



# Minutes

## Council Meeting

6.31pm, Tuesday 13 August 2024

Richmond Town Hall

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

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

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

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

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

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

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

### Attendance

#### Councillors

- Cr Edward Crossland Mayor
- Cr Michael Glynatsis Councillor
- Cr Stephen Jolly Councillor
- Cr Herschel Landes 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
- Sandra Sanderson Corporate Services (Acting)

##### *Governance*

- Phil De Losa Manager Governance and Integrity
- Patrick O’Gorman Senior Governance Coordinator
- Mel Nikou Governance Officer

### Apologies

- Cr Claudia Nguyen Councillor
- Cr Anab Mohamud Deputy Mayor
- Cr Bridgid O’Brien Councillor

### 3. Announcements

#### Vale - Councillor Sarah Carter

On behalf of Yarra City Council, I wish to express our sincere condolences with the passing of Councillor Sarah Carter.

Cr Carter's four consecutive terms as an elected Councillor at Maribyrnong, and her three terms as Mayor, speak to her dedication to serving her constituents and the deep respect that constituents had for her in return.

Cr Carter leaves an enduring legacy through her work as an international aid and development advocate and a champion for equality. She was a strong role model for women and a passionate supporter for young people in the LGBTQIA+ community.

We are deeply saddened by the loss of Cr Carter and our thoughts are with the Maribyrnong community at this difficult time.

#### Recognition of Sue Kent

On behalf of Yarra City Council, we wish to congratulate Sue Kent, outgoing Manager of Belgium Avenue Neighbourhood House at the North Richmond Estate, and the Collingwood Neighbourhood House at the Collingwood Housing Estate for her long-standing service to the community through her dedicated leadership across two neighbourhood houses for 43 years.

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

Cr Crossland, Cr Glynatsis, Cr Jolly, Cr Landes, Cr Stone and Cr Wade declared that they had familiarised themselves with the matters being presented to this meeting and that they do not have a conflict of interest.

The General Manager Infrastructure and Environment declared a general conflict of interest on item 7.5 (Building Maintenance Services and Minor Capital Works Tender C1673).

The Chief Executive Officer declared a general conflict of interest on item 14.2 (Chief Executive Officer KPI's 2024/2025 and Review).

### 5. Confirmation of minutes

#### COUNCIL RESOLUTION

**Moved:** Councillor Glynatsis

**Seconded:** Councillor Stone

That the minutes of the Council Meeting held on Tuesday 9 July 2024 and Extraordinary Council Meeting held on Tuesday 6 August 2024, be confirmed.

#### CALL FOR A DIVISION

**For:** Councillors Crossland, Glynatsis, Jolly, Landes, Stone and Wade

**Against:** Nil

**CARRIED UNANIMOUSLY**

## 6. Question time

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## 7. Council business reports

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## 8. Notices of motion

Nil.

## 9. Petitions and joint letters

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9.2 Petition - Angled Parking in Fitzroy	21

## 10. Questions without notice

Nil

## 11. Delegates' reports

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## 12. General business

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12.1	Councillor Landes - Richmond Library	27

## 13. Urgent business

Nil

## 6. Question time

This record is provided as a summary of the questions asked by members of the public during Question Time. A recording of the Council Meeting is available on Council's website for twelve months following the meeting. Where a question is taken on notice and unable to be answered at the meeting, the full response is also published on Council's website when it becomes available.

The following questions were asked:

**1. Sharie Harrold:**

Baden Powell Hotel site (corner Cambridge & Victoria Parade) has been closed since 2018, its now opening again as "Bliss Bar". They previously operated as a family friendly pub with trading hours up to 11pm. We've been made aware that this will be a drag bar and will have 11 rooms that they state are "not all available for short term stay" because they've been 'commandeered' for 'selfish reasons', and others they seek suggestions on for usage in their publicity. They highlight the separate entrance on Cambridge St. Has this new venue been granted a sex on premises licence?

*The General Manager City Sustainability and Strategy provided the following response:*

*Thank you Sharie for your question and for taking my call yesterday.*

*A planning permit is not required to use the site for bar or accommodation or as a sex on site premises though I note there is no information to suggest that the site is proposed to be used for this purpose. Additionally, no permit is required for internal works which I understand are currently occurring on site.*

**2. Mike Reed:**

We generate 1 bin of 60L waste a week including 10L FOGO

We eat out locally twice a week and eat no take away as we cook all our own and shop locally.

By what logic or reasoning was the extra charges laid on rubbish waste removal based on the value of land / rateable property.

Do 2 retired people in large house , generate more waste than same people in small single fronted house. Both with no children even . Why the \$600 difference. Surely it should be based on the census figures of persons on the block

*The Acting General Manager Corporate Services provided the following response:*

*Thanks for the question, Mike. Extra charges were not laid when the waste service charge was separated from general rates in 2023/24. The general rates were reduced by the equivalent value.*

**3. Elizabeth Cross:**

Council's online document on proposed changes to Transport Management in Yarra city describes Angle-parking as "Dangerous". What is the evidence for this claim? Can Council provide specific, local statistics - and their sources - that demonstrate Angle-parking is more dangerous to cyclists than parallel parking?

**4. Sophie Plevritis:**

If parking is already very difficult and the removal of angled parking from the NDC network would substantially reduce parking along those streets, how does the council envisage allocating the remaining parking?

