No community or stakeholder engagement has been undertaken in the development of this report, save the engagement with internal stakeholders necessary to compile the report content.

Policy analysis

Alignment to Community Vision and Council Plan

60. 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.”*
61. City of Yarra Council Plan 2021-2025 includes Strategic Objective six: ‘Democracy and governance’, which states that good governance is at the heart of our processes and decision-making. The plan commits Council to *“practice good governance, transparency and accountable planning and decision-making.”*
62. The presentation of a Governance Report provides an opportunity to provide updates on key organisational matters both to the Council and the community.

Climate emergency and sustainability implications

63. There are no climate emergency or sustainability implications considered in this report.

Community and social implications

64. There are no community or social implications considered in this report.

Economic development implications

65. There are no economic development implications considered in this report.

Human rights and gender equality implications

66. There are no human rights or gender equality implications considered in this report.

Operational analysis

Financial and resource impacts

67. There are no financial or resource impacts considered in this report.

Legal Implications

68. There are no legal implications considered in this report.

Conclusion

69. This report presents an officer recommendation on:
- (a) Update on Council integrity reforms;
 - (b) Correction to the instrument of delegation to Council staff;
 - (c) Audit and Risk Committee Biannual Activity Report; and
 - (d) Appointment of authorised officers under the Planning and Environment Act 1987.

RECOMMENDATION

1. That Council note the government’s response to the recommendations of the Independent Broad-based Anti-corruption Commission and the content of the Local Government Amendment (Governance and Integrity) Bill 2024.
2. That in the exercise of the powers conferred by the Local Government Act 2020, Council:
 - (a) varies the instrument of delegation by the Council to Members of Council Staff endorsed on 10 October 2023 as set out in the instrument at **Attachment Four**; and
 - (b) declare that this variation to the Instrument of Delegation comes into force immediately the common seal of Council is affixed to the instrument.
3. That Council receive the Audit and Risk Committee Biannual Activity Report.
4. That in the exercise of the powers conferred by s 147(4) of the Planning and Environment Act 1987, Council resolves that Aoife MULLIGAN be appointed and authorised as set out in the instrument at **Attachment Seven**, with the instrument coming into force immediately it is signed by Council’s Chief Executive Officer, and remaining in force until Council determines to vary or revoke it.

AUDIT AND RISK COMMITTEE RECOMMENDATION

1. That Council note the following statement from the City of Yarra Audit and Risk Committee:

“The Audit and Risk Committee acknowledges the progress by management toward ongoing financial sustainability, including the adoption by Council of a Financial Sustainability Strategy and the preparation of a balanced draft 2024/2025 budget for Council’s consideration. The Committee notes the significant focus, effort and achievements of management to date to achieve these outcomes and the ongoing commitment to managing these risks.”

Attachments

- 1 [1](#) Attachment 1 Government response to Operation Sandon recommendations
- 2 [2](#) Attachment 2 Original version - Local Government (Governance and Integrity) Bill 2024
- 3 [3](#) Attachment 3 Operation Sandon - Recommendation summary
- 4 [4](#) Attachment 4 Delegation variation - Instrument of delegation from Council to staff
- 5 [5](#) Attachment 5 Biannual Audit and Risk Committee activity report - July to December 2023
- 6 [6](#) Attachment 6 Yarra City Council Audit and Risk Committee Charter
- 7 [7](#) Attachment 7 Enforcement officer instrument of appointment - Aoife Mulligan

Government response to the Independent Broad-based Anti-corruption Commission's Operation Sandon Special Report

The Victorian Government sets out its response to the recommendations made by the Independent Broad-based Anti-corruption Commission (IBAC) in its Operation Sandon Special Report below.

No.	Recommendation	Portfolio	Response
1	<p>The Premier establishes an Implementation Inter-departmental Taskforce (the Taskforce) that is:</p> <p>a) chaired by the Department of Premier and Cabinet and comprises senior representatives of other relevant departments and agencies including, but not limited to, the:</p> <p>i) Department of Transport and Planning ii) Department of Government Services iii) Victorian Public Sector Commission iv) Local Government Inspectorate v) Victorian Electoral Commission.</p> <p>b) responsible for:</p> <p>i) coordinating implementation of IBAC's recommendations, where immediate action can be taken ii) progressing consideration of longer-term reforms proposed in the special report that require expert analysis and stakeholder consultation iii) making sure that the proposed reforms meet the principles and outcomes set out in IBAC's report, and that these reforms are implemented for each of the strategic issues iv) reporting quarterly to IBAC, detailing the progress of action taken in response to IBAC's recommendations v) reporting publicly within 18 months on action taken in response to IBAC's recommendations,</p>	Premier	<p>Support in part</p> <ul style="list-style-type: none"> • The government will establish an interdepartmental Taskforce to facilitate cooperation across government and support implementation of the recommendations. • The government notes that recommendations 2, 4, 9, 10, 12, 13, 14 and 33 have been directed at the Premier to direct the Taskforce to implement, noting that portfolio responsibility for these recommendations sits with the Premier, Minister for Planning and Minister for Local Government. • Consistent with Victoria's system of government, the relevant portfolio ministers are responsible for the implementation of these recommendations, and the role of the Taskforce will be to support ministers in this capacity by facilitating cooperation across departments as required. This is reflected in the response to recommendations 2, 4, 9, 10, 12, 13, 14 and 33, below. • The government is giving further consideration to the appropriate composition of the Taskforce, including the recommended role of independent and regulatory bodies. Under the Westminster system, it is not appropriate for an independent body to be a member of a public service body or to be involved in the development of legislative proposals that are subject to Cabinet consideration. • The government does not support quarterly reporting to IBAC, per recommendation 1(b)(iv), or the request to consult with IBAC officers on the development of an implementation plan and drafting of legislative amendments. A requirement for IBAC, as an independent agency, to be regularly updated and consulted on policy development and legislative change

Government response to the Independent Broad-based Anti-corruption Commission's Operation Sandon Special Report

	<p>noting that IBAC may further publicly report on the adequacy or otherwise of those proposals. In undertaking this work, the Taskforce should consult IBAC officers on the development of an implementation plan and the drafting of legislative amendments.</p>		<p>is not appropriate, as significant policy development and legislative change is ordinarily subject to Cabinet consideration.</p> <ul style="list-style-type: none"> The government supports the recommendation to report publicly on implementation within 18 months on actions to implement recommendations, but notes that the government (rather than the Taskforce) will be responsible for the report.
2	<p>The Premier ensures that the Taskforce considers and recommends measures to address the corruption risks associated with windfall gains from changes in permissible land use, drawing on any lessons learnt in the development and implementation of the <i>Windfall Gains Tax and State Taxation and Other Acts Further Amendment Act 2021</i>.</p>	Minister for Planning	<p>Support in Principle</p> <ul style="list-style-type: none"> The government supports introducing measures that will deter corrupt activity associated with changes in permissible land use. The Minister is responsible for the implementation of this recommendation. The Taskforce will support coordination across government to support implementation.
3	<p>The Minister for Planning develops and introduces to Parliament amendments to the <i>Planning and Environment Act 1987</i> (Vic) so that authorisation of a planning scheme amendment operates as a transparent and accountable gateway process by:</p> <ol style="list-style-type: none"> amending section 8A(7) to facilitate proper consideration of the strategic justification and timely authorisation of planning scheme amendments setting clear criteria that the Minister for Planning must consider in exercising their discretion to authorise progression of an amendment, including satisfaction of strategic justification specifying a presumption against amendment for an appropriate period, noting that the reasons for any exemptions should be clear and details made publicly available. 	Minister for Planning	<p>Support in Principle</p> <ul style="list-style-type: none"> The government recognises the importance of ensuring planning scheme amendments are strategically justified and the authorisation process operates in a timely and transparent manner. Further consideration will be given to the necessary legislative amendments and updates to guidance material that can give effect to the intent of this recommendation.
4	<p>The Premier ensures that the Taskforce considers and recommends amendments to the <i>Planning and</i></p>	Minister for Planning	<p>Support</p>

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	<p><i>Environment Act 1987</i> (Vic) to ensure that the number of possible outcomes that could be considered 'correct' decisions in response to a given proposal at the adoption and approval stages of a planning scheme amendment is narrowed by specifying criteria that must be addressed to the satisfaction of:</p> <ol style="list-style-type: none"> a) the planning authority to adopt an amendment b) the Minister for Planning to approve an amendment. 		<ul style="list-style-type: none"> • More structured decision-making guided by criteria will support greater consistency in the application and use of discretion in decision-making. • The Taskforce will support coordination across government on the implementation of this recommendation by the Minister and department.
5	<p>The Department of Transport and Planning reviews and clarifies guidance to help prioritise competing policy criteria when assessing the merits of a planning scheme amendment, including, but not limited to:</p> <ol style="list-style-type: none"> a) the factors that should be considered in assessing strategic justification b) the hierarchy of broader-scale plans 	Minister for Planning	<p>Support</p> <ul style="list-style-type: none"> • Victoria's planning system is policy-driven and often requires balancing competing policy objectives in order to achieve net community benefit and sustainable development for the benefit of present and future generations. • The government supports the development of new or updated guidance material by the Department of Transport and Planning to help assess the merits of proposals against competing policy objectives using standardised and consistent approaches.
6	<p>The Minister for Planning develops and introduces to Parliament amendments to the <i>Planning and Environment Act 1987</i> (Vic) to require the decision-maker to record the reasons for decisions at relevant points in the planning scheme amendment process</p>	Minister for Planning	<p>Support</p> <ul style="list-style-type: none"> • The government supports amending the <i>Planning and Environment Act 1987</i> to require decision-makers to document reasons for their statutory decisions, including decisions to authorise, adopt and approve planning scheme amendments.
7	<p>The Minister for Planning develops and introduces to Parliament amendments to the <i>Planning and Environment Act 1987</i> (Vic) and/or amends ministerial guidance to require every applicant and person making submissions to a council, the Minister for Planning or Planning Panels Victoria to disclose reportable donations and other financial arrangements that parties have made or have with relevant decision-makers in relation to that planning</p>	Minister for Planning	<p>Support</p> <ul style="list-style-type: none"> • This reform has the potential to improve transparency in planning processes. • New requirements to disclose reportable donations and other financial arrangements by proponents and submitters should apply to both planning permit applications and planning scheme amendment proposals.

Government response to the Independent Broad-based Anti-corruption Commission's Operation Sandon Special Report

	matter (with reference to the New South Wales provisions).		
8	The Minister for Planning issues Ministerial Directions for Planning Panels Victoria panels to specify that there is a presumption in favour of the existing planning scheme and state policy settings.	Minister for Planning	<p>Support in Principle</p> <ul style="list-style-type: none"> The government supports in principle establishing a presumption in favour of the existing planning scheme and state policy settings and will give further consideration to how this may be implemented, noting that there is presently no ability under the <i>Planning and Environment Act 1987</i> for the Minister for Planning to issue Ministerial Directions to Planning Panels Victoria about the assessment of planning proposals.
9	The Premier ensures that the Taskforce considers and recommends amendments to the <i>Planning and Environment Act 1987</i> (Vic) to deter submitters from attempting to improperly influence a council, the Minister for Planning or Planning Panels Victoria in their role in the planning scheme amendment process, including, but not limited to, specifying relevant offences together with appropriate penalties.	Minister for Planning	<p>Support</p> <ul style="list-style-type: none"> The government notes that genuine community participation in planning matters is essential to democratic decision-making. The Taskforce will support coordination across government on the implementation of this recommendation by the Minister and department.
10	The Premier ensures that the Taskforce engages subject-matter experts and consults stakeholders to develop a model structure for independent determinative planning panels for statutory planning matters that addresses the integrity risks identified in Operation Sandon, having regard to: <ul style="list-style-type: none"> a) the skills mix and method of appointing panel members and the efficacy of rotating panel members b) the scope of panel coverage, being whether all councils should be required to use an independent planning panel, including the option of shared or regional panels in areas where councils handle fewer planning permits 	Minister for Planning	<p>Support in Principle</p> <ul style="list-style-type: none"> This recommendation will be considered as part of the review and rewrite of the <i>Planning and Environment Act 1987</i> that the government has committed to as part of its recently released <i>Victoria's Housing Statement: The decade ahead 2024-2034</i>.

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	<p>c) the referral criteria that should apply statewide to make clear which matters should be determined by planning panels rather than by council planning officers</p> <p>d) decision-making process and reporting requirements to ensure transparency and accountability of panel decisions</p> <p>e) arrangements to handle complaints about planning panels and review their performance to ensure continuous improvement.</p>		
11	<p>The Minister for Planning develops and introduces to Parliament amendments to the Planning and Environment Act 1987 (Vic) to:</p> <p>a) remove statutory planning responsibilities from councillors</p> <p>b) introduce determinative planning panels for statutory planning matters, where a local council is currently the responsible authority. This is to give effect to the model developed by the Taskforce in response to Recommendation 10.</p>	Minister for Planning	<p><u>Support in Principle</u></p> <ul style="list-style-type: none"> The option to implement new decision-making models will be considered as part of the review and rewrite of the <i>Planning and Environment Act 1987</i> that the government has committed to as part of its recently released <i>Victoria's Housing Statement: The decade ahead 2024-2034</i>.
12	<p>The Premier ensures that the Taskforce engages subject-matter experts and consults with key stakeholders to assess the operation of Part 4AA of the Planning and Environment Act 1987 (Vic) and recommends whether further amendments are required to give full effect to independent panels as the decision-makers for all statutory planning matters, including those where the Minister for Planning is the responsible authority.</p>	Minister for Planning	<p><u>Support in Principle</u></p> <ul style="list-style-type: none"> The option to implement new decision-making models will be considered as part of the review and rewrite of the <i>Planning and Environment Act 1987</i> that the government has committed to as part of its recently released <i>Victoria's Housing Statement: The decade ahead 2024-2034</i>. The operation of Part 4AA of the Planning and Environment Act will be further considered in the context of this work.
13	<p>The Premier ensures that the Taskforce considers and recommends whether the regulatory regime governing donations in Victoria would be strengthened by identifying and prohibiting high-risk groups (including, but not limited to, property developers) from making political donations to</p>	Premier	<p><u>Acquitted</u></p> <ul style="list-style-type: none"> The government wrote to the Electoral Review Expert Panel (Expert Panel) and asked it to consider this recommendation as part of the Expert Panel's review of the government's 2018 reforms to the <i>Electoral Act 2002</i>.

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	political entities and state and local government candidates.		<ul style="list-style-type: none"> The Expert Panel provided its main report to the Premier on 24 November 2023. The government is currently considering the Expert Panel's report and will respond in due course.
14	The Premier ensures that the Taskforce advises the independent panel review of the 2018 electoral reforms to ensure its report appropriately addresses the corruption risks of political donations highlighted in Operation Sandon.	Premier	<p>Acquitted</p> <ul style="list-style-type: none"> The government wrote to the Expert Panel providing a copy of the Operation Sandon report. The Expert Panel provided its main report to the Premier on 24 November 2023. The government is currently considering the Expert Panel's report and will respond in due course.
15	The Premier ensures that the implementation of Recommendations 3 and 4 from the Donations & Lobbying special report appropriately addresses the lobbying risks highlighted in Operation Sandon.	Premier	<p>Support in Principle</p> <ul style="list-style-type: none"> The government supports in principle this recommendation, noting that the government has previously agreed to support-in-principle the lobbying recommendations from IBAC's <i>Special Report on corruption risks associated with donations and lobbying</i>. This recommendation will be considered as part of the government's broader lobbying reforms.
16	The Department of Parliamentary Services (DPS) develops guidelines to apply to electorate officers when a Member of Parliament is on extended leave, to ensure electorate officers are appropriately supervised and are subject to clear lines of accountability.	Department of Parliamentary Services	<p>Matter for Parliament</p> <ul style="list-style-type: none"> The government notes that this recommendation is a matter for the DPS, consistent with DPS's role in supporting electorate officer employment. The government will support DPS with implementation of this recommendation as required.
17	The Minister for Local Government: <ol style="list-style-type: none"> ensures that Local Government Victoria develops and maintains a Model Councillor Code of Conduct that includes better practice provisions that will apply to all councils, noting that councils can adopt additional provisions to the extent that they are 	Minister for Local Government	<p>Support in principle</p> <ul style="list-style-type: none"> The government is considering amendments to the <i>Local Government Act 2020</i> to enable a mandatory Model Councillor Code of Conduct to be prescribed in regulations. This includes consideration of the most effective approach to ensure consistency across all 79 councils and whether

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	<p>consistent with the minimum standards specified in the Model Councillor Code of Conduct</p> <p>b) develops and introduces to Parliament amendments to the Local Government Act 2020 (Vic), or amends relevant regulations to specify that councils must adopt the Model Councillor Code of Conduct.</p>		<p>allowing councils to adopt additional provisions would undermine the objective of this recommendation.</p> <ul style="list-style-type: none"> As part of these reforms, announced in November 2023, the government will be engaging with the local government sector, the Local Government Inspectorate (LGI) and other key stakeholders on the development of a Model Councillor Code of Conduct prior to introduction of proposed legislative amendments early next year. If these amendments are successfully passed by the Parliament, the government will continue to work closely with the sector, the LGI and stakeholders on the development and implementation of regulations prior to the local government general elections in October 2024. This consultation will ensure the Model Councillor Code of Conduct addresses the issues identified by IBAC and reflects the advice provided by stakeholders through the consultation process. A Model Councillor Code of Conduct will drive consistency and transparency across the sector.
18	<p>The Minister for Local Government uses an appropriate mechanism, such as amendments to the <i>Local Government Act 2020</i> (Vic) or relevant regulations, to require that councillors undertake mid-term refresher training on governance, leadership and integrity.</p>	<p>Minister for Local Government</p>	<p><u>Support in principle</u></p> <ul style="list-style-type: none"> Councillor understanding and performance of their statutory role are common areas for improvement identified by integrity bodies and feedback from the local government sector. The government is considering legislative amendments for regular mandatory training for councillors and mayors to support the effective performance of these roles, and any legal rights that may be engaged, including under the <i>Charter of Human Rights and Responsibilities Act 2006</i>. As part of these reforms, announced in November 2023, the government will be engaging with the local government sector, the LGI and other key stakeholders on the

Government response to the Independent Broad-based Anti-corruption Commission's Operation Sandon Special Report

			<p>development of regular mandatory training for councillors and mayors, prior to introduction of proposed legislative amendments early next year.</p> <ul style="list-style-type: none"> If these amendments are successfully passed by the Parliament, the Government will continue to work closely with the sector, the LGI and stakeholders on the development and implementation of the mandatory training reforms, prior to the local government general elections in October 2024. This consultation will ensure regular mandatory training addresses the issues identified by IBAC and reflects the advice provided by stakeholders through the consultation process.
19	<p>The Minister for Local Government:</p> <ol style="list-style-type: none"> ensures that Local Government Victoria develops and publishes Model Governance Rules to operate as the minimum standards for council meeting procedures develops and introduces to Parliament amendments to the Local Government Act 2020, or amends relevant regulations to specify that councils must adopt the Model Governance Rules ensures that Local Government Victoria maintains the Model Governance Rules in a way that promotes better practices that apply to all councils, noting that councils can adopt additional rules to the extent that they are consistent with the minimum standards specified in the Model Governance Rules. 	Minister for Local Government	<p>Support in principle</p> <ul style="list-style-type: none"> The government acknowledges that poor council meeting governance presents a corruption risk within the local government sector. The <i>Local Government Act 2020</i> is a principles-based Act designed to support continuous improvement and innovation in council operations rather than basic compliance. The Government will consider options to address the issues and risks identified by IBAC that relate to this recommendation, including appropriate legislative amendments and regulations, in keeping with the principles-based approach of the Act. The Government will ensure any model Governance Rules and/or guidance in relation to council decision-making and the conduct of meetings addresses these matters.
20	<p>The Minister for Local Government encourages diligent, considered councillor decision-making by providing guidance and training to councils on administrative and council meeting best practice.</p>	Minister for Local Government	<p>Support in principle</p> <ul style="list-style-type: none"> The Government will consider options to support councils to improve their decision making and the conduct of meetings, including guidance and training.