**5. Anna Spark:**

Has the council explored alternative parking solutions, such as reverse-in angle parking, which is successfully implemented in areas of New South Wales? If so, what were the findings? If not, why hasn't this potentially safer alternative been considered as a compromise between current angle parking and parallel parking?

**6. Anthony Rogers:**

Has the council conducted a study on how potential removal of angle parking would affect local businesses, residents, people with disabilities and overall community access. If so can you provide details of this study?

*The General Manager City Sustainability and Strategy provided the following response:*

*Thank-you Elizabeth, Sophie, Anna, and Anthony for your questions regarding Angle Parking.*

*I would like to clarify that there are currently no scheduled Council projects that involve replacement of angled parking in Fitzroy or other streets included in a distributed flyer to local residents. In addition, reports that Council plans to remove 66% of car parking in Yarra are incorrect.*

*By way of background, the replacement of dangerous angled car parking with parallel parking along high priority cycling routes is an action identified in Yarra's Transport Strategy 2022-32 which aims to improve road safety and amenity for everyone across the municipality. I note that this document was unanimously endorsed by this Council at its July 2022 meeting.*

*Angled parking where the bonnet of a vehicle is pointed towards the kerb required the driver with limited visibility and multiple blind spots to reverse out directly into approaching traffic lanes or bike lanes. Council acknowledges that cars parked parallel to the kerb are not perfect from a safety perspective however drivers are not contending with as many blind spots when manoeuvring out of these spaces and it is easier from cyclists to see that a car is about to move from a greater distances. Additionally road safety audits undertaken by independent experts are also utilised to inform decision making regarding safety.*

*Should there be any proposals to change or remove on-street car parking, all affected properties including businesses and road users will be provided the opportunity to comment as is Council usual practice.*

**7. Paul Jackson on behalf of Catherine Mililli:**

When and how did this council consult the indigenous community about the Burnley Golf course reworks and can you confirm that the BGC reworks have not caused any damage to any of the sacred sites and in particular sacred trees that are significant to the culture of the First Nations People?

*Thanks for the question Paul on behalf of Catherine.*

*Council consulted the community broadly and widely in 2020 when options for the risk mitigation were being explored. More recently Council has engaged with the Wurundjeri Woi-Wurrung Cultural Heritage Aboriginal Corporation about the ongoing protection of a scarred tree at the site.*

*I can confirm that no sacred trees were damaged or removed as a result of the golf course mitigation works undertaken at the site.*

**8. Diana Courtney:**

My question is in relation to the Yarra Climate Emergency Plan and how best council can support and enable residents in actioning this plan?

*The General Manager City Sustainability and Strategy provided the following response:*

*Thank-you for your question Diana.*

*The new Climate Emergency Plan is Council's assurance that we've heard our community's calls for climate action.*

*The Plan outlines a broad range of actions our community can take to reduce their emissions, push for stronger climate policies, and build community resilience to the impacts of climate change.*

*A few key actions which we are keen to highlight include:*

- Delivering programs in partnership with community organisations to support and empower underrepresented communities to understand and participate in democratic processes and advocate on issues relevant to them.*
- Delivering a communications and education program designed to support our community to reduce their personal and household emissions.*
- Delivering and supporting programs that increase our community's understanding and engagement with nature in order to increase people's value, care and protection of biodiversity in the public and private realm.*

*But there are many actions to support community climate action in the new Climate Emergency Plan, and the best way to stay up to date with these is by subscribing to the Yarra Environment News.*

**9. Kenneth Gomez:**

It's been reported that the Victorian State Government allocated \$6.5M in 2018 and \$6.3M in 2022 for the Brunswick Street Oval upgrade.

It has also been reported that cost increases stopped Council from building a new sports pavilion and change rooms.

As required by the Local Government Act sections 58 and 59 to make decision making more transparent, can Council please provide a reconciliation of:

- Start balance
- The funds received
- The interest earned
- The funds expended
- End balance for the financial years 2018 to 2025.

No confidential information needs to be disclosed.

*The General Manager Infrastructure and Environment provided the following response:*

*Thanks for your questions Ken.*

*The State Government awarded funding of approximately \$12.9m with approximately \$9m received to date. The total expenditure on the project to date is about \$1.6m, with the remainder of the funds provided by the State held in reserve by Council for use on the project.*



*For the interest earned on funds held, Council will apply that solely for the purposes of the project, in line with requirements of the funding agreements. To date several hundred thousand dollars in interest has been earned which has been applied to the project.*

*Officers, including senior officers, continue to work closely with the clubs to progress their preferred scheme and one that meets their needs and that we can afford.*

**10. Dr Sharon Harrison:**

Given the geo-fencing technology that has been employed by E-Scooter providers Lime and Neuron, can Council Officers explain why these Lime and Neuron E-Scooters continue to be ridden on the footpath on Bridge Road in alarming numbers and why footpaths are obstructed with dangerously placed E-Scooters that pose a risk to those using Yarra's footpaths?