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			<ul style="list-style-type: none"> • This recommendation may be addressed through the implementation of Recommendations 18 and 19. • As part of reforms to the <i>Local Government Act 2020</i>, announced in November 2023, the government will be engaging with the local government sector, the LGI and other key stakeholders on the development of regular mandatory training for councillors and mayors, prior to introduction of proposed legislative amendments early next year. This will include consultation relating to training on administrative and council meeting best practice. • If these amendments are successfully passed by the Parliament, the Government will continue to work closely with the sector, the LGI and stakeholders on the development and implementation of the mandatory training reforms prior to the local government general elections in October 2024. This consultation will ensure regular mandatory training addresses the issues identified by IBAC and reflects the advice provided by stakeholders through the consultation process.
21	The Minister for Local Government ensures that Local Government Victoria includes in the Model Code of Conduct for Councillors a clear statement of expectations to guide councillors and staff in their interactions with each other.	Minister for Local Government	<p><u>Support in principle</u></p> <ul style="list-style-type: none"> • The government is considering amendments to the <i>Local Government Act 2020</i> to enable a Model Councillor Code of Conduct to be prescribed in regulations. • This recommendation will be addressed through the implementation of Recommendation 17. • As part of the reforms announced in November 2023, the government will be engaging with the local government sector, the LGI and other key stakeholders on the development of a Model Councillor Code of Conduct prior to introduction of proposed legislative amendments early next year.

Government response to the Independent Broad-based Anti-corruption Commission's Operation Sandon Special Report

			<ul style="list-style-type: none"> • If these amendments are successfully passed by the Parliament, the Government will continue to work closely with the sector, the LGI and stakeholders on the development and implementation of regulations prior to the local government general elections in October 2024. This consultation will ensure the Model Councillor Code of addresses the issues identified by IBAC and reflects the advice provided by stakeholders through the consultation process. • A Model Councillor Code of Conduct will drive consistency and transparency across the sector.
22	<p>The Minister for Local Government ensures that Local Government Victoria:</p> <ul style="list-style-type: none"> a) develops and publishes a Model Transparency Policy to specify the minimum standards for council openness and transparency b) ensures that the Model Governance Rules and Model Transparency Policy: <ul style="list-style-type: none"> i) highlight the importance of open government and the related risks in holding pre-council meetings ii) note the limited circumstances in which it may be appropriate to hold pre-council meetings immediately before a public council meeting, such as to discuss procedural arrangements for the meeting iii) makes clear that councillors must not discuss the substance of agenda items in detail, reach agreements on council agenda items in private, and that briefings should involve the presentation of information only 	Minister for Local Government	<p>Support in principle</p> <ul style="list-style-type: none"> • The government acknowledges the importance of transparent and open decision making by councils. • The <i>Local Government Act 2020</i> is a principles-based Act designed to support continuous improvement and innovation in council operations rather than basic compliance. • The government notes that, under the Act, Councils are required to adopt and maintain a Public Transparency Policy, which specifies what council information is made publicly available and how it can be accessed. • The government will consider options to support greater transparency and consistency in council decision making, including appropriate and effective guidance, in keeping with the principles-based approach of the Act. • This recommendation may be addressed in part through the implementation of Recommendation 19.

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	c) develops further guidance to explain to councillors why deliberation on an agenda item (not just voting) in public is important, particularly for planning matters.		
23	The Minister for Local Government ensures that the Model Governance Rules expressly prohibit voting en bloc in council meetings.	Minister for Local Government	<p>Support in principle</p> <ul style="list-style-type: none"> • The <i>Local Government Act 2020</i> is a principles-based Act designed to support continuous improvement and innovation in council operations rather than basic compliance. • The government notes that, under the Act, councils are required to develop Governance Rules which specify how their meetings are to be conducted. The ability for councils to determine how their own meetings will be conducted provides flexibility for councils to meet local community expectations and conditions. • The government will consider options to address the issues and risks identified by IBAC that relate to this recommendation, including appropriate and effective guidance, in keeping with the principles-based approach of the Act. • This recommendation may be addressed in part through the implementation of Recommendation 19.
24	The Minister for Local Government ensures that the Model Governance Rules require council meeting minutes to state: <ul style="list-style-type: none"> a) the names of councillors who spoke on each motion b) the names of councillors who voted for and against each motion (regardless of whether a division was called). 	Minister for Local Government	<p>Support in Principle</p> <ul style="list-style-type: none"> • The <i>Local Government Act 2020</i> is a principles-based Act designed to support continuous improvement and innovation in council operations rather than basic compliance. • The government notes that, under the Act, councils are required to develop Governance Rules which specify how their meetings are to be conducted. The ability for councils to determine how their own meetings will be conducted provides flexibility for councils to meet local community expectations and conditions. • The government will consider options to address the issues and risks identified by IBAC that relate to this

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			<p>recommendation, including appropriate and effective guidance, in keeping with the principles-based approach of the Act.</p> <ul style="list-style-type: none"> • This recommendation may be addressed through the implementation of Recommendation 19.
25	<p>The Minister for Local Government ensures that Local Government Victoria undertakes a review, and introduces related reforms, to ensure that councillor breaches of the conflict-of-interest provisions are addressed in a timely and effective manner.</p>	<p>Minister for Local Government</p>	<p>Support in principle</p> <ul style="list-style-type: none"> • The Chief Municipal Inspector (CMI) is responsible for investigating and prosecuting alleged breaches of the <i>Local Government Act 2020</i>, including in relation to conflicts of interest. The CMI can also bring an application for serious misconduct against a councillor for failing to disclose a conflict of interest. • The government will consider options to support an improved response to breaches of the legislative requirements in relation to conflicts of interest. • This recommendation may be addressed in part through the implementation of Recommendations 26-29 and 33.
26	<p>The Minister for Local Government ensures that the Model Governance Rules stipulate that:</p> <ol style="list-style-type: none"> a) council officer reports on local government planning matters be accompanied by: <ol style="list-style-type: none"> i) a schedule of reportable donations and other financial arrangements that parties have made or have with councillors (as discussed in Recommendation 7) ii) a statement of the interested parties that includes details of the parties affected by the motion before council, such as the names of personnel, company names and registered addresses b) councillors must acknowledge that they have read the schedule of reportable donations and other financial arrangements and the statement of 	<p>Minister for Local Government</p>	<p>Support in principle</p> <ul style="list-style-type: none"> • The <i>Local Government Act 2020</i> is a principles-based Act designed to support continuous improvement and innovation in council operations rather than basic compliance. • The government notes that, under the Act, councils are required to develop Governance Rules which specify how their meetings are to be conducted. The ability for councils to determine how their own meetings will be conducted provides flexibility for councils to meet local community expectations and conditions. • The government will consider options to address the issues and risks identified by IBAC that relate to this recommendation, including appropriate and effective guidance, in keeping with the principles-based approach of the Act.

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	involved parties before declaring whether they have a conflict of interest in the relevant agenda item for any local government planning matters.		<ul style="list-style-type: none"> This recommendation may be addressed in part through the implementation of Recommendations 11 and 19.
27	<p>The Minister for Local Government ensures that the Model Governance Rules (such as through an amendment to clause 18.3 of the draft rules):</p> <ol style="list-style-type: none"> a) provide a clear process for disclosing all conflicts of interest, including those that involve privacy matters. This process must set out: <ol style="list-style-type: none"> i) precisely what matters will be included in the declaration and public register ii) how declarations involving privacy matters will be recorded iii) how long records will be retained b) require councillors to disclose, in sufficient detail, the circumstances that give rise to a conflict of interest, including, but not limited to, the names of the people or entities associated with the conflict and their relationship to the councillor. 	Minister for Local Government	<p>Support in principle</p> <ul style="list-style-type: none"> The <i>Local Government Act 2020</i> is a principles-based Act designed to support continuous improvement and innovation in council operations rather than basic compliance. The government notes that, under the Act, councils are required to develop Governance Rules which specify how their meetings are to be conducted. The ability for councils to determine how their own meetings will be conducted provides flexibility for councils to meet local community expectations and conditions. The government will consider options to address the issues and risks identified by IBAC that relate to this recommendation, including appropriate and effective guidance, in keeping with the principles-based approach of the Act. This recommendation may be addressed through the implementation of Recommendation 19.
28	<p>The Minister for Local Government ensures that Local Government Victoria develops model conflict-of-interest training, and an associated strategy to ensure that its completion is enforceable, to consistently reinforce conflict-of-interest obligations across councils. The training should:</p> <ol style="list-style-type: none"> a) explain why a councillor cannot or should not participate in the decision-making process for a matter in which they have a conflict, during or outside council meetings b) ensure that councillors understand their obligation to: 	Minister for Local Government	<p>Support in principle</p> <ul style="list-style-type: none"> The government is considering legislative amendments for regular mandatory training for councillors and mayors to support the effective performance of these roles. Careful consideration will need to be given to making training mandatory in the broader context of democratic representation. This recommendation may be addressed through the implementation of Recommendations 18-20, 22, 24-27, 29 and 33. As part of the reforms announced in November 2023, the government will be engaging with the local government sector, the LGI and other key stakeholders on the

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	<ul style="list-style-type: none"> i) familiarise themselves with the parties who donate to any political, charitable or community interests with which the councillor has an involvement ii) assess whether those donations give rise to a conflict of interest for particular council matters iii) provide precise details of the nature of the conflict when declaring a conflict of interest. 		<p>development of regular mandatory training for councillors and mayors, prior to the introduction of proposed legislative amendments early next year. This will include consultation relating to training on conflicts of interest.</p> <ul style="list-style-type: none"> • If these amendments are successfully passed by the Parliament, the Government will continue to work closely with the sector, the LGI and stakeholders on the development and implementation of the mandatory training reforms, prior to the local government general elections in October 2024. This consultation will ensure regular mandatory training addresses the issues identified by IBAC and reflects the advice provided by stakeholders through the consultation process.
29	<p>The Minister for Local Government develops and introduces to Parliament amendments to the Local Government Act 2020 (Vic) to:</p> <ul style="list-style-type: none"> a) expressly prohibit councillors with a conflict of interest from attempting to influence other councillors (with reference to the Queensland provisions) b) specify an appropriate penalty for councillors who contravene this provision. 	Minister for Local Government	<p>Support in principle</p> <ul style="list-style-type: none"> • The government will consider options to make these matters more explicit, including through legislative amendments and / or guidance. • This recommendation may be addressed through the implementation of Recommendations 18-20, 22, 24-27, 29 and 33. • As part of reforms to the <i>Local Government Act 2020</i> announced in November 2023, the government will be engaging with the local government sector, the LGI and other key stakeholders on the development of regular mandatory training for councillors and mayors, prior to the introduction of proposed legislative amendments early next year. This will include consultation relating to training on conflicts of interest. • If these amendments are successfully passed by the Parliament, the government will continue to work closely with the sector, the LGI and stakeholders on the development and implementation of the mandatory training

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			reforms, prior to the local government general elections in October 2024. This consultation will ensure regular mandatory training addresses the issues identified by IBAC and reflects the advice provided by stakeholders through the consultation process.
30	The Minister for Local Government ensures that Local Government Victoria reviews the available sanctions for misconduct to ensure that the options provided are adequate and applied in an appropriate way. This includes, but is not limited to, ensuring that the option to direct that a councillor be ineligible to hold the position of mayor after a finding of misconduct can be applied in a way that is both proportional to the conduct and timebound.	Minister for Local Government	<p>Support in principle</p> <ul style="list-style-type: none"> • The government is considering legislative amendments to strengthen the councillor conduct framework, including in relation to the penalties for misconduct. • As part of these reforms, announced in November 2023, the government will be engaging with the local government sector, the LGI and other key stakeholders on strengthening the councillor conduct framework, prior to the introduction of proposed legislative amendments early next year. This will include consultation relating to the development of appropriate sanctions for misconduct. • If these amendments are successfully passed by the Parliament, the government will continue to work closely with the sector, the LGI and stakeholders on the development and implementation of reforms to the councillor conduct framework, prior to the local government general elections in October 2024. This consultation will ensure these reforms addresses the issues identified by IBAC and reflect the advice provided by stakeholders through the consultation process. • In addition, the government notes that the LGI is reviewing the Councillor Conduct Framework. The Government will consider the findings of this review to inform the implementation of this recommendation.
31	The Minister for Local Government ensures that Local Government Victoria includes in the Model Councillor Code of Conduct a clear statement that:	Minister for Local Government	Support in principle

Government response to the Independent Broad-based Anti-corruption Commission's Operation Sandon Special Report

	<p>a) council officers and members of the public may make a complaint to the Chief Municipal Inspector</p> <p>b) a CEO must notify IBAC under section 57 of the Independent Broad-based Anti-corruption Commission Act 2011 (Vic) if they suspect on reasonable grounds that a breach of the Model Councillor Code of Conduct involves corrupt conduct.</p>		<ul style="list-style-type: none"> • The government will consider these matters in the development of a mandatory Model Councillor Code of Conduct. • This recommendation will be addressed through the implementation of Recommendation 17. • As part of reforms to the <i>Local Government Act 2020</i> announced in November 2023, the Government will be engaging with the local government sector, the LGI and other key stakeholders on the development of a Model Councillor Code of Conduct prior to the introduction of proposed legislative amendments early next year. This will include consultation on clarifying options and obligations relating to complaints and notifications to the CMI. • If these amendments are successfully passed by the Parliament, the government will continue to work closely with the sector, the LGI and stakeholders on the development and implementation of regulations prior to the local government general elections in October 2024. This consultation will ensure the Model Councillor Code of addresses the issues identified by IBAC and reflects the advice provided by stakeholders through the consultation.
32	<p>The Minister for Local Government develops and introduces to Parliament amendments to the Local Government Act 2020 (Vic) to require that the Principal Councillor Conduct Registrar collate and publish data annually on:</p> <p>a) the internal arbitration process, including:</p> <ol style="list-style-type: none"> i) the number of applications received ii) the number of applications withdrawn iii) the nature of the issues raised iv) the outcome of completed arbitration processes 	Minister for Local Government	<p>Support in principle</p> <ul style="list-style-type: none"> • The government notes that the <i>Local Government Act 2020</i> requires councils to table a copy of an arbiter's and Councillor Conduct Panel's decision and statement of reasons at the next Council meeting after the Council received the copy of the decision and statement of reasons and recorded in the minutes. • The Local Government Performance Reporting Framework is reviewed annually. The 2024 review will consider how this data is best captured and reported taking into consideration legislative requirements in relation to confidentiality and privacy.

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	<p>v) the cost to the council of dealing with arbitrated matters, including staff costs</p> <p>b) councillor conduct panels, including:</p> <p>i) the number of applications received</p> <p>ii) the number of applications withdrawn</p> <p>iii) the nature of the issues raised</p> <p>iv) the outcome of completed panel processes</p> <p>v) the cost to the council of dealing with panel matters, including staff costs.</p>		
33	<p>The Premier ensures that the Taskforce identifies the most appropriate mechanism to support a council CEO in making a mandatory notification about serious misconduct. This includes suspected breaches of the conflict-of-interest provisions by councillors – in particular, breaches involving material conflicts of interest – noting that the Chief Municipal Inspector has the authority to apply to a councillor conduct panel or prosecute a councillor for misuse of position due to a conflict of interest, but is not currently authorised to receive a mandatory notification concerning a councillor from a CEO, under the <i>Public Interest Disclosure Act 2012</i> (Vic).</p>	<p>Minister for Local Government</p> <p>Attorney-General</p>	<p>Support in principle</p> <ul style="list-style-type: none"> • The government understands that this recommendation intends to establish a mandatory notification process for CEOs in relation to suspected councillor conflicts of interests to strengthen the oversight of conflicts of interest and the integrity of council decision-making. • The government will consider how this recommendation can be addressed to improve the oversight of conflicts of interest while ensuring that councillors rather than CEOs remain responsible for determining if they have a conflict of interest in a matter.
34	<p>The Minister for Local Government develops and introduces to Parliament amendments to the <i>Local Government Act 2020</i> (Vic), or amends relevant regulations, and institutes related enabling processes, to promote greater consistency and independent oversight of recruitment and employment of council CEOs by:</p> <p>a) mandating that councils use a standard employment contract for CEOs that:</p> <p>i) - covers, among other things, the role of the CEO, performance review and management,</p>	<p>Minister for Local Government</p>	<p>Support in principle</p> <ul style="list-style-type: none"> • The government understands that this recommendation intends to improve the consistency and transparency of council decisions in relation to the employment of a council CEO. • The government will consider options to achieve greater consistency in CEO employment matters across the sector in a way that acknowledges that currently the employment decisions in relation to a CEO are matters for councils. • In considering options, the government will work with the peak bodies for local government and the Local Government Inspectorate.