*Councillor Wade left the meeting during this question as she declared a conflict of interest in relation to e-scooters at 7.11pm.*

*The General Manager City Sustainability and Strategy provided the following response:*

*Thank-you for your question Sharon.*

*Geo fencing relates to designated areas where scooters need to be parked also referred to as 'virtual parking bays'.*

*Specifically in response to Bridge Road, E-scooter parking in the roadway is very limited on Bridge Road as it's a State Road with peak hour clearways.*

*The locations of e-scooter parking areas are assessed by Council officers so that scooters are parked as required without causing an obstruction. This system makes it very difficult for an e-scooter user to park their scooter in the wrong place and finish their trip. Beeping warnings from the scooters, warnings in the app and fines make it clear to the user that they cannot leave a scooter in the wrong place.*

*Data from the operators suggests that the vast majority of scooter users don't want to be fined and are parking them as requested in areas where virtual and physical bays are provided, However if there are specific locations where you are finding issues please make these known to Council.*

*In response to your observations regarding a high number of e-scooter users on the footpath, Councils data with respect to complaints do not reflect this, however I am happy to receive any information you have.*

*Council continues to work closely with State Government and the police to manage any instances of illegal footpath riding. The police have recently announced that fines for footpath riding have been increased.*

*Councillor Wade returned at 7.14pm.*

**11. Paul Jackson:**

I refer to statements made by the CEO at the last council meeting regarding FTE. These statements were made in response to my submission to item 8.4.

Given the following facts.

- The CEO commenced work with City of Yarra on 27.06.2022
- The CoY Annual Report (page 41-2) for Year end 30-06-2022 showed FTE at 828.09
- The CoY Annual Report for Year end 30-06-2023 showed FTE at 30-06-2023 was 900.40.
- The full and final Atticusnow Report is dated June 2022 and coincided with the arrival of the CEO.

Does the CEO contend that FTE has been reduced while she has been CEO ?

*The Chief Executive Officer provided the following response:*

*Thanks for the question Paul.*

*Using the Annual Report data, for 2021/22 the total Full-Time Equivalent (FTE) recorded was 828.09 comprising:*

- 621.43 - Permanent FTE
- 108.81 - Permanent Part Time
- 28.08 - Temporary
- 69.77 - Casual

*For 2022/23 the Total FTE recorded was 900.62 comprising:*

- 565.39 - Permanent FTE (a reduction from the year before)
- 166.49 - Permanent Part Time
- 91.40 - Temporary
- 77.35 - Casual

*The upcoming 2023/24 annual report will show the total FTE recorded was 809.8 (a decrease overall) and comprising:*

- 545 - Permanent FTE (a reduction from the year before)
- 144.8 - Permanent Part Time
- 54 - Temporary
- 66.0 - Casual

*From 2021/22 to 2022/23 the change is largely attributed to an increase in temporary FTE - being 63.32 FTE or 87% of the FTE increase. I note that Temporary/Casual FTE is often funded by and tied to grants related to discretionary, non-recurrent projects.*

*In particular, temporary positions are not recurrent.*

*As you noted, my commencement date at Yarra was the day before the 2022/23 budget was adopted by Council, including the staffing provision reflected in the Annual Report.*

*Finally, it is important to note that the actual FTE reported in Annual Reports excludes vacant positions as at the balance sheet date 30 June.*

**12. Steven Harrison:**

Can you tell me how Council is determining the priorities for stormwater asset renewal and upgrades?

*The General Manager Infrastructure and Environment provided the following response:*

*Thanks for your question Steven.*

*Council will invest \$4 million into drainage capital renewal and upgrades this year (along with a further \$10.8 million in other operating and civil projects which include stormwater asset renewal and upgrade).*

*Stormwater priorities are determined through:*

- the asset inspections undertaken by staff and contractors*
- the flood modelling data we have*
- detailed catchment analysis*
- drainage capacity requirements*
- damaged assets*
- brick drain renewals required*
- flooding hot spots*
- opportune stormwater upgrades associated with other projects.*

**13. Evangeline Aston:**

How is the scope of policy agreed upon to ensure it is both initially defined, and stays, within the bounds of council responsibility and authority?

*The Acting General Manager Corporate Services provided the following response:*

*Thank you for your question Evangeline. During the development of any policy, strategy, or plan, the Council is committed to a thorough and transparent decision-making process. Every Policy presented to the Executive or Council includes mandatory statements that address key considerations. These include:*

- Alignment with the current Community Vision and Council Plan, ensuring our strategies reflect our long-term goals and strategic directions.*
- Financial strategy and budget implications, so that we make responsible decisions that are fiscally sound.*
- Climate emergency and sustainability implications, recognising our commitment to addressing environmental challenges.*
- Community and social implications, which ensure that our decisions positively impact the well-being of our residents.*
- Key legislative requirements, including compliance with the Charter of Human Rights and other legal obligations.*

*These factors are essential in ensuring that all our actions are in line with Council's responsibilities and authority, and they help us uphold transparent and responsible governance.*

**14. Ross Edwards:**

Will the council release the full flood modelling report used to inform the land liable to flooding as part of the proposed planning scheme amendments. At the moment the only one available online is a 'technical report' document produced by Engeny that can only be described as an executive summary I.e. it does not contain any detail including (but not limited to) the datasets used and their accuracy, assumptions made, analysis of uncertainty or consideration of recommendations other than stormwater drainage capacity to mitigate against such flooding occurring.

*The General Manager Infrastructure and Environment provided the following response:*

*Thanks for your question Ross.*

*The technical report appended to the 9 July 2024 Council report was considered the most publicly consumable version of the information we had.*

*There is a more comprehensive and incredibly technical report that was co-funded by Melbourne Water. We have contacted Melbourne Water to determine its plans to release its report. Once we have an answer we will provide you with an update.*

*There will be further opportunities for residents to make enquires of experts when Council runs public engagement sessions later this year.*

*Councillor Jolly left the meeting at 7.33pm*

*Councillor Jolly returned at 7.35pm.*

## 7.1 Proposed Discontinuance of Road at Charlotte Street, Richmond

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<b>Reference</b>	D24/293631
<b>Author</b>	Fadi Fakhoury - Manager Property and Leisure
<b>Authoriser</b>	General Manager Infrastructure and Environment
<b>Disclosure</b>	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.

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### RECOMMENDATION

Start time: 7.35pm

1. That Council, acting under section 17(4) of the Road Management Act 2004, resolves that the road shown marked as Lot 1 on the title plan attached as Attachment 1 to this report (Road), being part of the land remaining in Conveyance Book P No. 980 be removed from Council's Register of Public Roads on the basis that the Road is no longer required for general public use.
2. That Council, acting under clause 3 of schedule 10 of the *Local Government Act 1989* (Act):
  - (a) resolves to discontinue the Road, 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 Road is not reasonably required for public use;
  - (b) directs 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 shall be transferred to Council under section 207D of the Act;
  - (d) authorises the Chief Executive Officer to sign any transfer(s) of the Road and any other documents required to be signed in connection with the discontinuance of the Road and its subsequent transfer to Council;
  - (e) directs that any easements, rights or interests required to be created or saved over the Road by any authority and not be affected by the discontinuance of the Road; and
  - (f) authorises the Chief Executive Officer to write to each person who made a submission under section 223 of the Act in response to the proposal, advising them of the of Council's decision.

## COUNCIL RESOLUTION

**Moved:** Councillor Stone

**Seconded:** Councillor Wade

1. That Council, acting under section 17(4) of the Road Management Act 2004, resolves that the road shown marked as Lot 1 on the title plan attached as Attachment 1 to this report (Road), being part of the land remaining in Conveyance Book P No. 980 be removed from Council's Register of Public Roads on the basis that the Road is no longer required for general public use.
2. That Council, acting under clause 3 of schedule 10 of the *Local Government Act 1989* (Act):
  - (a) resolves to discontinue the Road, having followed all the required statutory procedures pursuant to sections 207A and 223 of the Act pursuant to its power under clause 3 of Schedule 10 of the Act, and being of the opinion that the Road is not reasonably required for public use;
  - (b) directs 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 shall be transferred to Council under section 207D of the Act;
  - (d) authorises the Chief Executive Officer to sign any transfer(s) of the Road and any other documents required to be signed in connection with the discontinuance of the Road and its subsequent transfer to Council;
  - (e) directs that any easements, rights or interests required to be created or saved over the Road by any authority and not be affected by the discontinuance of the Road;
  - (f) authorises the Chief Executive Officer to write to each person who made a submission under section 223 of the Act in response to the proposal, advising them of the of Council's decision;
  - (g) directs officers to conduct further traffic assessments at 6 months and 12 months after the road closure takes effect;
  - (h) seeks further data, modelling and advice on traffic measures which can be taken to ameliorate any significant negative impacts on the local street network;
  - (i) works with residents to determine what those measures should be; and
  - (j) seeks advice on the process for instigating a one way traffic direction in St Crispin Street.

## CALL FOR A DIVISION

**For:** Councillors Crossland, Stone and Wade

**Against:** Councillors Glynatsis, Jolly and Landes

The Mayor used his casting vote to vote in favour.

**CARRIED**

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## 7.2 Plan for Victoria (including Draft Housing Targets) - Consideration of Draft Submission

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<b>Reference</b>	D24/292128
<b>Author</b>	Leonie Kirkwood - Project and Planning Coordinator
<b>Authoriser</b>	Manager City Strategy
<b>Disclosure</b>	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.

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### RECOMMENDATION

Start time: 7.58pm

1. That:

- (a) Council notes the officer report on the *Plan for Victoria* and Draft Housing Targets currently on exhibition by the State Government;
- (b) Council endorses the submission in Attachment 1 to be submitted to the Department of Transport and Planning in response to the *Plan for Victoria* and Draft Housing Targets; and
- (c) Senior officers continue to advocate on Councils behalf regarding the specific areas identified in the submission to reflect Council policies and strategic directions.

#### Public Submission

*Kenneth Gomez addressed Council on the matter.*

### COUNCIL RESOLUTION

**Moved:** Councillor Wade

**Seconded:** Councillor Stone

1. That:

- (a) Council notes the officer report on the *Plan for Victoria* and Draft Housing Targets currently on exhibition by the State Government;
- (b) Council endorses the submission in Attachment 1 to be submitted to the Department of Transport and Planning in response to the *Plan for Victoria* and Draft Housing Targets; and
- (c) Senior officers continue to advocate on Councils behalf regarding the specific areas identified in the submission to reflect Council policies and strategic directions.