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	<p>and termination payment (including limits on such payments)</p> <p>ii) - bans non-disclosure agreements between councils and CEOs or former CEOs</p> <p>b) amending section 45 to require each council to establish a committee to determine matters relevant to the recruitment, employment and remuneration of the CEO. The committee must be chaired by an independent professional with executive experience in local or state government, and the majority of its members must be external to the council</p>		
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PARLIAMENT OF VICTORIA

Local Government Amendment (Governance and Integrity) Bill 2024

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PARLIAMENT OF VICTORIA

Introduced in the Assembly

**Local Government Amendment
(Governance and Integrity) Bill 2024**

A Bill for an Act to amend the **Local Government Act 2020** in relation to governance and integrity matters and to make other miscellaneous amendments, to amend the **Local Government Act 1989** to reflect machinery of government changes, to make consequential amendments to the **Victorian Civil and Administrative Tribunal Act 1998** and for other purposes.

The Parliament of Victoria enacts:

Part 1—Preliminary

1 Purposes

The purposes of this Act are—

- 5
- (a) to amend the **Local Government Act 2020**—
 - (i) to provide for ongoing mandatory training for Councillors and Mayors;
and

Local Government Amendment (Governance and Integrity) Bill 2024

Part 1—Preliminary

- 5
- (ii) to improve the Councillor conduct framework and clarify the responsibilities of Councillors; and
- (iii) to provide for the suspension and disqualification of individual Councillors in certain circumstances; and
- 10 (iv) to provide further powers to the Chief Municipal Inspector; and
- (v) to make other miscellaneous amendments to that Act; and
- (b) to amend the **Local Government Act 1989** to reflect machinery of government changes; and
- 15 (c) to make consequential amendments to the **Victorian Civil and Administrative Tribunal Act 1998**.

2 Commencement

- 20 (1) This Act, other than Division 2 of Part 2 and Part 4, comes into operation on the day after the day on which this Act receives the Royal Assent.
- (2) Division 2 of Part 2 and Part 4 come into operation on 26 October 2024.

3 Principal Act

- 25 In this Act, the **Local Government Act 2020** is called the Principal Act.

Local Government Amendment (Governance and Integrity) Bill 2024

Part 2—Amendment of Local Government Act 2020

Part 2—Amendment of Local Government Act 2020

Division 1—Amendment of Local Government Act 2020

5

4 Definitions

(1) In section 3(1) of the Principal Act, in the definition of *Department*, for "Jobs, Precincts and Regions" **substitute** "Government Services".

10

(2) In section 3(1) of the Principal Act, for the definition of *close of the roll* **substitute**—

"*close of the roll* means 4 p.m. on the day that is—

15

(a) 73 days before an election day occurring after 26 October 2024; or

(b) if the day determined under paragraph (a) is a public holiday, the last working day before that day;

Note

20

See also subsection (6) in relation to an election on 26 October 2024."

(3) After section 3(5) of the Principal Act **insert**—

25

"(6) For the purposes of an election held on the election day that is 26 October 2024, *close of the roll* means 4 p.m. on the day that is—

(a) 80 days before 26 October 2024; or

(b) if the day determined under paragraph (a) is a public holiday, the last working day before that day."

Local Government Amendment (Governance and Integrity) Bill 2024

Part 2—Amendment of Local Government Act 2020

5 Electoral structure review

After section 16(3) of the Principal Act **insert**—

5 "(3A) Subject to this section, the Minister may by instrument appoint any person, on the terms and conditions specified in the instrument, to be a member of an electoral representation advisory panel."

6 Qualification to be a Councillor

10 (1) In section 34(1)(d) of the Principal Act, after "subsection (2)" **insert** "or (2A)".

(2) For section 34(2)(i) of the Principal Act **substitute**—

"(i) is the subject of an Order under section 34A; or".

15 (3) After section 34(2) of the Principal Act **insert**—

20 "(2A) If more than one adverse decision is made against a person within a period of 8 years, the person is not qualified to be a Councillor of a Council for the period of 4 years from the day on which the second adverse decision is made."

(4) After section 34(3) of the Principal Act **insert**—

25 "(4) In this section—

adverse decision means—

(a) a suspension under section 229A; or

(b) a finding of serious misconduct under section 167."

Local Government Amendment (Governance and Integrity) Bill 2024

Part 2—Amendment of Local Government Act 2020

7 New section 34A inserted

After section 34 of the Principal Act **insert—**

"34A Disqualification by Governor in Council

- 5 (1) On the recommendation of the Minister, the Governor in Council, by Order, may disqualify a person from being a Councillor for the specified period if—
- 10 (a) the person was a Councillor during the term of office of a Council that was dismissed under an Act; and
- 15 (b) while the person was a Councillor or at any later time, a Municipal Monitor or a Commission of Inquiry provided a report to the Minister stating that the person—
- 20 (i) was creating a serious risk to the health and safety of Councillors or members of Council staff; or
- (ii) in the person's capacity as a Councillor, was creating a serious risk to the health and safety of other persons; or
- 25 (iii) was preventing the Council from performing its functions.
- (2) For the purposes of subsection (1), the specified period is 8 years from the day on which the Council of which the person was a Councillor was dismissed.
- 30 (3) If the Minister intends to make a recommendation under subsection (1), the Minister must—
- (a) notify the person of that intention in writing; and

Local Government Amendment (Governance and Integrity) Bill 2024

Part 2—Amendment of Local Government Act 2020

- 5
- (b) consider any response provided by the person within 10 business days.
 - (4) If an Order is made under subsection (1), the Minister must provide a copy of the Order to the person disqualified and to the current Council.
 - (5) A copy of an Order given to a Council under subsection (4) must be tabled at and recorded in the minutes of the next Council meeting."

10 **8 Suspension of Councillor**

At the end of section 37 of the Principal Act
insert—

- 15 "(2) If a Councillor is suspended under this Act, the following are also suspended for the duration of the Councillor's suspension—
- 20 (a) the examination by the Principal Councillor Conduct Registrar of—
 - 25 (i) any application made under section 143 in relation to alleged misconduct by the Councillor; and
 - (ii) any application made under section 154 in relation to alleged serious misconduct by the Councillor;
 - 30 (b) any internal arbitration process relating to alleged misconduct by the Councillor, including the making of any finding against the Councillor or the imposition of any sanctions on the Councillor under section 147;

Local Government Amendment (Governance and Integrity) Bill 2024

Part 2—Amendment of Local Government Act 2020

- 5 (c) the consideration, hearing or determination by a Councillor Conduct Panel of any application made under section 154 in relation to alleged serious misconduct by the Councillor.
- (3) Subsection (2) does not prevent—
- 10 (a) the making of an application under section 143 or 154 against the Councillor; or
- (b) the withdrawal of an application made under section 143 or 154 against the Councillor; or
- 15 (c) the Chief Municipal Inspector, by notice under section 166, stopping consideration of a matter the subject of an application against the Councillor."

9 Functions of the Chief Executive Officer

In section 46(4B) of the Principal Act, for "**2020**" substitute "**2020**".

20 **10 Restriction on power to sell or exchange land**

- (1) In the heading to section 114 of the Principal Act, for "**or exchange**" substitute "**, exchange or transfer without consideration**".
- 25 (2) For section 114(1) of the Principal Act substitute—
- "(1) Except where section 116 applies, a Council must comply with this section if the Council—
- 30 (a) sells land; or
- (b) exchanges land; or
- (c) transfers land without consideration; or
- (d) transfers land for a nominal amount."
-

Local Government Amendment (Governance and Integrity) Bill 2024

Part 2—Amendment of Local Government Act 2020

(3) In section 114(2) of the Principal Act—

- (a) for "selling or exchanging the land" (where first occurring) **substitute** "dealing with land in a manner described in subsection (1)";
- (b) for "selling or exchanging" (where secondly occurring) **substitute** "dealing with";
- (c) for "to the sale or exchange" **substitute** "to dealing with the land".

11 New section 147AA inserted

After section 147 of the Principal Act **insert—**

"147AA Suspension of matters during election period

- (1) Applications made and internal arbitration processes conducted under this Division must be suspended during the election period for a general election.
- (2) If an application is made for an internal arbitration process to make a finding of misconduct against a person who is a Councillor before a general election, and the person is not returned to the office of Councillor as a result of the general election, the application lapses.
- (3) If an application is made for an internal arbitration process to make a finding of misconduct against a person who is a Councillor before a general election, and the person is returned to the office of Councillor as a result of the general election—
 - (a) the suspension of the application ends; and

Local Government Amendment (Governance and Integrity) Bill 2024

Part 2—Amendment of Local Government Act 2020

5 (b) the application must be dealt with under this Division whether or not any applicant who is a Councillor before the general election is returned to the office of Councillor as a result of the general election."

12 Functions and powers of the Principal Councillor Conduct Registrar

10 For section 149(3) of the Principal Act **substitute—**

"(3) Without limiting subsection (2), the Principal Councillor Conduct Registrar may do any of the following—

15 (a) request information from a Council that the Principal Councillor Conduct Registrar considers necessary to make a determination under section 155(1)(c);

20 (b) disclose information regarding a matter being considered by a Councillor Conduct Panel to a Municipal Monitor or a Commission of Inquiry for the purposes of section 181D(3) or 220A(4)."

13 New section 149A inserted

25 After section 149 of the Principal Act **insert—**

"149A Delegation by Principal Councillor Conduct Registrar

30 The Principal Councillor Conduct Registrar, by instrument, may delegate to any person employed under Part 3 of the **Public Administration Act 2004** any function or power of the Principal Councillor Conduct Registrar under this Act, other than this power of delegation."

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14 Dissolution of Councillor Conduct Panels

After section 164(c) of the Principal Act **insert**—

5 "(ca) the Minister has stopped the consideration of
 the matter by the Councillor Conduct
 Panel;"

15 New section 166A inserted

After section 166 of the Principal Act **insert**—

10 "**166A Matter already dealt with by Municipal
 Monitor or Commission of Inquiry**

The Minister, by written notice, may require
a Councillor Conduct Panel to stop the
consideration of a matter if—

- 15 (a) the Minister receives a notice referred
 to in section 181D(3) or 220A(4); and
- (b) the notice indicates that the Councillor
 Conduct Panel is considering the
 matter; and
- (c) the Minister intends to suspend a
 Councillor under section 229A; and
- 20 (d) the Councillor is the subject of the
 application for which the Councillor
 Conduct Panel was formed."

16 Application for compliance exemption

25 In section 177(1) of the Principal Act, for
 "under this Act or the regulations" **substitute**
 "in the regulations (including any regulations
 made under the **City of Melbourne Act 2001**)".

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17 Municipal Monitor

After section 179(3) of the Principal Act **insert**—

- 5 "(4) The Council must provide a Municipal Monitor with any assistance reasonably necessary to enable the Municipal Monitor to perform the functions set out in section 180."

18 Functions of a Municipal Monitor

After section 180(c) of the Principal Act **insert**—

- 10 "(ca) to report to the Minister on any Councillor who—
- (i) is creating a serious risk to the health and safety of Councillors or members of Council staff; or
- 15 (ii) in the Councillor's capacity as a Councillor, is creating a serious risk to the health and safety of other persons; or
- (iii) is preventing the Council from performing its functions;"
- 20

19 New sections 181A to 181E inserted

After section 181 of the Principal Act **insert**—

"181A Provision of information requested by Municipal Monitor

- 25 (1) If a Municipal Monitor requests information from a person, the person may comply with the request despite any other enactment that—
- 30 (a) prohibits the person from providing the information; or
- (b) imposes a duty of confidentiality on the person with respect to the information.

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- 5 (2) A person who has provided information to a Municipal Monitor on request is not subject to any criminal, civil, administrative or disciplinary proceeding only because the person complied with the request.

181B Information provided to Municipal Monitor

- 10 (1) Information to which client legal privilege applies does not cease to be the subject of client legal privilege only because it is provided to a Municipal Monitor.
- 15 (2) A Municipal Monitor must not disclose information provided to the Municipal Monitor and to which client legal privilege applies except in accordance with subsection (3).
- 20 (3) A Municipal Monitor may disclose information provided to the Municipal Monitor and to which client legal privilege applies if the disclosure is to the Minister or to an integrity body within the meaning of the **Independent Broad-based Anti-corruption Commission Act 2011**.

181C Adverse findings

- 25 (1) If a Municipal Monitor proposes to include in a report to the Minister (other than a report under section 226) a finding that is adverse to a person, the Municipal Monitor must provide the person with—
- 30 (a) details of the proposed finding; and
(b) an opportunity to respond to the proposed finding in writing.

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- 5
- (2) A Municipal Monitor must consider any response under subsection (1)(b) before including the proposed finding in a report to the Minister.
- 10
- (3) If a Municipal Monitor includes in a report to the Minister a finding that is adverse to a person, the Municipal Monitor must fairly set out any response under subsection (1)(b) in the report.
- 15
- 181D Further requirements for certain findings**
- (1) If a report to the Minister (other than a report under section 226) is to include a finding specified in subsection (2), the Municipal Monitor must provide an advance copy of the report to the Principal Councillor Conduct Registrar.
- 20
- (2) For the purposes of subsection (1), the specified findings are the following—
- (a) that a Councillor is creating a serious risk to the health and safety of Councillors or members of Council staff;
- 25
- (b) that a Councillor, in their capacity as a Councillor, is creating a serious risk to the health and safety of other persons;
- (c) that a Councillor is preventing the Council from performing its functions.
- 30
- (3) The Principal Councillor Conduct Registrar, as soon as practicable after receiving a report under subsection (1), must give written notice to the Municipal Monitor of any matter that—
- (a) is being considered by a Councillor Conduct Panel; and
-

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(b) appears to be dealt with in the report by the Municipal Monitor.

5 (4) If a Municipal Monitor receives written notice under subsection (3), the Municipal Monitor must ensure that the report given to the Minister is accompanied by a copy of that notice.

181E Immunity of Municipal Monitor

10 (1) A Municipal Monitor is not personally liable for anything done or omitted to be done in good faith—

(a) in the exercise of a power or the discharge of a duty under this Act; or

15 (b) in the reasonable belief that the act or omission was in the exercise of a power or the discharge of a duty under this Act.

20 (2) Any liability resulting from an act or omission that would, but for subsection (1), attach to a Municipal Monitor attaches instead to the Council."

20 New section 183A inserted

After section 183 of the Principal Act insert—

"183A Advice to Ministers

25 (1) The Chief Municipal Inspector, in connection with performing functions under this Act, may provide advice in relation to a Council to any Minister responsible for administering a provision of this Act.

30 (2) A Minister who receives advice in relation to a Council under subsection (1) may have regard to that advice in administering a provision of this Act or any other Act in relation to that Council."

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21 New sections 199AA to 199AAC inserted

After section 199 of the Principal Act **insert—**

"199AA Chief Municipal Inspector may report to Parliament

- 5 (1) The Chief Municipal Inspector may cause to be transmitted to each House of the Parliament a report on the examination or investigation of—
- 10 (a) any matter relating to a Council's operations or to Council elections or electoral matters; or
- (b) any possible breach of this Act.
- 15 (2) If the Chief Municipal Inspector proposes to include in a report under subsection (1) a comment or opinion that is adverse to any person, the Chief Municipal Inspector must—
- 20 (a) provide the person with a reasonable opportunity to respond to the adverse comment or opinion; and
- (b) fairly set out each element of the response in the report.
- 25 (3) The Chief Municipal Inspector must not include in a report under subsection (1) any information that—
- 30 (a) would prejudice a criminal proceeding or any other proceeding; or
- (b) would prejudice an investigation by the IBAC, the Ombudsman or the Victorian Inspectorate; or
- (c) would identify a person who is not the subject of an adverse comment or opinion of the Chief Municipal Inspector, unless the Chief Municipal
-

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Inspector considers that it is in the public interest to do so; or

(d) is likely to lead to the identification of a person who has made an assessable disclosure.

5

(4) If the Chief Municipal Inspector proposes to transmit a report under subsection (1), the Chief Municipal Inspector must ensure that, at least one business day before the report is so transmitted, each of the following persons receives an advance copy of the report—

10

(a) the Secretary;

(b) the Minister;

(c) any other Minister with responsibilities that relate to the subject matter of the report.

15

199AAB Tabling of report to Parliament

(1) If the Chief Municipal Inspector proposes transmission of a report under section 199AA when neither House of the Parliament is sitting, the Chief Municipal Inspector must—

20

(a) provide at least one business day's notice of the proposal to the clerk of each House; and

25

(b) provide the report to the clerk of each House on the day specified in the notice.

(2) The clerk of each House of the Parliament must—

30

(a) on the same day that the clerk receives a notice under subsection (1)(a), notify each member of the House of that notice; and

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- 5 (b) as soon as practicable after the clerk receives a report under subsection (1)(b), make copies of the report available for each member of the House; and
 - (c) cause the report to be tabled in the House on the next sitting day of the House.
 - 10 (3) A report provided to the clerk of a House under subsection (1)(b) is taken to have been published by order, or under the authority, of the Parliament.
 - 15 (4) The publication of a report under this section is absolutely privileged and the provisions of sections 73 and 74 of the **Constitution Act 1975** and any other enactment or rule of law relating to the publication of the proceedings of Parliament apply to and in relation to that publication as if—
 - 20 (a) it were a document to which those sections applied; and
 - (b) it had been published by the Government Printer under the authority of the Parliament.
 - 25 **199AAC Infringements**
 - (1) The Chief Municipal Inspector may serve an infringement notice on any person whom the Chief Municipal Inspector reasonably believes has committed an offence against this Act or the regulations that is prescribed for the purposes of this subsection.
 - 30 (2) An offence referred to in subsection (1) for which an infringement notice may be served is an infringement offence within the meaning of the **Infringements Act 2006**.
 - 35
-

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- (3) The infringement penalty for an offence referred to in subsection (1) is the prescribed infringement penalty."

22 Appointment of Commission of Inquiry

5 Section 200(3) of the Principal Act is **repealed**.

23 Services to support Commission of Inquiry

In section 202(1) of the Principal Act, after "any" **insert** "persons, including".

24 Power to serve a written notice

10 After section 206(1) of the Principal Act **insert**—

"(1A) A person on whom a written notice is served may make a claim to the Commission of Inquiry that the person has a reasonable excuse not to comply with the notice.