### CALL FOR A DIVISION

**For:** Councillors Crossland, Glynatsis, Jolly, Landes, Stone and Wade

**Against:** Nil

**CARRIED UNANIMOUSLY**

*The Mayor adjourned the meeting at 8.05pm*

*The meeting resumed at 8.15pm.*

## 7.3 Quarterly Community Report Quarter 4 2023/24

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<b>Reference</b>	D24/285611
<b>Author</b>	Emily Woodin - Coordinator Business Planning and Performance
<b>Authoriser</b>	Chief Financial Officer
<b>Disclosure</b>	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.

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### RECOMMENDATION

Start time: 8.15pm

1. That:
  - (a) Council note the 2023/24 Quarterly Community Report Quarter 4.

#### Public Submission

*Paul Jackson addressed Council on the matter.*

*Councillor Jolly returned to the meeting at 8.16pm.*

### COUNCIL RESOLUTION

**Moved:** Councillor Landes

**Seconded:** Councillor Crossland

1. That:
  - (a) Council note the 2023/24 Quarterly Community Report Quarter 4.

### CALL FOR A DIVISION

**For:** Councillors Crossland, Glynatsis, Jolly, Landes, Stone and Wade

**Against:** Nil

**CARRIED UNANIMOUSLY**



## 7.4 Governance Report - August 2024

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<b>Reference</b>	D24/147862
<b>Author</b>	Phil De Losa - Manager Governance and Integrity
<b>Authoriser</b>	General Manager Governance, Communications and Customer Experience
<b>Disclosure</b>	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.

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### **RECOMMENDATION**

Start time: 8.27pm

1. That Council note the outcomes of the 2024 Australian Local Governance Association National General Assembly.
2. That Council note the KPMG report for Burnley Golf Course.
3. That Council note the Determination made by the Victorian Independent Remuneration Tribunal to adjustments to the allowances for Councillors, Mayors and Deputy Mayors.
4. That Council note the update regarding the Local Government Victoria Stage Two Consultation - Model Councillor Code of Conduct and Councillor Training.
5. That Council retain the Planning Decision Committee Meeting on 23 September 2024 and schedule a Planning Decision Committee Meeting at 7.30 pm on 22 October 2024.

### Public Submissions

*The following people addressed Council on the matter:*

*Paul Jackson;*

*Kenneth Gomez;*

*Dr Sharon Harrison; and*

*Anne Coveny.*

*Councillor Stone left the meeting at 8.40pm*

*Councillor Stone returned at 8.44pm*

### **COUNCIL RESOLUTION**

**Moved:** Councillor Wade

**Seconded:** Councillor Glynatsis

1. That Council note the outcomes of the 2024 Australian Local Governance Association National General Assembly.
2. That Council note the KPMG report for Burnley Golf Course.
3. That Council note the Determination made by the Victorian Independent Remuneration Tribunal to adjustments to the allowances for Councillors, Mayors and Deputy Mayors.
4. That Council note the update regarding the Local Government Victoria Stage Two Consultation - Model Councillor Code of Conduct and Councillor Training.
5. That Council retain the Planning Decision Committee Meeting on 23 September 2024 and schedule a Planning Decision Committee Meeting at 7.30 pm on 22 October 2024.

### **CALL FOR A DIVISION**

**For:** Councillors Crossland, Glynatsis, Jolly, Landes, Stone and Wade

**Against:** Nil

**CARRIED UNANIMOUSLY**

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## 7.5 Building Maintenance Services and Minor Capital Works Tender C1673

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<b>Reference</b>	D24/270615
<b>Author</b>	David Laidlaw - Coordinator Building and Property Services Contracts
<b>Authoriser</b>	Chief Executive Officer
<b>Disclosure</b>	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.

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*The General Manager Infrastructure and Environment left the meeting due to a conflict of interest at 8.51pm.*

**RECOMMENDATION** Start time: 8.51pm

1. That Council:

- (a) awards contracts for C1673 for Building Maintenance Services and Minor Capital Works to the following contractors for an initial term of 3 years commencing on 1 October 2024, with options at Council's discretion to extend for an additional two x three-year periods, for a maximum possible contract duration of nine years:
- for Panel A (packages A maintenance services and B minor capital works)
- (i) \_\_\_\_\_ (ABN \_\_\_\_\_ )
- (ii) \_\_\_\_\_ (ABN \_\_\_\_\_ )
- for Panel B (package B minor capital works only)
- (iii) \_\_\_\_\_ (ABN \_\_\_\_\_ )
- (iv) \_\_\_\_\_ (ABN \_\_\_\_\_ )
- (v) \_\_\_\_\_ (ABN \_\_\_\_\_ )
- (b) notes that the maximum expenditure under the contract panel is expected to be \$6 million ex-GST per annum (2024/24 dollars) and that the maximum total expenditure under the proposed contract panel, over the maximum contract duration of nine years if Council exercises all its extension options and including a high price escalation scenario allowance of 8% p.a. compound, is \$75 million ex-GST;
- (c) authorises the General Manager Infrastructure and Environment to sign the contract documentation and exercise options (as needed and subject to satisfactory performance) on behalf of Council; and
- (d) authorises Council officers to communicate this information to the extent necessary to give effect to the recommendation.

## COUNCIL RESOLUTION

**Moved:** Councillor Stone

**Seconded:** Councillor Wade

1. That Council:

- (a) awards contracts for C1673 for Building Maintenance Services and Minor Capital Works to the following contractors for an initial term of 3 years commencing on 1 October 2024, with options at Council's discretion to extend for an additional two x three-year periods, for a maximum possible contract duration of nine years:
  - for Panel A (packages A maintenance services and B minor capital works)
    - (i) Harris HMC Interiors Pty Ltd (ABN 56 006 262 979);
    - (ii) Blended Services Group Pty Ltd (ABN 45 634 713 554);
  - for Panel B (package B minor capital works only)
    - (iii) MPE Group Interiors Pty Ltd (ABN 97 628 646 579);
    - (iv) Programmed Facility Management Pty Ltd (ABN 23 001 382 010);
    - (v) Boongalla Group Pty Ltd (ABN 49 114 249 286);
- (b) notes that the maximum expenditure under the contract panel is expected to be \$6 million ex-GST per annum (2024/24 dollars) and that the maximum total expenditure under the proposed contract panel, over the maximum contract duration of nine years if Council exercises all its extension options and including a high price escalation scenario allowance of 8% p.a. compound, is \$75 million ex-GST;
- (c) authorises the Chief Executive Officer to sign the contract documentation and exercise options (as needed and subject to satisfactory performance) on behalf of Council; and
- (d) authorises Council officers to communicate this information to the extent necessary to give effect to the recommendation.

## CALL FOR A DIVISION

**For:** Councillors Crossland, Glynatsis, Jolly, Landes, Stone and Wade

**Against:** Nil

**CARRIE UNANIMOUSLY**

*The General Manager Infrastructure and Environment returned to the meeting at 8.55pm.*

## 8. Notices of motion

Nil

## 9. Petitions and joint letters

### 9.1 Petition - Proposed Closure of Charlotte Street, Richmond for a pocket park

Reference: D24/304535

A petition containing 51 signatures from residents are objecting to Council's proposal for a proposed closure of Charlotte Street, Richmond between Church and St Crispin Streets for the purpose of a pocket park.

#### **COUNCIL RESOLUTION**

**Moved:** Councillor Crossland

**Seconded:** Councillor Glynatsis

That the petition be accepted, noted and referred to the Chief Executive Officer for consideration and response.

#### **CALL FOR A DIVISION**

**For:** Councillors Crossland, Glynatsis, Jolly, Landes, Stone and Wade

**Against:** Nil

**CARRIED UNANIMOUSLY**

### 9.2 Petition - Angled Parking in Fitzroy

Reference: D24/314463

A petition containing 489 signatures and 1658 online are objecting to Council's Transport Action Plan 2024/34 for the removal of angled parking in Fitzroy without consultation.

#### **COUNCIL RESOLUTION**

**Moved:** Councillor Jolly

**Seconded:** Councillor Glynatsis

That the petition be accepted, noted and referred to the Chief Executive Officer for consideration and response.

#### **CALL FOR A DIVISION**

**For:** Councillors Crossland, Glynatsis, Jolly, Landes, Stone and Wade

**Against:** Nil

**CARRIED UNANIMOUSLY**

*Councillor Jolly left the meeting at 8.58pm, not returning.*

## 10. Questions without notice

Nil

## 11. Delegates' reports

### 11.1 Councillor Stone - Friends of Baucau Inc.

<b>Committee</b>	Friends of Baucau Inc.
<b>Appointed Councillors</b>	Cr Amanda Stone
<b>Date of Council Meeting</b>	Tuesday 13 August 2024
<b>Date of Report</b>	Monday 12 August 2024
<b>Report Author</b>	Cr Amanda Stone

Friends of Baucau Inc. is a not-for-profit community organisation that was formed to foster a partnership between the people and municipalities of Yarra, Darebin and Baucau District in Timor Leste.

In 2014, the Victoria State Government brokered municipal agreements between some Victorian municipalities and districts in Timor Leste to support the transition to a system of local government. A Municipal Agreement was signed between Yarra and Darebin Councils and the District of Baucau.

Friends of Baucau meets monthly in the Edinburgh Gardens Community Room to plan work with our partners in Baucau to provide financial and other support for a range of different development projects. In the past 3 years, the main focus has been to support women's empowerment projects, teacher training, and sustainable livelihoods.

The Annual General Meeting was held in May and attached is Friends of Baucau's Annual Report.

The Women's Economic Empowerment Committee also meets regularly to plan support for the 3 key partners focused upon supporting women in Baucau: the Centre for Women's Development (CFHD); Fundasaun Uma Pas, a women's shelter; and the Women's Association for Development in Baucau (AFEHABAD)

Friends of Baucau has continued to work with other friendship groups and networks to share experiences of supporting local communities and Timor Leste and to support each other's efforts.

Fundraising during 2024 has focused on a regular coffee sales stall at the weekly Gleadell Street Market. Funds raised will support women's empowerment programs and a permaculture program in the District of Baucau.

A planned visit of a delegation of Friends of Baucau members and Neighbourhood House members from Yarra and Darebin to Baucau in 2024 has been deferred until 2025. If representatives from each council can attend, this will provide an opportunity for both councils to reignite the municipal cooperation and for each council to investigate ways to support the transition to a form of local government in one of our nearest and poorest neighbours.

### **FRIENDS OF BAUCAU ANNUAL REPORT 2023**

#### **ATTACHMENT**

Friends of Baucau Inc (FoB) is an incorporated community organisation based in the cities of Darebin and Yarra in Victoria, Australia. We promote friendship links between people in these cities and the communities of the Baucau Municipality in Timor-Leste.