15 (1B) Without limiting what may be a reasonable excuse for the purposes of subsection (1A), a person has a reasonable excuse not to comply with a written notice if—

20 (a) the person is an individual and compliance might tend to incriminate the person or make the person liable to a penalty in relation to—

25 (i) an offence with which the person has been charged and for which a proceeding is on foot; or

(ii) a proceeding that is on foot for the imposition or recovery of a penalty; or

(b) the information requested is—

30 (i) subject to parliamentary privilege or public interest immunity; or

(ii) prohibited from disclosure by a court order.

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- 5 (1C) A person does not have a reasonable excuse not to comply with a written notice only because—
- (a) the information requested is the subject of client legal privilege; or
- (b) another enactment—
- 10 (i) prohibits the person from providing the information; or
- (ii) imposes a duty of confidentiality on the person with respect to the information.
- 15 (1D) If a Commission of Inquiry is satisfied of a reasonable excuse not to comply with a written notice, the Commission of Inquiry, by further written notice, may vary or revoke the initial written notice.
- 20 (1E) Information to which client legal privilege applies does not cease to be the subject of client legal privilege only because it is provided to a Commission of Inquiry in response to a written notice.
- 25 (1F) A person who has provided information to a Commission of Inquiry in response to a written notice cannot be subject to any criminal, civil, administrative or disciplinary proceeding only because the person complied with the notice."

25 Restriction on publication of information relating to inquiries

30 In section 212(1)(b) of the Principal Act, after "given to" **insert** "or produced by".

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26 New section 220A inserted

After section 220 of the Principal Act **insert—**

"220A Report of Commission of Inquiry

- 5 (1) A Commission of Inquiry must provide a written report to the Minister by the date specified by the Minister.
- 10 (2) A report under subsection (1) may include a finding that a Councillor—
- 15 (a) is creating a serious risk to the health and safety of Councillors or members of Council staff; or
 - (b) in the Councillor's capacity as a Councillor, is creating a serious risk to the health and safety of other persons; or
 - (c) is preventing the Council from performing its functions.
- 20 (3) If a report under subsection (1) is to include a finding specified in subsection (2), the Commission of Inquiry must provide an advance copy of the report to the Principal Councillor Conduct Registrar.
- 25 (4) The Principal Councillor Conduct Registrar, as soon as practicable after receiving a report under subsection (3), must give written notice to the Commission of Inquiry of any matter that—
- 30 (a) is being considered by a Councillor Conduct Panel; and
 - (b) appears to be dealt with in the report by the Commission of Inquiry.

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- 5 (5) If a Commission of Inquiry receives written notice under subsection (4), the Commission of Inquiry must ensure that its report under subsection (1) is accompanied by a copy of that notice."

27 Tabling of report of Commission of Inquiry

- 10 (1) In section 221 of the Principal Act, for "section 200(3)" **substitute** "section 220A".
- 10 (2) At the end of section 221 of the Principal Act **insert—**
- 15 "(2) If the Minister proposes tabling of a report under subsection (1) when neither House of the Parliament is sitting, the Minister must—
- 15 (a) provide at least one business day's notice of the proposal to the clerk of each House; and
- 20 (b) provide the report to the clerk of each House on the day specified in the notice.
- 20 (3) The clerk of each House of the Parliament must—
- 25 (a) on the same day that the clerk receives a notice under subsection (2)(a), notify each member of the House of that notice; and
- 30 (b) as soon as practicable after the clerk receives a report under subsection (2)(b), make copies of the report available for each member of the House; and
- (c) cause the report to be tabled in the House on the next sitting day of the House.
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- 5 (4) A report provided to the clerk of a House under subsection (2)(b) is taken to have been published by order, or under the authority, of the Parliament.
- 10 (5) The publication of a report under this section is absolutely privileged and the provisions of sections 73 and 74 of the **Constitution Act 1975** and any other enactment or rule of law relating to the publication of the proceedings of Parliament apply to and in relation to that publication as if—
- 15 (a) it were a document to which those sections applied; and
- (b) it had been published by the Government Printer under the authority of the Parliament."

28 Councillor may be ordered to stand down

In section 228(2)(b) of the Principal Act, for "under section 226" **substitute** "under this Part".

20 **29 Heading to Division 6A of Part 7 substituted**

For the heading to Division 6A of Part 7 of the Principal Act **substitute**—

"Division 6A—Standing down of Councillor charged with offence".

25 **30 Standing down of Councillor by VCAT**

For section 229 of the Principal Act **substitute**—

"229 Standing down of Councillor charged with offence

- 30 (1) If a Councillor is charged with an offence specified in subsection (2), the Councillor is stood down until an outcome specified in subsection (5) occurs.
-

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- (2) For the purposes of subsection (1), the specified offences are the following—
 - (a) an offence against this Act for which the maximum penalty is at least 120 penalty units or a period of imprisonment of at least 12 months;
 - (b) an offence against a law of Victoria, or a law of another State, a Territory or the Commonwealth, that is punishable by a period of imprisonment of at least 2 years for a first conviction.
 - (3) If a Councillor is stood down under subsection (1), the Councillor—
 - (a) must give written notice of that fact to the Chief Executive Officer of the Council immediately on becoming aware of that fact; and
 - (b) must not perform the functions and duties or exercise the powers of a Councillor; and
 - (c) must not attend any meetings of the Council, any delegated committee meetings or any Council premises.
 - (4) If a Councillor is stood down under subsection (1), their allowance must be withheld.
 - (5) A Councillor is no longer stood down under subsection (1) if—
 - (a) the charge is withdrawn; or
 - (b) all proceedings in respect of the charge (including any appeal) are finally determined.
-

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- 5 (6) A Councillor who is no longer stood down under subsection (1) is entitled to their allowance, including any allowance previously withheld under subsection (4), unless the Councillor is convicted of the offence."

31 New sections 229A and 229B inserted

Before section 230 of the Principal Act **insert—**

"229A Suspension of individual Councillors

- 10 (1) Subject to subsection (2), the Minister may suspend a Councillor for a period not exceeding 12 months if—
- 15 (a) a Municipal Monitor or a Commission of Inquiry has provided a report to the Minister stating that the Councillor—
- 20 (i) is creating a serious risk to the health and safety of Councillors or members of Council staff; or
- (ii) in the Councillor's capacity as a Councillor, is creating a serious risk to the health and safety of other persons; or
- 25 (iii) is preventing the Council from performing its functions; and
- (b) the Minister is satisfied that the Councillor—
- 30 (i) is creating a serious risk to the health and safety of Councillors or members of Council staff; or
- (ii) in the Councillor's capacity as a Councillor, is creating a serious risk to the health and safety of other persons; or
-

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- (iii) is preventing the Council from performing its functions; and
 - (c) the Minister is satisfied that—
 - (i) the Councillor has not been the subject of a determination under section 167 in respect of conduct specified in the report; and
 - (ii) no Councillor Conduct Panel is considering a matter that is dealt with in the report.
 - (2) If the Minister intends to suspend a Councillor under subsection (1), the Minister must—
 - (a) notify the Councillor of that intention in writing; and
 - (b) consider any response provided by the Councillor within 10 business days.
 - (3) If the Minister suspends a Councillor under subsection (1), the Minister must provide a copy of the decision to the Councillor and to the Council.
 - (4) A copy of a decision given to a Council under subsection (3) must be tabled at and recorded in the minutes of the next Council meeting.
- 229B Ineligibility following suspension**
- A Councillor suspended under section 229A is, for the remainder of the Council's term, ineligible to do the following—
- (a) hold the office of Mayor or Deputy Mayor;
 - (b) chair a delegated committee of the Council."
-

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Part 2—Amendment of Local Government Act 2020

32 Restructuring advisory panels

After section 239(1) of the Principal Act **insert**—

5 "(1A) The Minister may by instrument appoint any person, on the terms and conditions specified in the instrument, to be a member of a restructuring advisory panel."

33 Return by candidate

(1) At the foot of section 306(1) of the Principal Act **insert**—

10 "Penalty: 60 penalty units."

(2) Section 306(6)(a) of the Principal Act is **repealed**.

34 New section 330C inserted

After section 330B of the Principal Act **insert**—

15 "**330C Transitional provision—Local Government Amendment (Governance and Integrity) Act 2024—suspension of matters during election period**

20 Section 147AA, as inserted by section 11 of the **Local Government Amendment (Governance and Integrity) Act 2024**, applies with respect to an application made or an internal arbitration process conducted before the commencement of section 11 of the **Local Government Amendment (Governance and Integrity) Act 2024** as if
25 section 147AA were in operation at the time the application was made or the internal arbitration process was conducted."

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Part 2—Amendment of Local Government Act 2020

Division 2—Further amendment of Local Government Act 2020

35 Definitions

- 5 (1) In section 3(1) of the Principal Act **insert** the following definitions—
- "**Councillor induction training** means the training specified in section 32;
- Mayoral training** means the training specified in section 27A;
- 10 **professional development training** means the training specified in section 33A;"
- (2) In section 3(1) of the Principal Act—
- (a) **insert** the following definition—
- 15 "**Model Councillor Code of Conduct** means the Code of Conduct prescribed in accordance with section 139;"
- (b) in the definition of **misconduct**, for "standards of conduct" **substitute** "Model Councillor Code of Conduct";
- 20 (c) the definitions of **Councillor Code of Conduct** and **standards of conduct** are **repealed**.

36 Role of the Mayor

- 25 (1) For section 18(1)(e) of the Principal Act **substitute**—
- "(e) promote behaviour among Councillors that is consistent with the Model Councillor Code of Conduct; and"

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(2) After section 18(2) of the Principal Act **insert**—

"(3) To avoid doubt, reasonable steps taken by a Mayor carried out in a reasonable manner to perform their role in accordance with subsection (1)(e) or (f) is not bullying."

5

37 When does the office of Mayor become vacant?

In section 20(e) of the Principal Act, after "decision by" **insert** "an arbiter or".

38 When does the office of Deputy Mayor become vacant?

10

In section 22(f) of the Principal Act, after "decision by" **insert** "an arbiter or".

39 Election of Mayor

In section 25(2) of the Principal Act, for "section 167" **substitute** "sections 147 and 167".

15

40 New Division 4A of Part 2 inserted

After Division 4 of Part 2 of the Principal Act **insert**—

"Division 4A—Mayoral training

20

27A Mayoral training

(1) A Mayor and any Deputy Mayor or Acting Mayor must complete Mayoral training—

(a) in the case of the Mayor or a Deputy Mayor, within one month after their election as Mayor or Deputy Mayor; or

25

(b) in the case of an Acting Mayor, within one month of their appointment.

(2) Subsection (1) applies whether or not the Mayor, Deputy Mayor or Acting Mayor has been re-elected or ever held the office before.

30

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- 5
- (3) Despite subsection (1), an Acting Mayor is not required to complete Mayoral training if—
- (a) their appointment as Acting Mayor is for less than one month; or
- (b) at any time in the preceding 12 months they have completed Mayoral training.
- 10
- (4) A Mayor, Deputy Mayor or Acting Mayor (as the case requires) must make a written declaration before the Chief Executive Officer after completing Mayoral training that—
- 15
- (a) states that the Mayor, Deputy Mayor or Acting Mayor has completed the training; and
- (b) is dated and signed.
- (5) The Chief Executive Officer must—
- 20
- (a) ensure that the Mayoral training is available to be taken within the relevant period specified in subsection (1) for a Mayor, Deputy Mayor or Acting Mayor; and
- 25
- (b) provide reasonable assistance to a Mayor, Deputy Mayor or Acting Mayor to enable them to access the Mayoral training.
- (6) The Mayoral training must be conducted in the prescribed manner and address any prescribed matters.
- 30
- 27B Failure to take Mayoral training and make declaration**
- (1) If a Mayor, Deputy Mayor or Acting Mayor (as the case requires) fails to take or complete the Mayoral training and make a
-

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written declaration, the allowance of the Mayor, Deputy Mayor or Acting Mayor is withheld until they have—

- 5
- (a) completed the training as required by section 27A(1); and
 - (b) made the written declaration as required by section 27A(4).
- 10
- (2) A Mayor, Deputy Mayor or Acting Mayor (as the case requires) is entitled to receive any allowance that is withheld under subsection (1) after the Mayor, Deputy Mayor or Acting Mayor—
- (a) takes or completes the Mayoral training; and
 - 15 (b) makes a written declaration as required by section 27A(4)."

41 Role of a Councillor

- (1) In section 28(1) of the Principal Act—
- 20 (a) for "Councillor is" **substitute** "Councillor in representing their municipal community includes the following";
 - (b) in paragraphs (a) and (b) **omit** "and".
- (2) In section 28(2)(e) of the Principal Act, for
- 25 "standards of conduct" **substitute** "Model Councillor Code of Conduct".

42 Councillor induction training

- (1) In section 32(1) of the Principal Act, for
- "6 months" **substitute** "4 months".
- (2) After section 32(4) of the Principal Act **insert**—
- 30 "(4A) If a Councillor is unable to take or complete Councillor induction training because of a leave of absence, the Councillor must take or

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complete the training within one month after returning from leave."

43 New sections 33A and 33B inserted

After section 33 of the Principal Act **insert**—

5

"33A Regular professional development training of Councillors

10

(1) A Councillor must complete professional development training annually to ensure that the Councillor understands their role and responsibilities.

15

(2) Subsection (1) applies—

(a) to each Councillor elected at a general election; and

(b) to any Councillor elected to fill an extraordinary vacancy; and

(c) whether or not the Councillor has been re-elected or ever been a Councillor before.

20

(3) For the purposes of complying with subsection (1), a Councillor—

(a) elected at a general election must undertake professional development training—

25

(i) at least once each year of their term beginning in the first full calendar year after the Councillor is elected; and

30

(ii) within the prescribed period, or by the prescribed day, in each year of their term beginning in the first full calendar year after the Councillor is elected; and

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- 5
- (b) elected to fill an extraordinary vacancy must undertake professional development training—
- (i) at least once each year of their term beginning in the first full calendar year after the Councillor is elected; and
- 10
- (ii) within the prescribed period, or by the prescribed day, in each year of their term beginning the year after the year the Councillor completes Councillor induction training.
- 15
- (4) A Councillor must make a written declaration before the Chief Executive Officer after completing the professional development training that—
- (a) states that the Councillor has completed the professional development training; and
- 20
- (b) is dated and signed.
- (5) For the purposes of subsection (1), the Chief Executive Officer must—
- 25
- (a) ensure that the professional development training is available to be undertaken annually within the period, or by the day, prescribed for the purposes of subsection (3); and
- (b) provide reasonable assistance to a Councillor to enable them to access the professional development training.
- 30
- (6) If a Councillor is unable to take or complete professional development training because of a leave of absence, the Councillor must take or complete the training within one month after returning from leave.
- 35
-

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- (7) The professional development training must be conducted in the prescribed manner and address any prescribed matters.

33B Failure to take professional development training and make declaration

5

- (1) If a Councillor fails to take or complete the professional development training and make a written declaration, the Councillor's allowance is withheld until the Councillor has—

10

(a) completed the training as required by section 33A; and

(b) made the written declaration as required by section 33A(4).

15

- (2) A Councillor is entitled to receive any allowance that is withheld under subsection (1) after the Councillor—

(a) takes or completes the professional development training; and

20

(b) makes a written declaration as required by section 33A(4)."

44 Suspension of Councillor

In section 37(3)(c) of the Principal Act, for "section 166" **substitute** "section 146A or 166".

25

45 Indemnity provision

- (1) For the heading to section 43 of the Principal Act **substitute**—

"Indemnity for Councillors—general".

30

- (2) In section 43 of the Principal Act, for "A Council" **substitute** "Subject to section 43A, a Council".
-

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46 New section 43A inserted

After section 43 of the Principal Act **insert—**

"43A Indemnity for Councillors—legal costs

- 5 (1) Subject to subsection (2), a Council must not indemnify a Councillor for legal costs incurred by the Councillor as a result of—
- (a) an application made under section 143 or 154; or
 - 10 (b) a process or proceeding relating to—
 - 10 (i) an application made under section 143 or 154; or
 - (ii) a decision or determination made under section 147 or 167.
- 15 (2) A Council may indemnify a Councillor for costs incurred by the Councillor to obtain representation considered necessary under section 141(2)(c) or 163(2)(b).".

47 New Division 9 of Part 2 inserted

After Division 8 of Part 2 of the Principal Act **insert—**

"Division 9—Council policies relating to good governance

54A Council required to develop, adopt and maintain policies relating to good governance

25 A Council must develop, adopt and maintain policies in relation to good governance on any prescribed matters to support a Councillor to perform their role in accordance with section 28.".

30

Local Government Amendment (Governance and Integrity) Bill 2024

Part 2—Amendment of Local Government Act 2020

48 Public access to summary of personal interests

For section 135(3)(a) of the Principal Act
substitute—

- 5 "(a) publish the summary of personal interests on
the Council's Internet site within 45 days
after the following—
- (i) an initial personal interests return is due
to be lodged;
 - 10 (ii) a biannual personal interests return is
due to be lodged; and".

49 Sections 139 and 140 substituted

For sections 139 and 140 of the Principal Act
substitute—

"139 Model Councillor Code of Conduct

- 15 (1) Councillors must observe the Model
Councillor Code of Conduct.
- 20 (2) The purpose of the Model Councillor Code
of Conduct is to include the standards of
conduct expected to be observed by
Councillors in the course of performing their
duties and functions as Councillors,
including prohibiting discrimination,
harassment (including sexual harassment)
and vilification.
- 25 (3) The Model Councillor Code of Conduct
must—
- (a) be prescribed; and
 - (b) include—
 - 30 (i) standards of conduct to be
observed by Councillors; and
 - (ii) matters directed at ensuring
consistent standards of behaviour
are observed across Councils.
-

Local Government Amendment (Governance and Integrity) Bill 2024

Part 2—Amendment of Local Government Act 2020

- (4) A Council must publish the prescribed Model Councillor Code of Conduct on its Internet site.

140 Council required to implement prescribed procedures

5

For the purposes of ensuring good governance and standards of conduct are observed and maintained by a Council, the Council must implement and adopt any prescribed procedures in relation to dealing with alleged breaches of the Model Councillor Code of Conduct."

10

50 Internal arbitration process

15

In section 141(1) of the Principal Act, for "standards of conduct" **substitute** "Model Councillor Code of Conduct".