We aim to:

- assist the people of Baucau Sub-District, through transfer of knowledge, skills, and resources as appropriate, particularly regarding

health, education and training and community development.

- support projects aimed at strengthening communities and education self- sufficiency, and consistent with cultural, environmental and social sustainability in the Baucau Sub-District.
- build better knowledge and understanding between the communities of Baucau, Darebin and Yarra.
- work to achieve the above aims in conjunction with the City of Darebin and the City of Yarra.

We thank Darebin and Yarra councils for their ongoing support.

Friends of Baucau Office Bearers:

- Ursula Harrison, Convenor
- Glenda Lasslett, Deputy Convenor
- Leanne Coughlin, Secretary
- Shane Campbell, Treasurer

Friends of Baucau General Members:

- Kathleen Walsh
- Chris Dureau
- Wendy Dinning (City of Darebin)
- Cr Susanne Newton (City of Darebin)
- Cr Amanda Stone (City of Yarra)
- Sarah Ernst (City of Yarra)

### **CONVENOR'S REPORT**

Friends of Baucau has a small but enthusiastic committee of management that meets on a monthly basis and continues our work with the 11 sucos in the sub- district of Baucau, Timor-Leste.

This year we supported a number of projects with our partners in Baucau:

- Uma Paz - this organisation provides a women's safe house and support for women to leave domestic violence situation. This year we provided funding to help with meals and personal hygiene kits for victims returning to their villages.
- Salustiano Freitas Scholarship Fund - we provided funding for one scholarship to cover the costs of fees and a living allowance for a female trainee teacher from the Baucau municipality at the Instituto Catolico Para Formacao de Professores. And Robbi Chaplin funded an additional teacher training scholarship in memory of her son Jess Chaplin Birch this year.
- Permatil - through Rui Sequeira, xefe of Samalare we provided funding for transportation for young people to attend the Permatil camp held in the middle of the year to learn more about permaculture practices.

The Cities of Darebin and Yarra continue to provide support through participation in our committee, providing regular updates on council news, and facilitating links to local resources.

Many thanks to all our supporters, and a special thanks to our dedicated committee members.

**Ursula Harrison**

## **Events in 2023**

### **MUSIC AT THE AMPHITHEATRE**

This year Friends of Baucau was again invited by City of Yarra to organise catering as a fundraising and promotion activity at the Music at the Amphitheatre concert series. We provided catering on Sunday 19 February, including a delicious and healthy mix of Timorese snacks and salads.

### **CIRCLE OF SILENCE**

More than 80 people attended the Australian Premiere showing of the film Circle of Silence at Westgarth Cinema, which we hosted following our AGM.

The film documented Shirley Shackleton's journey to discover the truth about the Balibo Five murders.

And it was wonderful to have the film's Producer/Director, Luigi Acquisto, participating in a Q&A session following the film's showing.

### **LEAPS AND BOUNDS**

In July 2023 we organised Spirit of Timor, a joyous occasion featuring Timorese music and cultural catering. The event was held at Collingwood Town Hall as part of City of Yarra's Leaps and Bounds Festival. The evening featured the stories of resistance as told by the Dili Allstars infectious brand of music. They were accompanied by young members of Timor Oans cultural group.

This combined performance was put together by members of the Dili Allstars—an inspirational initiative designed to assist Timor-Leste youth to connect with their cultural identity and preserve their rich tapestry of cultural arts practices. More than 200 people from the local Timorese community, along with many other community members across Yarra, Darebin and beyond, enjoyed the family friendly atmosphere and delicious Timorese food.

The event was supported by a Multicultural Victoria Festival grant and the City of Yarra.

## **Fundraising**

### **COFFEE SALES**

Our rebranded coffee sold well this year. We sell it through our networks, through local neighbourhood houses, local milkbars and at markets—including this year the Gleadell Street market in Richmond, and the makers markets at Alphington Community Centre.

Friends of Baucau are happy to receive requests for participation in local community events or markets where we are able to sell our packets of coffee.

Coffee Mio in Thornbury source, roast, and package the coffee on our behalf.

## **Treasurer's Report**

The Friends of Baucau (FoB) has a net operating surplus of \$1,202 in 2023.

Total receipts for the year of \$21,934 were significantly higher (58%) than in 2022, mainly driven by grant funding and gross proceeds from the Spirit of Timor Cultural Festival. However, expenditure of \$20,732 was also much higher

(by 93%), driven by requests for support from various Baucau organisations and Spirit of Timor Festival related expenditure.

Our program of fundraising activities and events is slowly returning to normal following the impact of pandemic restrictions in previous years.



Timor-Leste coffee sales to organisations and individuals during the year continued to provide a strong ongoing revenue stream (which now includes a regular presence at the City of Yarra Gleadell Street Market), and the provision of catering for the previously-mentioned City of Yarra Spirit of Timor Cultural Festival and Music at the Fairfield Amphitheatre.

Residual proceeds from the House Concert held in December 2022 also contributed a welcome boost to FoB finances.

The corresponding increase in expenditure for the year was mainly the result of associated costs in providing catering services for the City of Yarra Spirit of Timor Cultural Festival. Artist performance fees of \$4,000 were also incurred, but these were covered by grant funding received from City of Yarra and Multicultural Arts Victoria. FoB recorded a surplus of just over \$3000 for this event.

A number of Baucau program funding requests were also approved by the Committee during the year: Fundasaun Uma Paz support (\$5,216), Permacamp attendance (\$1,098) and Australian Marist Solidarity student teacher scholarships (\$1,500).

Cost savings continue to be realised due to the absence of expenses usually incurred for travel between Australia and Timor-Leste. There was no travel expenditure incurred between 2021-23, compared with \$4,900 in 2020 and \$14,700 in 2019. At this stage, travel to Timor-Leste has been deferred until 2025.

### **Financial Year Result**

The above items resulted in a net operating surplus of revenue over expenditure of \$1,202 in 2023, compared with a surplus of \$3,127 in 2022.

The end-of-year cash balance in 2023 was \$47,782, compared with a balance of \$46,580 in 2022.

In November 2023, FoB placed \$30,000 of available funds on term deposit with Bendigo Bank, mainly due to cost savings driven by the deferral of travel between Australia and Timor-Leste and continued recovery of normal operations following pandemic restrictions. A decision to roll over this term deposit for a further period upon maturity was recently approved by the Committee.

The detailed FoB financial report for the 2023 financial year follows.

**Shane Campbell**

Receipts \$		2023	2022
<b>Council &amp; Government</b>	City of Darebin	5,000	
	City of Yarra	800	2,500
	State Government	1,800	
<b>Fundraising</b>	Film Night	262	
	Coffee Sales	5562	5605
<b>Donations</b>	GIVENOW for Timor-Leste	59	
	Other	140	
<b>Special events</b>	Spirit of Timor Event	5533	
	Music at the Fairfield Ampitheatre	1,618	2,176
	House Concert	1,155	3,279
<b>Other Receipts</b>	Membership Subscriptions		304
	Bank Interest	5	4
	Miscellaneous		1
<b>Total Receipts</b>		<b>21,934</b>	<b>13,869</b>
Less Expenditure \$		2023	2022
<b>Administration</b>	Printing & Postage	97	
	Venue Hire		144
	Website Fees	449	897
	Insurance Fees	740	679
	National Storage Fees	1,716	513
	Bank & Merchant Charges (incl. Square Card e-Reader charges)	88	30
	Miscellaneous	163	621
<b>Fundraising</b>	Purchase of Square e-Reader	329	
	Market Expenses (incl. purchase of marquee)	192	
	Coffee Purchases	1,953	1,995
<b>Events</b>	Spirit of Timor Cultural Festival Costs	6,527	
	Music at the Fairfield Amphitheatre Costs	664	891
	METAC Dinner at BANH Costs		1200
	House Concert Costs		1,983
<b>Programs &amp; Appeals</b>	Permatil/Permacamp Contributions	1,098	
	Scholarships	1,500	690
	Baucau Centre—Furniture Purchases		1,100
	Fundasaun Uma Paz Support	5,216	
<b>Total Expenditure</b>		<b>20,732</b>	<b>10,742</b>
<b>Surplus of / (Expenditure exceeding) Receipts</b>		<b>1,202</b>	<b>3,127</b>
Cash at Bank as at 31 December \$		2023	2022
Bendigo Bank Operating Account	Opened in June 2021	17,282	46,080
Bendigo Bank Debit Card Account	Opened in November 2021	500	500
Bendigo Bank Term Deposit	6-month investment (matures May 2024)	30,000	
<b>Total Funds at end of year</b>		<b>47,782</b>	<b>46,580</b>

**COUNCIL RESOLUTION**

**Moved:** Councillor Stone

**Seconded:** Councillor Wade

1. That:

(a) Council note this Delegates Report.

**CALL FOR A DIVISION**

**For:** Councillors Crossland, Glynatsis, Landes, Stone and Wade

**Against:** Nil

**CARRIED UNANIMOUSLY**

## 12. General Business

### 12.1 Councillor Landes - Richmond Library

#### **COUNCIL RESOLUTION**

**Moved:** Councillor Landes

**Seconded:** Councillor Glynatsis

That Council officers prepare a report on the scope of a building and maintenance assessment of the Richmond Library, which will assist in any potential long-term planning for the site.

#### **CALL FOR A DIVISION**

**For:** Councillor Crossland, Glynatsis, Landes, Stone and Wade

**Against:** Nil

**CARRIED UNANIMOUSLY**

## 13. Urgent business

Nil

## 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.

### COUNCIL RESOLUTION

**Moved:** Councillor Stone

**Seconded:** Councillor Glynatsis

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.

### CALL FOR A DIVISION

**For:** Councillors Crossland, Glynatsis, Landes, Stone and Wade

**Against:** Nil

**CARRIED UNANIMOUSLY**

### Item

#### 14.1 Open Space Network Opportunity

This item is to be considered in closed session to allow consideration of land use planning information, being information that if prematurely released is likely to encourage speculation in land values; and 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.

#### 14.2 Chief Executive Officer KPI's 2024/2025 and Review

This item is to be considered in closed session to allow consideration of legal privileged information, being information to which legal professional privilege or client legal privilege applies and 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 this report contains information about the employment arrangements of an individual member of staff.

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

**Conclusion**

The meeting concluded at 9.21pm.

Confirmed Tuesday 10 September 2024

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Mayor