51 Application for an internal arbitration process

- (1) After section 143(3) of the Principal Act **insert**—

20

"(3A) For the purposes of subsection (3), an application under this section is made when it is received by the Principal Councillor Conduct Registrar."

- (2) After section 143(4) of the Principal Act **insert**—

25

"(5) If an application is made under this section by the Council or a group of Councillors, the application must state the name and address of the Councillor whom the Council or the group of Councillors has appointed as representative of the Council or the group of Councillors."

30

Local Government Amendment (Governance and Integrity) Bill 2024

Part 2—Amendment of Local Government Act 2020

52 Principal Councillor Conduct Registrar must examine application

(1) Before section 144(1) of the Principal Act **insert—**

5 "(1AA) Subject to section 144A, the Principal Councillor Conduct Registrar must examine an application made under section 143."

(2) In section 144(1) of the Principal Act—

10 (a) for "The Principal" **substitute** "Subject to subsections (1A) and (1B), the Principal";

(b) in paragraph (b)—

 (i) before "Councillor Code" **insert** "Model";

15 (ii) for "application." **substitute** "application; and";

(c) after paragraph (b) **insert—**

 "(c) the Council—

20 (i) has taken sufficient or appropriate steps to resolve the matter and the matter remains unresolved; or

 (ii) has not taken any steps to resolve the matter but the reason for that is adequate."

(3) After section 144(1) of the Principal Act **insert—**

25 "(1A) If the Principal Councillor Conduct Registrar is satisfied as to the matters specified in subsection (1) in respect of an application returned by an arbiter under section 144A(2)(b), the Principal Councillor
30 Conduct Registrar must appoint a different arbiter to hear the application.

Local Government Amendment (Governance and Integrity) Bill 2024

Part 2—Amendment of Local Government Act 2020

5 (1B) If the Principal Councillor Conduct Registrar is satisfied that the matter the subject of an application has been or is being dealt with, or would more appropriately be dealt with, by the Council or another person or body (including an arbiter already appointed or a Councillor Conduct Panel already formed), the Principal Councillor Conduct Registrar may—

- 10 (a) reject the application; or
(b) refer the matter back to the Council; or
(c) refer the matter to that other person or body."

15 (4) For section 144(2) of the Principal Act **substitute—**

20 "(2) Subject to subsection (1B), the Principal Councillor Conduct Registrar must reject an application, or refer a matter the subject of an application back to the Council, if the Principal Councillor Conduct Registrar is not satisfied as to the matters specified in subsection (1)."

25 (5) In section 144(3) of the Principal Act, after "rejection of an application" **insert** ", or the referral of a matter the subject of an application back to the Council or to another person or body,".

53 New sections 144A and 144B inserted

30 After section 144 of the Principal Act **insert—**

"144A Related applications

- (1) If the Principal Councillor Conduct Registrar receives an application (a **subsequent application**) that appears to involve the same parties as another application for which an
-

Local Government Amendment (Governance and Integrity) Bill 2024

Part 2—Amendment of Local Government Act 2020

arbiter has already been appointed, the Principal Councillor Conduct Registrar must—

- 5
- (a) forward the subsequent application directly to the arbiter; or
- (b) reject the subsequent application if the Principal Councillor Conduct Registrar considers that the application is frivolous, vexatious, misconceived or lacking in substance.
- 10
- (2) On receipt of the subsequent application, the arbiter must decide, based on the subject matter of the subsequent application, either—
- 15
- (a) to join the subsequent application to the application that the arbiter was appointed to hear; or
- (b) to return the subsequent application to the Principal Councillor Conduct Registrar without hearing it.
- 20
- (3) If the arbiter returns the subsequent application to the Principal Councillor Conduct Registrar under subsection (2)(b), the Principal Councillor Conduct Registrar must examine the subsequent application in accordance with section 144.
- 25

144B Reimbursement by Council

30

A Council must reimburse the State for the remuneration costs associated with the appointment of an arbiter to hear an application made under section 143 against any of its Councillors."

Local Government Amendment (Governance and Integrity) Bill 2024

Part 2—Amendment of Local Government Act 2020

54 New sections 145A and 145B inserted

After section 145 of the Principal Act **insert**—

"145A Procedures

- 5 (1) An arbiter may do any or all of the following—
- (a) request a person to attend a hearing and answer questions;
- 10 (b) request information from the applicant, the respondent or the Council, including confidential information held by the Council;
- 15 (c) direct a Councillor who is the applicant or the respondent to attend a hearing or provide information, including confidential information held by the Councillor.
- (2) An arbiter who is provided with confidential information must ensure that the information is not released to the public.

20 **145B Obligation on Council**

A Council must provide all reasonable assistance to an arbiter that is necessary to enable the arbiter to conduct an internal arbitration process."

25 **55 Arbiter must refer certain applications**

- (1) In section 146(1) of the Principal Act—
- (a) **omit** "and would more appropriately be dealt with as an application under section 154";
- 30 (b) for "the Principal Councillor Conduct Registrar" **substitute** "the Chief Municipal Inspector".

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Part 2—Amendment of Local Government Act 2020

(2) For section 146(2) of the Principal Act
substitute—

- 5 "(2) If the arbiter refers a matter under subsection
 (1), the arbiter must notify the Principal
 Councillor Conduct Registrar and the parties
 to the application of that referral.
- 10 (3) Subject to section 146A, if the arbiter refers
 a matter under subsection (1) before or
 during the hearing of the application, the
 arbiter may continue to hear the
 application."

56 New section 146A inserted

After section 146 of the Principal Act **insert—**

15 "**146A Investigation or application by Chief
 Municipal Inspector**

- (1) The Chief Municipal Inspector, by notice,
 may require an arbiter to suspend or stop the
 consideration of a matter at any time,
20 whether or not the Chief Municipal Inspector
 has received a referral under section 146.
- (2) Within 28 days of the Chief Municipal
 Inspector requiring an arbiter to suspend or
 stop consideration of a matter, the Chief
 Municipal Inspector must—
- 25 (a) investigate the matter; or
- (b) make an application under section 154
 with respect to the matter."

**57 Sanctions that may be imposed by an arbiter on
finding of misconduct**

- 30 (1) In section 147(1) of the Principal Act, for
 "standards of conduct" **substitute**
 "Model Councillor Code of Conduct".

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Part 2—Amendment of Local Government Act 2020

(2) In section 147(2) of the Principal Act—

(a) in paragraph (b), for "one month" **substitute** "3 months";

5 (b) in paragraph (e), for "arbiter." **substitute** "arbiter;"

(c) after paragraph (e) **insert**—

10 "(f) direct that the Councillor is not to attend or participate in a Council meeting specified by the arbiter that occurs after the meeting at which the decision and statement of reasons are tabled under subsection (4);

15 (g) direct that the Councillor is ineligible to hold the office of Mayor or Deputy Mayor for a period specified by the arbiter not exceeding 12 months."

(3) For section 147(4) of the Principal Act **substitute**—

20 "(4) Subject to subsection (5), a copy of the arbiter's decision and statement of reasons received by the Council under subsection (3) must be tabled at and recorded in the minutes of—

25 (a) a Council meeting specified by the arbiter; or

(b) if no Council meeting is specified by the arbiter, the next Council meeting after the Council receives a copy of the decision and statement."

30 **58 Functions and powers of the Principal Councillor
Conduct Registrar**

In section 149(3) of the Principal Act—

(a) in paragraph (a), for "section 155(1)(c)" **substitute** "section 144(1)(c) or 155(1)(c)";

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(b) after paragraph (a) **insert**—

5 "(ab) request information from a Council or another person or body that the Principal Councillor Conduct Registrar considers necessary to make a determination under section 144(1B) or 155(2);

10 (ac) disclose information in an application made under section 143 or 154 to a person or body that the Principal Councillor Conduct Registrar is satisfied under section 144(1B) or 155(2) is dealing with or would more appropriately deal with the matter the subject of the application;"

15 **59 Application to Councillor Conduct Panel**

 After section 154(3) of the Principal Act **insert**—

20 "(3A) For the purposes of subsection (3), an application under subsection (2) is made when it is received by the Principal Councillor Conduct Registrar.

25 (3B) An application that alleges serious misconduct by a Councillor constituted by bullying of another Councillor or a member of Council staff must not allege behaviour by the Councillor that is not alleged to have occurred within the previous 12 months."

30 **60 Principal Councillor Conduct Registrar must examine application**

 (1) Before section 155(1) of the Principal Act **insert**—

 "(1AA) Subject to section 157, the Principal Councillor Conduct Registrar must examine an application made under section 154."

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Part 2—Amendment of Local Government Act 2020

- (2) In section 155(1) of the Principal Act—
- (a) for "subsection (2)" **substitute** "subsections (1B) and (2)";
 - (b) for "form a Councillor Conduct Panel to hear the matter" **substitute** "take the action required under subsection (1A)".
- (3) After section 155(1) of the Principal Act **insert**—
- "(1A) For the purposes of subsection (1), the action required is the following—
- (a) for an application that alleges serious misconduct specified in paragraph (h) or (i) of the definition of *serious misconduct* in section 3(1)—
 - (i) to provide a copy of the application to the Chief Municipal Inspector; and
 - (ii) to form a Councillor Conduct Panel to hear the matter the subject of the application;
 - (b) for any other application, to form a Councillor Conduct Panel to hear the matter the subject of the application.
- (1B) If the Principal Councillor Conduct Registrar is satisfied as to the matters specified in subsection (1) in respect of an application returned by a Councillor Conduct Panel under section 157(2)(b), the Principal Councillor Conduct Registrar must form, to hear the matter the subject of the application, a Councillor Conduct Panel that does not include any of the members of the Councillor Conduct Panel that returned the application."

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Part 2—Amendment of Local Government Act 2020

(4) For section 155(2) of the Principal Act
substitute—

5 "(2) If the Principal Councillor Conduct Registrar
 is satisfied that the matter the subject of an
 application has been or is being dealt with, or
 would more appropriately be dealt with, by
 the Council or another person or body
 (including an arbiter already appointed or a
10 Councillor Conduct Panel already formed),
 the Principal Councillor Conduct Registrar
 may—
 (a) reject the application; or
 (b) refer the matter back to the Council; or
 (c) refer the matter to that other person or
15 body."

(5) In section 155(3) of the Principal Act, for
"under subsection (1)(a), (b) or (c)" **substitute**
"as to the matters specified in subsection (1)".

20 (6) In section 155(5) of the Principal Act, after "back
 to the Council" **insert** "or to another person or
 body".

61 Related applications

Section 157(4) and (5) of the Principal Act are
repealed.

25 **62 New section 159A inserted**

After section 159 of the Principal Act **insert—**

"159A Reimbursement by Council

30 A Council must reimburse the State for the
 remuneration costs associated with the
 formation of a Councillor Conduct Panel to
 hear an application made under section 154
 against any of its Councillors."

Local Government Amendment (Governance and Integrity) Bill 2024

Part 2—Amendment of Local Government Act 2020

63 Notice of a Councillor Conduct Panel

(1) In section 160(b) of the Principal Act, for "by post a notice" **substitute** "a written notice".

(2) At the foot of section 160(b) of the Principal Act **insert**—

"Note

See section 8 of the **Electronic Transactions (Victoria) Act 2000**".

64 Procedures

In section 161(1)(c) of the Principal Act, after "a Councillor" **insert** "who is the applicant or the respondent".

65 Conduct of a Councillor Conduct Panel

In section 163(3) of the Principal Act, before "the respondent" **insert** "the applicant and".

66 Dissolution of Councillor Conduct Panels

In section 164 of the Principal Act—

(a) in paragraph (ca), for "Panel;" **substitute** "Panel.";

(b) paragraphs (d) and (e) are **repealed**.

67 Notification to Chief Municipal Inspector of apparent offence

For section 165(1) and (2) of the Principal Act **substitute**—

"(1) Subject to subsection (2), a Councillor Conduct Panel must give written notice to the Chief Municipal Inspector that a Councillor appears to have committed an offence under this Act as soon as the Councillor Conduct Panel becomes aware of the apparent offence.

Local Government Amendment (Governance and Integrity) Bill 2024

Part 2—Amendment of Local Government Act 2020

- 5 (2) A Councillor Conduct Panel is not required to give written notice under subsection (1) if the apparent offence—
- (a) is constituted by conduct that is serious misconduct specified in paragraph (h) or (i) of the definition of *serious misconduct* in section 3(1); and
- 10 (b) is apparent from information contained in the application for which the Councillor Conduct Panel was formed."

68 Determinations by a Councillor Conduct Panel

- 15 (1) In section 167(1)(b) of the Principal Act, for "one or more of the standards of conduct" **substitute** "the Model Councillor Code of Conduct on one or more occasions".
- (2) Section 167(9) and (10) of the Principal Act are **repealed**.

69 Notice and tabling of decision

- 20 (1) For section 168(2) of the Principal Act **substitute**—
- "(2) A copy of the decision given to the Council under subsection (1)(a) must be—
- (a) tabled at—
- 25 (i) a Council meeting specified by the Councillor Conduct Panel; or
- (ii) if no Council meeting is specified by the Councillor Conduct Panel, the next Council meeting; and
- 30 (b) recorded in the minutes of that Council meeting."

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Part 2—Amendment of Local Government Act 2020

(2) After section 168(3) of the Principal Act **insert**—

"(3A) A written statement of reasons given to the Council under subsection (3) must be—

(a) tabled at—

- 5 (i) a Council meeting specified by the Councillor Conduct Panel; or
- (ii) if no Council meeting is specified by the Councillor Conduct Panel, the next Council meeting; and

10 (b) recorded in the minutes of that Council meeting.

(3B) If the Councillor Conduct Panel's decision or statement of reasons contains any confidential information, the confidential information must be redacted from the copy tabled under subsection (2) or (3A)."

15

(3) Section 168(4) and (5) of the Principal Act are **repealed**.

70 Section 170 repealed

20 Section 170 of the Principal Act is **repealed**.

71 Order as to costs

Before section 214(1) of the Principal Act **insert**—

25 "(1AA) Subject to any order under subsection (1), the Council or Councils for which a Commission of Inquiry is appointed must reimburse the State for the costs of the Commission of Inquiry."

Local Government Amendment (Governance and Integrity) Bill 2024

Part 2—Amendment of Local Government Act 2020

72 New section 330D inserted

At the end of Part 10 of the Principal Act **insert—**

"330D Transitional provision—Local Government Amendment (Governance and Integrity) Act 2024—review by VCAT

5

10

15

20

(1) Despite the repeal of section 170 by section 70 of the **Local Government Amendment (Governance and Integrity) Act 2024**, that section as in force immediately before its repeal continues to apply in relation to an application made under section 154 before the commencement day.

(2) In this section—
commencement day means the day on which section 70 of the **Local Government Amendment (Governance and Integrity) Act 2024** comes into operation."

Local Government Amendment (Governance and Integrity) Bill 2024

Part 3—Amendment of Local Government Act 1989

**Part 3—Amendment of Local Government
Act 1989**

73 Definitions

5

In section 3(1) of the **Local Government Act 1989**, in the definition of *Department*, for "Environment, Land, Water and Planning" **substitute** "Government Services".

Local Government Amendment (Governance and Integrity) Bill 2024

Part 4—Consequential amendment of Victorian Civil and Administrative
Tribunal Act 1998

**Part 4—Consequential amendment of
Victorian Civil and Administrative Tribunal
Act 1998**

74 Schedule 1—Constitution of Tribunal

5 Clause 46E(2) of Schedule 1 to the **Victorian
Civil and Administrative Tribunal Act 1998** is
repealed.

75 Schedule 1—Costs

10 Clause 46F of Schedule 1 to the **Victorian Civil
and Administrative Tribunal Act 1998** is
repealed.

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Part 5—Repeal of this Act

Part 5—Repeal of this Act

76 Repeal of this Act

This Act is **repealed** on 26 October 2025.

Note

5

The repeal of this Act does not affect the continuing operation of the amendments made by it (see section 15(1) of the **Interpretation of Legislation Act 1984**).

Local Government Amendment (Governance and Integrity) Bill 2024

Endnotes

Endnotes

1 General information

See www.legislation.vic.gov.au for Victorian Bills, Acts and current authorised versions of legislation and up-to-date legislative information.

By Authority. Government Printer for the State of Victoria.

601054B.I-30/4/2024

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BILL LA INTRODUCTION 30/4/2024

Operation Sandon — Recommendations

Operation Sandon is an investigation by the Independent Broad-based Anti-corruption Commission into allegations of corrupt conduct involving councillors and property developers in the City of Casey in Melbourne’s south-east. It also examined the adequacy of Victoria’s current systems and controls for safeguarding the integrity of the state’s planning processes.

Background

In November 2017, IBAC authorised a preliminary inquiry into allegations of serious corrupt conduct concerning Mr Sameh Aziz, a Casey councillor.

IBAC expanded the investigation in October 2018 to consider the conduct of developer Mr John Woodman, as well as another Casey councillor, Mr Geoff Ablett, and whether other Casey councillors had accepted undeclared payments, gifts or other benefits, including political donations, in exchange for favourable Casey Council outcomes.

IBAC’s investigation was primarily concerned with four planning matters involving Mr John Woodman and his associates. Each matter involved the Casey Council as decision-maker, and two required the Minister for Planning to make a determination. As a result, IBAC’s investigation examined the conduct of public officers at both state and local government levels.

Operation Sandon found a number of councillors within the City of Casey had accepted payments, gifts or other benefits, including political donations in exchange for supporting Council decisions on planning matters that favoured the interests of a property developer.

Operation Sandon exposed how decisions at the local and state levels of government were improperly influenced or were at risk of undue influence through manipulation of council governance processes, donations and lobbying.

Extensive reforms are necessary to minimise the risk of this behaviour occurring again and promote integrity in decision-making processes. As a result of Operation Sandon, IBAC is recommending a suite of reforms to address corruption risks to:

- promote transparency in planning decisions
- enhance donation and lobbying regulation
- improve the accountability of ministerial advisors and electorate officers
- strengthen council governance.

Recommendations

The Operation Sandon special report makes 34 recommendations to address the risk of corruption and other forms of improper influence and the planning policy settings that incentivise corruption in council decisions.



Recommendation 1

IBAC recommends that the Premier establish an Implementation Inter-departmental Taskforce (the Taskforce) that is:

- (a) chaired by the Department of Premier and Cabinet and comprises senior representatives of other relevant departments and agencies including, but not limited to, the:
 - i) Department of Transport and Planning
 - ii) Department of Government Services
 - iii) Victorian Public Sector Commission
 - iv) Local Government Inspectorate
 - v) Victorian Electoral Commission
- (b) responsible for:
 - i) coordinating implementation of IBAC's recommendations, where immediate action can be taken
 - ii) progressing consideration of longer-term reforms proposed in the special report that require expert analysis and stakeholder consultation
 - iii) making sure that the proposed reforms meet the principles and outcomes set out in IBAC's report, and that these reforms are implemented for each of the strategic issues
 - iv) reporting quarterly to IBAC, detailing the progress of action taken in response to IBAC's recommendations
 - v) reporting publicly within 18 months on action taken in response to IBAC's recommendations, noting that IBAC may further publicly report on the adequacy or otherwise of those proposals.

In undertaking this work, the Taskforce should consult IBAC officers on the development of an implementation plan and the drafting of legislative amendments.

PLANNING

Recommendation 2

IBAC recommends that the Premier ensures that the Taskforce considers and recommends measures to address the corruption risks associated with windfall gains from changes in permissible land use, drawing on any lessons learnt in the development and implementation of the *Windfall Gains Tax and State Taxation and Other Acts Further Amendment Act 2021* (Vic).

Recommendation 3

IBAC recommends that the Minister for Planning develops and introduces to Parliament amendments to the *Planning and Environment Act 1987* (Vic) so that authorisation of a planning scheme amendment operates as a transparent and accountable gateway process by:

- (a) amending section 8A(7) to facilitate proper consideration of the strategic justification and timely authorisation of planning scheme amendments
- (b) setting clear criteria that the Minister for Planning must consider in exercising their discretion to authorise progression of an amendment, including satisfaction of strategic justification
- (c) specifying a presumption against amendment for an appropriate period, noting that the reasons for any exemptions should be clear and details made publicly available.

Recommendation 4

IBAC recommends that the Premier ensures that the Taskforce considers and recommends amendments to the *Planning and Environment Act 1987* (Vic) to ensure that the number of possible outcomes that could be considered 'correct' decisions in response to a given proposal at the adoption and approval stages of a planning scheme amendment is narrowed by specifying criteria that must be addressed to the satisfaction of:

- (a) the planning authority to adopt an amendment
- (b) the Minister for Planning to approve an amendment.

Recommendation 5

IBAC recommends that the Department of Transport and Planning reviews and clarifies guidance to help prioritise competing policy criteria when assessing the merits of a planning scheme amendment, including, but not limited to:

- (a) the factors that should be considered in assessing strategic justification
- (b) the hierarchy of broader-scale plans.

Recommendation 6

IBAC recommends that the Minister for Planning develops and introduces to Parliament amendments to the *Planning and Environment Act 1987* (Vic) to require the decision-maker to record the reasons for decisions at relevant points in the planning scheme amendment process.

Recommendation 7

IBAC recommends that the Minister for Planning develops and introduces to Parliament amendments to the *Planning and Environment Act 1987* (Vic) and/or amends ministerial guidance to require every applicant and person making submissions to a council, the Minister for Planning or Planning Panels Victoria to disclose reportable donations and other financial arrangements that parties have made or have with relevant decision-makers in relation to that planning matter (with reference to the New South Wales provisions).

Recommendation 8

IBAC recommends that the Minister for Planning issues Ministerial Directions for Planning Panels Victoria panels to specify that there is a presumption in favour of the existing planning scheme and state policy settings.

Recommendation 9

IBAC recommends that the Premier ensures that the Taskforce considers and recommends amendments to the *Planning and Environment Act 1987* (Vic) to deter submitters from attempting to improperly influence a council, the Minister for Planning or Planning Panels Victoria in their role in the planning scheme amendment process, including, but not limited to, specifying relevant offences together with appropriate penalties.

Recommendation 10

IBAC recommends that the Premier ensures that the Taskforce engages subject-matter experts and consults stakeholders to develop a model structure for independent determinative planning panels for statutory planning matters that addresses the integrity risks identified in Operation Sandon, having regard to:

- (a) the skills mix and method of appointing panel members and the efficacy of rotating panel members
- (b) the scope of panel coverage, being whether all councils should be required to use an independent planning panel, including the option of shared or regional panels in areas where councils handle fewer planning permits
- (c) the referral criteria that should apply statewide to make clear which matters should be determined by planning panels rather than by council planning officers
- (d) decision-making process and reporting requirements to ensure transparency and accountability of panel decisions
- (e) arrangements to handle complaints about planning panels and review their performance to ensure continuous improvement.

Recommendation 11

IBAC recommends that the Minister for Planning develops and introduces to Parliament amendments to the *Planning and Environment Act 1987 (Vic)* to:

- (a) remove statutory planning responsibilities from councillors
- (b) introduce determinative planning panels for statutory planning matters, where a local council is currently the responsible authority

This is to give effect to the model developed by the Taskforce in response to Recommendation 10.

Recommendation 12

IBAC recommends that the Premier ensures that the Taskforce engages subject matter experts and consults with key stakeholders to assess the operation of Part 4AA of the *Planning and Environment Act 1987 (Vic)* and recommends whether further amendments are required to give full effect to independent panels as the decision-makers for all statutory planning matters, including those where the Minister for Planning is the responsible authority.

Recommendation 13

IBAC recommends that the Premier ensures that the Taskforce considers and recommends whether the regulatory regime governing donations in Victoria would be strengthened by identifying and prohibiting high-risk groups (including, but not limited to, property developers) from making political donations to political entities and state and local government candidates.

Recommendation 14

IBAC recommends that the Premier ensures that the Taskforce advises the independent panel review of the 2018 electoral reforms to ensure its report appropriately addresses the corruption risks of political donations highlighted in Operation Sandon.

Recommendation 15

IBAC recommends that the Premier ensures that the implementation of Recommendations 3 and 4 from the *Donations and Lobbying* special report appropriately addresses the lobbying risks highlighted in Operation Sandon.

Recommendation 16

IBAC recommends that the Department of Parliamentary Services develops guidelines to apply to electorate offices when a Member of Parliament is on extended leave, to ensure electorate officers are appropriately supervised and are subject to clear lines of accountability.

COUNCIL GOVERNANCE

Recommendation 17

IBAC recommends that the Minister for Local Government:

- (a) ensures that Local Government Victoria develops and maintains a Model Councillor Code of Conduct that includes better practice provisions that will apply to *all* councils, noting that councils can adopt additional provisions to the extent that they are consistent with the minimum standards specified in the Model Councillor Code of Conduct
- (b) develops and introduces to Parliament amendments to the *Local Government Act 2020* (Vic), or amends relevant regulations to amend the *Local Government Act 2020* (Vic), or amends relevant regulations to specify that councils *must* adopt the Model Councillor Code of Conduct.

Recommendation 18

IBAC recommends that the Minister for Local Government uses an appropriate mechanism, such as amendments to the *Local Government Act 2020* or relevant regulations, to require that councillors undertake mid-term refresher training on governance, leadership, and integrity.

Recommendation 19

IBAC recommends that the Minister for Local Government:

- (a) ensures that Local Government Victoria develops and publishes Model Governance Rules to operate as the minimum standards for council meeting procedures
- (b) develops and introduces to Parliament amendments to the *Local Government Act 2020*, or amends relevant regulations to specify that councils must adopt the Model Governance Rules
- (c) ensures that Local Government Victoria maintains the Model Governance Rules in a way that promotes better practices that apply to all councils, noting that councils can adopt additional rules to the extent that they are consistent with the minimum standards specified in the Model Governance Rules.

Recommendation 20

IBAC recommends that the Minister for Local Government encourages diligent, considered councillor decision-making by providing guidance and training to councils on administrative and council meeting best practice.

Recommendation 21

IBAC recommends that the Minister for Local Government ensures that Local Government Victoria includes in the Model Code of Conduct for Councillors a clear statement of expectations to guide councillors and staff in their interactions with each other.

Recommendation 22

IBAC recommends that the Minister for Local Government ensures that Local Government Victoria:

- (a) develops and publishes a Model Transparency Policy to specify the minimum standards for council openness and transparency
- (b) ensures that the Model Governance Rules and Model Transparency Policy:
 - i) highlights the importance of open government and the related risks in holding pre-council meetings
 - ii) notes the limited circumstances in which it may be appropriate to hold pre-council meetings immediately before a public council meeting, such as to discuss procedural arrangements for the meeting
 - iii) makes clear that councillors must not discuss the substance of agenda items in detail, reach agreements on council agenda items in private, and that briefings should involve the presentation of information only
- (c) develops further guidance to explain to councillors *why* deliberation on an agenda item (not just voting) in public is important, particularly for planning matters.

Recommendation 23

IBAC recommends that the Minister for Local Government ensures that the Model Governance Rules expressly prohibit voting en bloc in council meetings.

Recommendation 24

IBAC recommends that the Minister for Local Government ensures that the Model Governance Rules require council meeting minutes to state:

- (a) the names of councillors who spoke on each motion
- (b) the names of councillors who voted for and against each motion (regardless of whether a division was called).

Recommendation 25

IBAC recommends that the Minister for Local Government ensures that Local Government Victoria undertakes a review, and introduces related reforms, to ensure that councillor breaches of the conflict-of-interest provisions are addressed in a timely and effective manner.

Recommendation 26

IBAC recommends that the Minister for Local Government ensures that the Model Governance Rules stipulate that:

- (a) council officer reports on local government planning matters be accompanied by:
 - i) a schedule of reportable donations and other financial arrangements that parties have made or have with councillors (as discussed in Recommendation 7)
 - ii) a statement of the interested parties that includes details of the parties affected by the motion before council, such as the names of personnel, company names and registered addresses
 - (b) councillors must acknowledge that they have read the schedule of reportable donations and other financial arrangements and the statement of involved parties before declaring whether they have a conflict of interest in the relevant agenda item for any local government planning matters.
-

Recommendation 27

IBAC recommends that the Minister Local Government Victoria ensures that the Model Governance Rules (such as through an amendment to clause 18.3 of the draft rules):

- (a) provide a clear process for disclosing all conflicts of interest, including those that involve privacy matters. This process must set out:
 - i) precisely what matters will be included in the declaration and public register
 - ii) how declarations involving privacy matters will be recorded
 - iii) how long records will be retained
 - (b) require councillors to disclose, in sufficient detail, the circumstances that give rise to a conflict of interest, including, but not limited to, the names of the people or entities associated with the conflict and their relationship to the councillor.
-

Recommendation 28

IBAC recommends that the Minister for Local Government ensures that Local Government Victoria develops model conflict-of-interest training and an associated strategy to ensure that its completion is enforceable, to consistently reinforce conflict-of-interest obligations across councils. The training should:

- (a) explain why a councillor cannot or should not participate in the decision-making process for a matter in which they have a conflict, during or outside council meetings
 - (b) ensure that councillors understand their obligation to:
 - i) familiarise themselves with the parties who donate to any political, charitable or community interests with which the councillor has an involvement
 - ii) assess whether those donations give rise to a conflict of interest for particular council matters
 - iii) provide precise details of the nature of the conflict when declaring a conflict of interest.
-

Recommendation 29

IBAC recommends that the Minister for Local Government develops and introduces to Parliament amendments to the *Local Government Act 2020 (Vic)* to

- (a) expressly prohibit councillors with a conflict of interest from attempting to influence other councillors (with reference to the Queensland provisions)
- (b) specify an appropriate penalty for councillors who contravene this provision.

Recommendation 30

IBAC recommends that the Minister for Local Government ensures that Local Government Victoria reviews the available sanctions for misconduct to ensure that the options provided are adequate and applied in an appropriate way. This includes, but is not limited to, ensuring that the option to direct that a councillor be ineligible to hold the position of mayor after a finding of misconduct can be applied in a way that is both proportional to the conduct and timebound.

Recommendation 31

IBAC recommends that the Minister for Local Government ensures that Local Government Victoria includes in the Model Councillor Code of Conduct a clear statement that:

- (a) council officers and members of the public may make a complaint to the Chief Municipal Inspector
- (b) a CEO must notify IBAC under section 57 of the *Independent Broad-based Anti-corruption Commission Act 2011 (Vic)* if they suspect on reasonable grounds that a breach of the Model Councillor Code of Conduct involves corrupt conduct.

Recommendation 32

IBAC recommends that the Minister for Local Government develops and introduces to Parliament amendments to the *Local Government Act 2020 (Vic)* to require that the Principal Councillor Conduct Registrar collate and publish data annually on:

- (a) the internal arbitration process, including:
 - i) the number of applications received
 - ii) the number of applications withdrawn
 - iii) the nature of the issues raised
 - iv) the outcome of completed arbitration processes
 - v) the cost to the council of dealing with arbitrated matters, including staff costs
- (b) councillor conduct panels, including:
 - i) the number of applications received
 - ii) the number of applications withdrawn
 - iii) the nature of the issues raised
 - iv) the outcome of completed panel processes
 - v) the cost to the council of dealing with panel matters, including staff costs.

Recommendation 33

IBAC recommends that the Premier ensures that the Taskforce identifies the most appropriate mechanism to support a council CEO in making a mandatory notification about serious misconduct. This includes suspected breaches of the conflict-of-interest provisions by councillors – in particular, breaches involving material conflicts of interest – noting that the Chief Municipal Inspector has the authority to apply to a councillor conduct panel or prosecute a councillor for misuse of position due to a conflict of interest, but is not currently authorised to receive a mandatory notification concerning a councillor from a CEO, under the *Public Interest Disclosure Act 2012* (Vic).

Recommendation 34

IBAC recommends that the Minister for Local Government develops and introduces to Parliament amendments to the *Local Government Act 2020* (Vic), or amends relevant regulations, and institutes related enabling processes, to promote greater consistency and independent oversight of recruitment and employment of council CEOs by:

- (a) mandating that councils use a standard employment contract for CEOs that:
 - i) covers, among other things, the role of the CEO, performance review and management, and termination payment (including limits on such payments)
 - ii) bans non-disclosure agreements between councils and CEOs or former CEOs
- (b) amending section 45 to require each council to establish a committee to determine matters relevant to the recruitment, employment, and remuneration of the CEO. The committee must be chaired by an independent professional with executive experience in local or state government, and most of its members must be external to the council.

IBAC's proposed reforms are designed to be implemented by a cross section of local and state government to minimise the significant risks of the conduct identified in Operation Sandon from recurring.

IBAC has recommended that the Premier report publicly on the action taken in response to the relevant recommendations by 27 January 2025. IBAC has also requested the Minister for Local Government, the Minister for Planning and the relevant departments report to IBAC on the implementation of their relevant recommendations within 12 months.

IBAC is committed to working with local and state government and other bodies in Victoria's integrity framework to implement the reforms to safeguard from this type of activity to occur again – and to restore community trust in the role of elected officials.

Responses

Responses to our investigations are published on IBAC's website to inform the community about actions agencies advise they are taking, and to share learnings that may help other agencies improve their systems and practices to prevent corruption and misconduct.

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IBAC is Victoria's anti-corruption agency responsible for preventing and exposing public sector corruption and police misconduct. We do this by:

- investigating serious corruption and police misconduct
- informing the public sector, police and the community about the risks and impacts of corruption and police misconduct, and ways in which it can be prevented.

To report corruption now, visit www.ibac.vic.gov.au or call **1300 735 135**.

If you need help with translation, call Translating and Interpreting Service on **13 14 50** or visit www.ibac.vic.gov.au/mylanguage

Variation to Instrument of Delegation



VARIATION TO INSTRUMENT OF DELEGATION BY THE COUNCIL TO MEMBERS OF COUNCIL STAFF

In exercise of the power conferred by the Local Government Act 2020, Yarra City Council:

1. varies the instrument of delegation by the Council to Members of Council Staff endorsed on 10 October 2023 by adding the following entry to the that records the references in the Schedule:

DCPO	means	Project Officer – Projects and Reserve Fund Analyst; Senior Coordinator Asset Management and Capital Works; Manager Building and Asset Management; AND General Manager Infrastructure and Environment
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2. declare that this variation to the Instrument of Delegation is authorised by a resolution of Council passed on 14 May 2024; and
 - 2.1. comes into force immediately the common seal of Council is affixed to this variation;
 - 2.2. remains in force until the Instrument of Delegation from Council to Members of Council Staff endorsed on 10 October 2023 is varied or revoked;
-

**The Common Seal of the
Yarra City Council was
affixed hereto in the
presence of:**

**Cr Edward Crossland
Mayor
Yarra City Council**

**Sue Wilkinson
Chief Executive Officer
Yarra City Council**

___ May 2024

Audit and Risk Committee Biannual Activity Report

July to December 2023



The Audit and Risk Committee

The role of the Audit and Risk Committee (Committee) is set out in the Audit and Risk Committee Charter, adopted by Council on 18 August 2020.

The Committee provides 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. In addition, the Committee provides advice to Council that will assist Council in fulfilling its corporate governance and oversight responsibilities.

The Committee does not have executive powers or authority to implement actions in areas over which management has responsibility and does not have any delegated authority. The Committee does not have any management functions and is therefore independent of management.

The Council has authorised the Committee, within the scope of its role and responsibilities to:

- obtain any information it needs from any employee and/or external party;
- discuss any matters with the external or internal auditor, or other external parties;
- request the attendance of any Council Officer, Councillors, and/or the internal and external auditors;
- request that Council Officers obtain external legal or other professional advice, as the Committee considers necessary to meet its responsibilities, at Council's expense;
- require reports from Council Officers, the internal auditors and external auditors on any significant proposed regulatory, accounting or reporting issue, to assess the potential impact upon the Council's financial reporting process; and
- request that the Chief Executive Officer table a report from the Committee at a meeting of the Council.

Purpose of the biannual activity report

This report meets the reporting requirements to Council as required by section 54(5) of the Local Government Act 2020 (Act).

The report provides Council and the community with a summary of the matters that the Audit and Risk Committee has addressed in the reporting period in discharging its responsibilities under its Charter and under the Act. Further, the report provides Council with the Committee's findings and recommendations for the period.

This report provides an overview of the activity of the Audit and Risk Committee from 1 July to 31 December 2023.

City of Yarra Audit and Risk Committee Biannual Activity Report
July to December 2023

Committee Membership

The Committee comprises five members, three of which are independent members and two Councillors.

Current Members

- David Ashmore, Chair** David Ashmore is a Fellow of the Institute of Chartered Accountant and was in public practice working predominately as an Audit Partner. He is also a graduate of the Australian Institute of Company Directors and a Fellow of the Financial Services Institute of Australia. Mr Ashmore has for the past 15 years been appointed to a variety of Audit Committees mainly for Local Government entities and also has an appointment as Chairman for an ASX listed public Company.
- Cr Herschel Landes** Cr Herschel Landes was elected to Yarra City Council in October 2020. Cr Landes was appointed to the Audit and Risk Committee in November 2020.
- Kylie Maher** Kylie Maher has expertise in governance, risk, and compliance, spanning various sectors including education, health, and government. As a Certified Practicing Accountant and graduate of the Institute of Company Directors, Kylie has formerly served in Partner/Director capacities at Moore and KPMG, leading internal audit and assurance services. She has a wealth of experience serving on audit and risk committees, presently occupying seven independent member roles across local government, the Federal Accounting and Auditing Standards Board, University of Melbourne, and community health sectors. Additionally, Kylie serves as a non-executive Director in the community health domain, ensuring she remains abreast of leading practices through her ongoing involvement in risk management and consulting projects as an independent consultant.
- Cr Claudia Nguyen** Cr Claudia Nguyen was elected to Yarra City Council in October 2020. Cr Nguyen was appointed to the Audit and Risk Committee in November 2022.
- Lisa Tripodi**
(from 1 Dec 2023) Lisa Tripodi is a former Partner accounting and assurance services and Director IT project services with over 25 years' business experience with oversight and management of five business units and over 100 staff providing assurance, accounting, risk, governance, and IT services in both the public and private sectors including state and local government, education, health, and banking sectors. Lisa serves on 12 audit and risk committees, including 10 in the local government sector.

Former Members

- Helen Lanyon**
(to 14 Sep 2023) Helen Lanyon is a Fellow of CPA Australia and is a graduate of the Australian Institute of Company Directors. Over a 40-year career, Ms Lanyon has held numerous senior executive roles, primarily in local government and has broad experience in the corporate services portfolio disciplines. Ms Lanyon also has extensive experience on a range of advisory committees.

City of Yarra Audit and Risk Committee Biannual Activity Report
July to December 2023

Committee Attendance

The Committee met three times during the period.

Current Members	Meetings attended
David Ashmore	3 of 3
Cr Herschel Landes	3 of 3
Kylie Maher	3 of 3
Cr Claudia Nguyen	1 of 3
Lisa Tripodi	1 of 1
Former Members	
Helen Lanyon	2 of 2

In addition to the appointed members, all Councillors receive Audit and Risk Committee meeting papers and have a standing invitation to attend meetings as an observer. No Councillors took up this opportunity during the period.

Committee Activity

The tables below set out the activity of the committee during the period of this report, including a summary of the matters discussed and any recommendations made by the Committee to the Council.

31 August 2023

Matter considered	Summary
2022/2023 Financial Statements, Performance Statement and Audit Results	The Victorian Auditor General’s agent provided an overview of the audit outcomes as set out in the closing report and presented the final management letter. The Committee congratulated management on the outcome. The financial and performance statements were endorsed by the Committee, subject to the incorporation of a number of suggestions.
Forward Internal Audit Report Schedule	Council’s internal auditors presented a report on the status of the internal audit program. The Committee noted some updates required.
Draft Financial Sustainability Strategy	Management presented a draft of the Financial Sustainability Strategy and the committee provided feedback ahead of its presentation to Council.
Meeting with the external auditor without management present	The Committee met with the external auditors in the absence of management.

City of Yarra Audit and Risk Committee Biannual Activity Report
July to December 2023

14 September 2023

Matter considered	Summary
Report by the Chief Executive	The Acting CEO provided a verbal report to the Committee on a range of matters including the VAGO Audit into financial management of Local Councils, the Financial Sustainability Strategy, the operation of the Clifton Hill transfer station, Operation Sandon and preparations for the 2024 Council election.
Review of actions arising from previous meetings	The Committee reviewed the status of actions arising as a result of matters raised at previous Committee meetings.
Quarterly risk and safety update	The Committee received a quarterly risk review, focussing on the OHS Policy and Risk Management Policy.
Review of actions arising from previous internal audits	The Committee reviewed the status of the implementation of agreed management actions arising from previous internal audits.
Internal Audit - Status Report	Council's internal auditors presented a report on the status of the internal audit program. The Committee suggested some additions for future reports.
Internal Audit Plan	The Committee received a report on a proposed internal audit plan, which was agreed to following some amendments.
Internal Audit – Complaints Management	Council's internal auditors presented its findings following an internal audit into Council's complaints management. The report resulted in three agreed management actions being added to the database for monitoring.
Internal Audit – Tendering	Council's internal auditors presented its findings following an internal audit into Council's tendering processes. The report resulted in three agreed management actions being added to the database for monitoring.
Operation Sandon	Management provided a report into the findings of the IBAC in its final report following Operation Sandon. The Committee discussed the implications of the findings, and the recommendations of the report.
Cyber Security Strategy	The Committee was provided with a report outlining Council's approach to cyber security, which set out the vision, goals and outcomes; and the plans to deliver a cyber-security strategy within the framework of the larger Digital Transformation program.
Audit and Risk Committee Biannual Activity Report	Management presented the biannual activity report for the committee's review. The Committee endorsed the report and provided it to the Chief Executive Officer for tabling at the next available Council meeting, together with a recommendation from the Committee.
Policy Library status report	Management provided a report setting out the status of key policies in Council's policy library.

City of Yarra Audit and Risk Committee Biannual Activity Report
July to December 2023

Matter considered	Summary
Councillor Expenses Policy annual report	An annual report setting out the details of Councillor expenses for the 2021/2022 year was tabled.
Child Safety status report	A status report on the implementation of Council's child safety obligations was provided for the Committee's information.
eLearning status report	A status report setting out the compliance levels of Council's eLearning system was tabled.
Recent Reports and Publications - Management response	The Committee received a standing quarterly report from the internal auditor presenting a number of recent reports and publications relevant to the local government sector. The Committee noted the management responses to these reports.
Effectiveness of the internal audit	The Committee met with management in the absence of the internal auditors.

7 December 2023

Matter considered	Summary
Report by the Chief Executive	The CEO provided a verbal report to the Committee on a range of matters.
Review of actions arising from previous meetings	The Committee reviewed the status of actions arising as a result of matters raised at previous Committee meetings.
Quarterly Risk Review	The Committee received a quarterly risk review, focussing on Council's insurance claims data, workplace injury statistics and the outcomes of the strategic risk review..
Internal Audit - Status Report	Council's internal auditors presented a report on the status of the internal audit program.
Internal Audit – Penetration testing	Council's internal auditors presented its findings following an internal audit including a penetration testing exercise. The report resulted in four agreed management actions being added to the database for monitoring.
Review of actions arising from previous internal audits	The Committee reviewed the status of the implementation of agreed management actions arising from previous internal audits.

City of Yarra Audit and Risk Committee Biannual Activity Report
July to December 2023

Matter considered	Summary
Enterprise Resource Planning procurement	The Committee received a report on Council's proposed approach to the Enterprise Resource Planning procurement ahead of a subsequent report to Council.
Quarterly Community Report - Q1 2023/2024	Management presented the Quarterly Community Report which included updates on the quarterly financial results, progress of the capital works program and progress against the City of Yarra Annual Plan.
2024 Meeting dates	The Committee agreed on meeting dates for 2024.
2024 Workplan	The Committee endorsed a workplan for its activities for 2024.
2024 Audit and Risk Committee Chairperson	The Committee endorsed the nomination of Kylie Maher as the Committee chair for 2024 and determined to present the nomination to Council for endorsement.
Recent Reports and Publications - Management response	The Committee received a standing quarterly report from the internal auditor presenting a number of recent reports and publications relevant to the local government sector. The Committee noted the management responses to these reports.
Effectiveness of the external audit	The Committee met with management in the absence of the external auditors.

Recommendations to Council

The Audit and Risk Committee's oversight role is primarily discharged by providing advice and direction to Council's Chief Executive Officer and senior management, particularly those within the finance, risk management and governance portfolios. That said, it is recognised that there may be rare circumstances where the Committee may wish to provide advice direct to the Council, without relying on management.

There are three mechanisms for the committee to provide this advice:

- Firstly, the Council has authorised the Audit and Risk Committee through its Charter to request that the Chief Executive Officer table a report from the Committee at a meeting of the Council;
- Secondly, the Local Government Act 2020 provides that the Chief Executive Officer must table a report of the Committee at a meeting of the Council where requested by the Committee Chair; and
- Thirdly, the Local Government Act 2020 provides that a Committee may make formal recommendations to Council in this biannual activity report.

In the period 1 July to 31 December 2023, neither the Committee nor the Committee Chair requested that the Chief Executive Officer table a report at a Council meeting.

City of Yarra Audit and Risk Committee Biannual Activity Report
July to December 2023

At its meeting on 4 April 2024, the Audit and Risk Committee made the following formal recommendation to Council:

“That Council note the following statement from the City of Yarra Audit and Committee:

‘The Audit and Risk Committee acknowledges the progress by management toward ongoing financial sustainability, including the adoption by Council of a Financial Sustainability Strategy and the preparation of a balanced draft 2024/2025 budget for Council’s consideration. The Committee notes the significant focus, effort and achievements of management to date to achieve these outcomes and the ongoing commitment to managing these risks.’”

Audit and Risk Committee Charter

Title	Audit and Risk Committee Charter
Description	A Charter to set out the roles and responsibilities of the Yarra City Council Audit and Risk Committee.
Category	Governance
Type	Policy
Approval authority	Council
Responsible officer	Director Corporate, Business and Finance
Approval date	1 September 2020
Review cycle	Every four years
Review date	1 September 2024
Document Reference	To be confirmed
Human Rights compatibility	This policy has been assessed and is compatible with the Victorian Charter of Human Rights and Responsibilities

1. Purpose

- 1.1. The role of the Audit and Risk Committee (Committee) is to provide independent and objective assurance and assistance to the Yarra City Council (Council) and its Chief Executive Officer on Council's risk management, control and compliance framework, and its external financial and performance accountability and responsibilities.
- 1.2. In addition, the Committee provides advice to Council that will assist Council in fulfilling its corporate governance and oversight responsibilities.

2. Authority

- 2.1. The Committee is an Advisory Committee to Council, pursuant to section 53(1) of the Local Government Act 2020 (the Act).
- 2.2. The Committee does not have executive powers or authority to implement actions in areas over which management has responsibility and does not have any delegated authority. The Committee does not have any management functions and is therefore independent of management.
- 2.3. The Council authorises the Committee, within the scope of its role and responsibilities to:
 - 2.3.1. Obtain any information it needs from any employee and/or external party (subject to their legal obligation to protect information);
 - 2.3.2. Discuss any matters with the external or internal auditor, or other external parties (subject to confidentiality considerations);

- 2.3.3. Request the attendance of any Council Officer (including the Chief Executive Officer), Councillors, and/or the internal and external auditors, at Committee meetings;
- 2.3.4. Request that Council Officers obtain external legal or other professional advice, as the Committee considers necessary to meet its responsibilities, at Council's expense; and
- 2.3.5. Require reports from Council Officers, the internal auditors and external auditors on any significant proposed regulatory, accounting or reporting issue, to assess the potential impact upon the Council's financial reporting process.
- 2.3.6. Request that the Chief Executive Officer table a report from the Committee at a meeting of the Council.

3. Membership

- 3.1. The Committee will consist of five members, comprising:
 - The Mayor or an appointed alternative Councillor;
 - One other Councillor; and
 - Three independent members.
- 3.2. A Committee quorum shall be at least two independent members and at least one Councillor. The Chair of the Committee will be an independent member and will be appointed by the Committee annually. The nomination for the position of Chair will be submitted to Council for approval.
- 3.3. The process for appointing an Acting Chair, when required, will be facilitated by Council's Director, Corporate, Business and Finance at the commencement of a Committee meeting by calling for nominations.
- 3.4. The Committee members, taken collectively, will have a broad range of skills and experience relevant to the operations of Council. At least one member of the Committee should have accounting or related financial management experience with an understanding of accounting and auditing standards in a public sector environment.
- 3.5. The independent members shall collectively have expertise in financial management and risk; and experience in public sector management.
- 3.6. It is important that individual Committee members are able to work collectively and make a strong contribution to Council's corporate governance culture.
- 3.7. Appointment of independent Committee members will be made by Council, following a publicly advertised expression of interest process managed by the Chief Executive Officer (or delegate). Ideally, the term of one independent member will conclude each year. New appointments shall be for a term of three years (or in the case of a casual vacancy, until the expiry of the departing member's term) or any other timeframe at the Council's sole discretion.
- 3.8. Independent members will be eligible for extension or re-appointment after

a formal review of their performance, such review to be undertaken by the Chief Executive Officer (or delegate) and referred to Council.

- 3.9. To ensure the ongoing independence and refresh the Committee with new ideas, independent members may serve a maximum of three consecutive terms.
- 3.10. 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.
- 3.11. No management staff may be appointed to the Committee. However, the Chief Executive Officer shall be required to attend all meetings of the Committee. The Director Corporate, Business and Finance and Chief Financial Officer will attend all meetings of the Committee in an advisory capacity unless otherwise advised by the Committee Chair. Other Council Officers may be requested to attend meetings of the Committee by the Chief Executive Officer and/or Committee Chair.
- 3.12. Council's internal and external auditors cannot be appointed to the Committee. The internal auditor will be required to attend and present at all relevant meetings of the Committee. The external auditor to attend all relevant meetings of the Committee, and also present to any meeting of the Committee on request.

4. Committee Responsibilities

The Committee's responsibilities are:

4.1. Financial and Performance Reporting

- 4.1.1. At least annually review significant accounting and external reporting issues, including complex or unusual transactions, transactions and balances in areas where judgement is required, changes to accounting policies, recent accounting, professional and regulatory pronouncements and legislative changes, and understand their effect on the annual financial report and the audit thereof;
- 4.1.2. At least annually review changes to the Local Government Performance Reporting Framework and understand the impact of those changes on Council's performance indicators;
- 4.1.3. Review the annual financial report and annual performance statement and consider whether they are complete, consistent with information known to Committee members, reflect appropriate accounting treatments and adequately disclose Council's financial performance and position;
- 4.1.4. Review with management and the external auditors the results of the audit, including any difficulties encountered by the auditors and how they were resolved;
- 4.1.5. Recommend the adoption of the annual financial report and annual

performance statement to Council; and

- 4.1.6. Review the appropriateness of the format and content of periodic management financial reports and performance statements to Council as required.

4.2. Internal Control Environment

- 4.2.1. Review the adequacy and effectiveness of key policies, systems and controls for providing a sound internal control environment. This should be done on a rotational basis over a three to four year period;
- 4.2.2. Determine whether systems and controls are reviewed regularly and updated where required;
- 4.2.3. Monitor significant changes to systems and controls to assess whether those changes significantly impact Council's risk profile;
- 4.2.4. Ensure that a programme is in place to test compliance with systems and controls;
- 4.2.5. Assess whether the control environment is consistent with Council's Governance Principles.

4.3. Risk Management

- 4.3.1. Review annually the effectiveness of Council's risk management framework;
- 4.3.2. Review Council's risk appetite statement and the degree of alignment with Council's risk profile;
- 4.3.3. Review Council's risk profile and the changes occurring in the profile from meeting to meeting;
- 4.3.4. Review Council's treatment plans for significant risks, including the timeliness of mitigating actions and progress against those plans;
- 4.3.5. Review the insurance programme annually prior to renewal; and
- 4.3.6. Review the approach to business continuity planning arrangements, including whether business continuity and disaster recovery plans have been regularly updated and tested.

4.4. Fraud Prevention Systems and Controls

- 4.4.1. Review Council's Fraud Prevention policies and controls, including the Fraud Control Plan and fraud awareness programmes at least every two years;
- 4.4.2. Receive reports from management about actual or suspected instances of fraud or corruption including analysis of the underlying control failures and action taken to address each event; and
- 4.4.3. Review reports by management about the actions taken by Council to report such matters to the appropriate integrity bodies.

4.5. Internal Audit

- 4.5.1. Review the Internal Audit Charter regularly to determine that it provides an appropriate functional and organisational framework to enable Council's internal audit function to operate effectively and without limitations;
- 4.5.2. Review and approve the three year strategic internal audit plan, the annual internal audit plan and any significant changes to them;
- 4.5.3. Review progress on delivery of annual internal audit plan;
- 4.5.4. Review and approve proposed scopes for each review in the annual internal audit plan;
- 4.5.5. Review reports on internal audit reviews, including recommendations for improvement arising from those reviews;
- 4.5.6. Meet with the leader of the internal audit function at least annually in the absence of management;
- 4.5.7. Monitor action by management on internal audit findings and recommendations;
- 4.5.8. Review the effectiveness of the internal audit function and ensure that it has appropriate authority within Council and has no unjustified limitations on its work;
- 4.5.9. Ensure that the Committee is aware of and appropriately represented with regard to any proposed changes to the appointment of the internal audit service provider, including being appropriately briefed on the need for any proposed change;
- 4.5.10. Recommend to Council, if necessary, the termination of the internal audit contractor.

4.6. External Audit

- 4.6.1. Annually review and approve the external audit scope and plan proposed by the external auditor;
- 4.6.2. Discuss with the external auditor any audit issues encountered in the normal course of audit work, including any restriction on scope of work or access to information;
- 4.6.3. Ensure that significant findings and recommendations made by the external auditor, and management's responses to them, are appropriate and are acted upon in a timely manner;
- 4.6.4. Review the effectiveness of the external audit function and ensure that the Victorian Auditor General's Office (VAGO) is aware of the Committee's views;
- 4.6.5. Consider the findings and recommendations of any relevant performance audits undertaken by VAGO and monitor Council's responses to them; and
- 4.6.6. Meet with the external auditor at least annually in the absence of management.

4.7. Compliance Management

- 4.7.1. Review the systems and processes implemented by Council for monitoring compliance with relevant legislation and regulations and the results of management's follow up of any instances of non-compliance;
- 4.7.2. Review the processes for communicating Council's Employee Code of Conduct to employees and contractors and for monitoring compliance with the Code;
- 4.7.3. Obtain briefings on any significant compliance matters; and
- 4.7.4. Receive reports from management on the findings of any examinations by regulatory or integrity agencies (whether related to investigations at Council or other agencies), such as the Ombudsman, IBAC, Victoria Government Inspectorate, etc. and monitor Council's responses.

5. Reporting

5.1. Financial and Performance Reporting

The Committee will:

- 5.1.1. report twice annually, describing the activities of the Committee together with findings and recommendations.
- 5.1.2. provide a copy of the six monthly report to the Chief Executive Officer for tabling at the next Council meeting..
- 5.1.3. As required, report to the Chief Executive Officer or Council any other matter that the Committee deems is of sufficient importance.
- 5.1.4. Monitor that open communication between the internal auditor, the external auditors, and Council occurs.

6. Committee member obligations

6.1. Committee Chair

- 6.1.1. Attend and report at Councillor Briefings annually on the proceedings and outcomes of the Committee's activities and provide an opportunity for discussion between the Committee, other Councillors and Executive Officers regarding the Committee's activities, roles and responsibilities.

6.2. Councillors

- 6.2.1. After each meeting of the Committee, prepare a Delegate's Report and present it to a public Council meeting. In circumstances where it is warranted, a separate report may be presented as an item of confidential business.

6.3. All Committee Members

- 6.3.1. Maintain a broad understanding of the legal requirements of the Local Government Act 1989 and the Local Government Act 2020. Contribute the time needed to study and understand the papers

provided.

- 6.3.2. Apply good analytical skills, objectivity and judgment.
- 6.3.3. Express opinions frankly, ask questions that go to the fundamental core of the issue and ask for further material if required.
- 6.3.4. Declare any conflicts of interest at the start of each Committee meeting or upon discussion of the relevant agenda item or topic. Members have an obligation to consider the nature of any conflict of interest and exclude themselves from the meeting for the duration of that item where required under section Division 2 of Part 6 of the Local Government Act 2020 or where it is otherwise warranted.

7. Administrative Arrangements

7.1. Meetings

- 7.1.1. The Committee will ordinarily meet five times per year; four quarterly meetings and one meeting to consider the Annual Financial Statements. The meeting schedule shall be agreed by the Committee in the development of its annual work program.
- 7.1.2. In addition, the Chair may call special meetings and is required to call a meeting of the Committee within a reasonable time of being requested to do so by any Committee Member, the Chief Executive Officer or the internal or external auditors.
- 7.1.3. An annual work program for the coming calendar year will be adopted by the Committee at the final meeting of the prior year, and reviewed by the Committee at each meeting. The plan will cover all of the Committee's responsibilities as detailed in this Charter.

7.2. Secretariat

- 7.2.1. The Chief Executive Officer (or delegate) will appoint an officer to provide secretariat support to the Committee. The Secretariat will ensure the agenda for each meeting and supporting papers are circulated, at least one week before the meeting, and ensure the minutes of the meetings are prepared and maintained. Minutes must be approved by the Chair and shall be circulated to Committee members within a reasonable timeframe.
- 7.2.2. In addition, the Secretariat will:
 - Maintain a record of when members' terms of appointment are due for possible renewal or termination;
 - Ensure that appropriate appointment processes are initiated when required;
 - Ensure that new members receive appropriate induction;
 - Following each meeting, prepare the brief report on business handled for distribution to Councillors by Council's

Committee delegates; and

- Prepare an Annual Report summarising the Committee's work for the year past and circulate to Committee members prior to presentation to Council.

7.3. Independent Members Remuneration

- 7.3.1. Remuneration will be paid to each independent member of the Committee. Remuneration levels will be recommended by the CEO for Council approval from time to time and may be based on an annual fee with an additional amount paid to the chair, or a set fee per meeting, or another basis as appropriate.

7.4. Indemnity

- 7.4.1. Council will indemnify and keep indemnified each independent member of the Committee against all actions or claims whether arising during or after their term of office in respect of anything necessarily done or reasonably done or omitted to be done in good faith:
- in the performance of a duty or a function or the exercise of a power under this Act, the regulations or a local law or any other Act; or
 - in the reasonable belief that the act or omission was in the performance of a duty or a function or the exercise of a power under this Act, the regulations or a local law or any other Act.

7.5. Induction

- 7.5.1. All new Committee members will receive induction material and training to ensure they are cognisant with the administrative environment, operational profile and risk management processes of Council.

**Instrument of Appointment and Authorisation
Planning Enforcement Officer**



In this instrument "officer" means -

Aoife MULLIGAN

By this instrument of appointment and authorisation, Yarra City Council –

1. under section 147(4) of the Planning and Environment Act 1987 - appoints the officer to be an authorised officer for the purposes of the Planning and Environment Act 1987 and the regulations made under that Act; and
 2. under section 313 of the Local Government Act 2020 - authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.
-

It is declared that this Instrument -

- (a) comes into force immediately upon its execution; and
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the Yarra City Council on 14 May 2024.

**Sue Wilkinson
Chief Executive Officer
Yarra City Council**

7.10 C1663 Building Cleaning Services - Aquatic Leisure Centres - Tender Report

Reference	D24/161175
Author	David Laidlaw - Coordinator Building and Property Services Contracts
Authoriser	General Manager Infrastructure and Environment
Disclosure	The authoriser, having made enquiries with members of staff involved in the preparation of this report, asserts that they are not aware of any general or material conflicts of interest in relation to the matters presented.

Purpose

1. To consider and recommend awarding a tender for Contract Number C1663 to provide building cleaning services at Council's three aquatic leisure centres as well as the Burnley Golf Course, for an initial term of two years with the option to extend by four further one-year periods (six years in total if all options are exercised).

Background

2. The tender sought proposals from suitably qualified and experienced contractors that specialise in cleaning both indoor and outdoor pools environments as well as spa, steam room and sauna facilities.
3. The four facilities covered by the scope of tender are:
 - (a) Richmond Recreation Centre;
 - (b) Collingwood Leisure Centre;
 - (c) Fitzroy Swimming Pool; and
 - (d) Burnley Golf Course
4. Collingwood Estate Gym is cleaned by the building owner, Department of Families, Fairness and Housing, and is outside the scope of this contract.
5. This contract is a replacement for the service contract C1420 Building Cleaning Leisure Centre Buildings which expired on 30 April 2024. Interim arrangements are in place to continue the cleaning service at leisure centres pending the award of this replacement contract.
6. A thorough review of the service specification and scope of services required was undertaken as part of the tender process. The new scope demands an improved cleaning service through the technology and innovation required by contractors which will lead to an improved experience by patrons at Council's leisure centres.

Tender Process

Pre-Tender Panel Review Meeting

7. The evaluation criteria and weightings were discussed and agreed upon at the pre-tender panel meeting.

Tender Evaluation Panel

8. The panel consisted of the following personnel:
 - (a) Procurement Team Leader (chairperson);
 - (b) Leisure Assets and Facilities Officer;
 - (c) Coordinator Building & Property Services Contracts; and

- (d) Coordinator Building Maintenance.

Invitation to Tender

9. A tender for building cleaning services for Council's aquatic leisure centres inviting suitably qualified contractors to submit a tender response was advertised on Saturday 17 February 2024 in 'The Age' newspaper and on Council's eProcure tendering portal, which is accessible from Council's website. The closing date for tenders was Friday 8 March 2024.

Tenders Received

10. Thirteen submissions were received as outlined in **Confidential Attachment 1**.

Tender Evaluation Criteria

11. The tender evaluation criteria are outlined in **Confidential Attachment 1**.

Qualitative Assessment

12. Each panel member assessed and scored the tender responses against the qualitative evaluation criteria. Upon completion of individual assessments, the panel met to discuss the results of the qualitative assessments before referee checks. A consensus of each score was agreed on and weightings applied to determine each tenderer's qualitative score.
13. The consensus qualitative scores are outlined in **Confidential Attachment 1**.

Referee Checks

14. The referee check summary and scoring are outlined in **Confidential Attachment 1**.

Quantitative Assessment

15. The Value For Money (VFM) formula was applied whereby qualitative scores (consensus panel scores) are multiplied by the price factors to arrive at a VFM score against the shortlisted tenderers that measures the ratio of value to price for each tender, to determine value for money rankings.
16. The VFM analysis combining the qualitative scores and quantitative scores is outlined in **Confidential Attachment 1**.

Tender Recommendation

17. Based on the VFM analysis, the panel agreed to recommend a preferred tenderer for the contract as representing the best value for money to Council, subject to a successful financial assessment.

Financial Assessment

18. Corporate Scorecard Pty Ltd was commissioned to perform an independent standard financial and performance assessment of the preferred tenderer which is outlined in **Confidential Attachment 1**.

Probity

19. The Procurement Team Leader provided probity oversight of the tender and evaluation process. All probity requirements have been met and no concerns have been raised.
20. In accordance with Council's Procurement Policy, preparation of a probity plan and appointment of an external probity advisor was not required as the expenditure of the contract is not assessed to exceed \$10 million.
21. Members of the panel have all completed conflict of interest declarations that have been approved by the Procurement Team Leader.
22. Further probity information is outlined in **Confidential Attachment 1**.

Occupational Health and Safety

23. The recommended tenderer has an occupational health and safety management system that complies with the requirements of the Occupational Health and Safety Act 2004 and the Occupational Health and Safety Regulations 2017 and has been implemented throughout the organisation.
24. The tender document contained occupational health and safety conditions which require the following prior to commencement:
 - (a) A risk assessment, including requirement for a Job Safety Analysis (JSA);
 - (b) A health and safety plan (includes induction and safety training, safe work practices and procedures, occupational health and safety consultation, emergency procedures, incident reporting and investigation and occupational health and safety performance monitoring); and
 - (c) Compliance with all Victorian occupational health and safety legislation (includes acts, regulations and codes of practice).
25. The panel has verified that it is satisfied with the recommended tenderer's previous history in respect of occupational health and safety claims or incidents. The contract will be managed by a Council officer who will ensure compliance with the health and safety plan monitoring of monthly performance, and JSA reports.

Financial and Resource Implications

26. This contract is an output-based contract for cleaning services to be delivered each night at all facilities, a day-time interim clean at aquatic centres only, and periodic major cleans at each facility. The contract provides for annual indexation of rates on the contract anniversary date, linked to the Wages Price Index published by the Australian Bureau of Statistics.
27. The tenderers also tender estimated consumable materials to be provided under the contract, which is used to value the total annual expenditure under the contract.
28. Further financial implications are outlined in **Confidential Attachment 1**.

Economic Development Implications

29. Yarra's leisure centres encourage and support visitation to the municipality, contributing to a thriving local economy and also support local employment.

Stakeholder Consultation

30. Council officers from the Leisure Services team within the Property & Leisure branch participated in the development of the tender documents.

Sustainability Implications

31. The recommended tenderer provided positive environmental sustainability responses in their tender submission. Ongoing monitoring of sustainability practices will occur during the life of the contract.
32. Some examples of good environmental practices listed by the recommended tenderer include:
 - (a) procedures to ensure reduced water and chemical usage by using steam cleaning units;
 - (b) using more energy efficient equipment such as battery-operated vacuum cleaners; and
 - (c) an extensive recycling and waste minimising program.

Social Procurement Implications

33. Tenderers were required to demonstrate any socially responsible practices they currently apply or can implement while providing the services.

34. The recommended tenderer provided positive social sustainability responses in its tender submission including having a diverse and inclusive workforce, employing people from disadvantaged backgrounds and using social and environmental responsible suppliers.

Human Rights and Disability – Access and Inclusion Implications

35. The operation of many of Council’s buildings such as leisure centres, is consistent with Article 24 of the Universal Declaration of Human Rights which protects the right to rest and leisure, with equality of access to the facilities and programming of services.

Community Vision and Council Plan Implications

36. The Council Plan 2021 -25 includes the following strategic objectives which apply to this contract:
- (a) Climate and environment;
 - (b) Social equity and health;
 - (c) Local economy; and
 - (d) Place and nature.

Legal Implications

37. The contract is based on a service specification incorporated into a formal contract agreement which ensures that the contract is enforceable and incorporates protocols for its management.
38. The tender form of agreement is the Services General Conditions - Long Form bespoke contract form prepared for Council by Maddocks and used for many of Council’s service contracts.
39. Further legal implications are outlined in **Confidential Attachment 1**.

Other Issues

40. The following key performance indicators will be applied to the contract and will be used in assessing overall performance of the contractor.

KPI service area	Unsatisfactory standard	Satisfactory standard	High standard
KPI 1. Performance monitoring	Contractor response to Oracle Requests not meeting 24 hr timelines was below 80%	Contractor response to Oracle Requests not meeting 24hr timelines was below 90%	Contractor response to Oracle Requests 24hr timelines was 100%
KPI 2. External auditor results	Results of external audits, scored the service lower than 75%	Results of the external audits, scored the service between 75 - 89%	Results of the external audits, scored the service at 90% or above
KPI 3. Periodical cleaning performance	Not all periodical tasks were carried out to the specified standards, and on more than one occasion, the service or remediation was a week late	Not all periodical tasks were carried out to the specified standards or dates, but were rectified within 48 hours	All periodical tasks in all premises were carried out to the specified standards within the agreed time frame

KPI service area	Unsatisfactory standard	Satisfactory standard	High standard
KPI 4. Issues remediation	Issues raised by the contract manager were not remedied satisfactorily in the agreed time, or the same issue was repeated more than once	Issues were raised by the contract manager but were remedied satisfactorily in the agreed time, and the same issue was not repeated	No issues were raised by the contact manager that required remediation

Communities with CALD Communities Implications

41. All public communications will be in accordance with best practice principles for communicating with culturally and linguistically diverse communities.

Ethical Practices

42. The recommended tenderer has identified that it complies with Council's ethical standards.

Options

43. An option is outlined in **Confidential Attachment 1**.

Conclusion

44. The tenderer recommended for cleaning services contract at the Council's leisure centres (three aquatic centres and the golf course) was identified through a tender and evaluation process that is compliant with Council's Procurement Policy.
45. This contract will provide value for money and support Council's leisure services offering to the community.

RECOMMENDATION

1. That Council:
- awards the contract C1663 for Building Cleaning Services - Aquatic Leisure Centres to _____ (ABN _____) for an estimated sum in the first year of \$_____ (exclusive of GST) and a maximum sum of \$_____ (exclusive of GST) if Council exercises its options to extend for a further four one-year periods following the initial term of two years; and
 - authorises the General Manager Infrastructure and Environment to sign the contract documentation and exercise options (as required and subject to satisfactory performance) on behalf of Council.

Attachments

- 1 Attachment 1 - C1663 Building Cleaning Services - Aquatic Leisure Centres - Tender Report - Confidential Attachment 1 - *Confidential*

8.1 Notice of Motion No.7 of 2024 - Garden Waste

Reference	D24/171121
Author	Sue Wilkinson - Chief Executive Officer
Authoriser	Chief Executive Officer
Disclosure	The authoriser, having made enquiries with members of staff involved in the preparation of this report, asserts that they are not aware of any general or material conflicts of interest in relation to the matters presented.

I, Councillor Bridgid O'Brien, hereby give notice that it is my intention to move the following motion at the Ordinary Meeting of Council to be held on 14 May 2024:

That Council receives a report at the June Council meeting regarding options to retain a booked garden waste service for residential properties in the municipality.

RECOMMENDATION

1. That Council:
 - (a) receives a report at the June Council meeting regarding options to retain a booked garden waste service for residential properties in the municipality.

Attachments

There are no attachments for this report.

8.2 Notice of Motion No.8 of 2024 - Medically Supervised Injecting Room

Reference	D24/172174
Author	Sue Wilkinson - Chief Executive Officer
Authoriser	Chief Executive Officer
Disclosure	The authoriser, having made enquiries with members of staff involved in the preparation of this report, asserts that they are not aware of any general or material conflicts of interest in relation to the matters presented.

I, Councillor Herschel Landes, hereby give notice that it is my intention to move the following motion at the Ordinary Meeting of Council to be held on 14 May 2024:

1. *That Council:*
 - (a) *recognises that the Medically Supervised Injecting Service (MSIR) in North Richmond is saving lives, and thanks the Victorian Government for its ongoing commitment to this critical facility; and*
 - (b) *expresses disappointment at the Government's recent announcement to not proceed with a second medically supervised injecting room (MSIR) in Melbourne's central business district, despite Ken Lay AO APM's recommendations for a small discrete facility.*
2. *That the Mayor write to the Premier The Hon. Jacinta Allen MP, outlining the following on behalf of Council:*
 - (a) *welcomes the Victorian Government's trial of Trauma-Informed Enhanced Outreach in the North Richmond Precinct and requests that this essential program become ongoing, as it is already proving beneficial to people who inject drugs and the broader community;*
 - (b) *commends the Victorian Government's commitment to a two-year trial of opioid replacement therapy using hydromorphone for 60 drug users, who have not responded to other treatments, and requests that the implementation of this program be expedited to the earliest practicable date; and*
 - (c) *seeks support from the Victorian Government to fund Council's efforts in maintaining the North Richmond Precinct, where Council has doubled its cleaning and syringe management efforts, including more frequent street sweeping and foot patrols, with total expenditure nearing \$1.7 million since the 2020-21 financial year.*

RECOMMENDATION

1. That Council:
 - (a) recognises that the Medically Supervised Injecting Service (MSIR) in North Richmond is saving lives, and thanks the Victorian Government for its ongoing commitment to this critical facility; and
 - (b) expresses disappointment at the Government's recent announcement to not proceed with a second medically supervised injecting room (MSIR) in Melbourne's central business district, despite Ken Lay AO APM's recommendations for a small discrete facility.
2. That the Mayor write to the Premier The Hon. Jacinta Allen MP, outlining the following on behalf of Council:
 - (a) welcomes the Victorian Government's trial of Trauma-Informed Enhanced Outreach in the North Richmond Precinct and requests that this essential program become ongoing, as it is already proving beneficial to people who inject drugs and the broader community;
 - (b) commends the Victorian Government's commitment to a two-year trial of opioid replacement therapy using hydromorphone for 60 drug users, who have not responded to other treatments, and requests that the implementation of this program be expedited to the earliest practicable date; and
 - (c) seeks support from the Victorian Government to fund Council's efforts in maintaining the North Richmond Precinct, where Council has doubled its cleaning and syringe management efforts, including more frequent street sweeping and foot patrols, with total expenditure nearing \$1.7 million since the 2020-21 financial year.

Attachments

There are no attachments for this report.