

Minutes of the Ordinary Meeting of Council



Held on the 21 September 2020

Conducted virtually and streamed live online

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MINUTES

The Meeting opened at 7.00pm.

Acknowledgement of the Traditional Custodians

The Mayor read an acknowledgement of the traditional custodians, the Wurundjeri Woiwurrung people.

Present

Mayor Cr Alison Champion, Cr Peter Castaldo, Cr Mark Di Pasquale, Cr Rick Garotti, Cr Craig Langdon, Cr Tom Melican, Cr Wayne Phillips

Apologies

Nil

Leave of Absence

Confirmation of Minutes

That the following Minutes be confirmed:

Ordinary Meeting of Council held 7 September 2020

Moved: Cr Tom Melican

Seconded: Cr Rick Garotti

CARRIED

Disclosure of Interests

Cr Wayne Phillips declared a conflict of interest in item 5.1 being an indirect interest by close association as he negotiated between two parties in relation to the sale of land at 7A Curzon Street, Ivanhoe on behalf of Council and one party is well known to him.

Presentation

Nil

1. URGENT BUSINESS

Nil

2. PETITIONS

Nil

3. PEOPLE – COMMUNITY STRENGTHENING AND SUPPORT

3.1 ADOPTION OF SOCIAL ENTERPRISE STRATEGY & ACTION PLAN 2020-2025

A pre-recorded video was played of Kevan Hill speaking on the item.

EXECUTIVE SUMMARY

At its meeting on 4 June 2018, Council resolved that it was its job to do more to help vulnerable community members on a path to work and committed developing innovative social enterprise projects to help achieve this.

To embed and build on these efforts, work has been completed over the last 16 months to inform a Social Enterprise Strategy & Action Plan (Strategy & Action Plan).

This Strategy is the first-of-its-kind for Banyule – and the local government sector – and has been designed to drive employment participation and inclusive economic growth in Banyule by supporting the growth and sustainability of the social enterprise sector.

Collectively, the Social Enterprise Strategy and Inclusive Local Jobs Strategy, pioneer a new model for place-based community and economic development led by the local government sector, and set a new aspirational target of achieving 1,000 local job outcomes for local people experiencing barriers to employment by 2025.

Consultation on the draft Strategy & Action Plan with community members, social enterprises, Council staff and Councillors was undertaken. Constructive feedback and insight was provided and incorporated into the draft Strategy & Action Plan, before a four-week period of public consultation.

A range of comments were received as part of the recent public exhibition process, with some revisions and strengthening of the Strategy & Action Plan undertaken. A summary of feedback and changes made is included in **Attachment One**.

Approval is sought to support the employment of a 0.8 EFT Support Officer role with the responsibility of supporting the delivery of administration functions, social enterprise projects and local job creation. This role is proposed to be advertised as an 'identified position'; aligned with the Equal Opportunity Act 2010, for an alumni of Banyule's Inclusive Employment program.

The final Strategy & Action Plan (**Attachment Two and Three**) and a summary flyer (**Attachment Four**), is now ready to be considered by Council. Following adoption of the final Strategy & Action Plan, the documents will be printed and widely promoted.

Resolution (CO2020/184)

That Council:

1. Having considered community feedback on the draft Social Enterprise Strategy & Action Plan 2020-2025, adopts the final Social Enterprise Strategy & Action Plan 2020-2025 at Attachments 2 and 3 to this report.

2. Approves a permanent position of 0.8EFT for a Support Officer which is an 'identified' position aligned with the Equal Opportunity Act 2010 and approves the funding allocation of \$30,000 for the 2020/21 financial year to support this resource.
3. Notes that any additional resources required to deliver on key initiatives within the Social Enterprise Strategy & Action Plan will be referred to council's annual budget processes for consideration.
4. Receives an annual report with an update regarding the implementation of the Social Enterprise Strategy & Action Plan.

Moved: Cr Rick Garotti

Seconded: Cr Tom Melican

CARRIED

3.2 ADOPTION OF INCLUSIVE LOCAL JOBS STRATEGY & ACTION PLAN 2020-2025

EXECUTIVE SUMMARY

At its meeting on 4 June 2018, Council resolved that it was its job to do more to help vulnerable community members on a path to work and committed to creating 100 local jobs for local people within a three-year period. This led to the formation of a Social Enterprise & Local Jobs business unit and the creation of 102 local job outcomes by 2020 – realising target one year ahead of schedule.

To embed and build on these efforts, work has been completed over the last 16 months to inform an Inclusive Local Jobs Strategy & Action Plan (Strategy & Action Plan).

This Strategy is the first-of-its-kind for Banyule and has been designed to address inequalities of access to employment and aims to build opportunity and economic prosperity for vulnerable community members in Banyule.

Collectively, the Inclusive Local Jobs Strategy and Social Enterprise Strategy, pioneer a new model for place-based community and economic development led by the local government sector, and set a new aspirational target of achieving 1,000 local job outcomes for local people experiencing barriers to employment by 2025.

Consultation on the draft Strategy & Action Plan with community members, employment service providers, subject matter experts and Council staff was undertaken. Constructive feedback and insight were provided and incorporated into the draft Strategy & Action Plan, before a four-week period of public consultation.

A range of comments were received as part of the recent public exhibition process, with some revisions and strengthening of the draft Strategy & Action Plan undertaken. A summary of feedback and changes made is included in **Attachment One**.

The final Strategy & Action Plan (**Attachment Two and Three**) and a summary flyer (**Attachment Four**), is now ready to be considered by Council. Following adoption of the Strategy & Action Plan, the documents will be printed and widely promoted throughout the Banyule community.

Resolution (CO2020/185)

That Council:

1. Having considered community feedback on the draft Banyule's Inclusive Local Jobs Strategy & Action Plan 2020-2025, adopts the final Banyule's Inclusive Local Jobs Strategy & Action Plan 2020-2025 at Attachments 2 and 3 to this report with the following change:
 - a. Page three of the strategy to include a box at the top of the diagram that sits across all four pillars entitled "Policy Driver." The text in this box will highlight that it was Council's commitment to inclusive jobs as resolved at the Council meeting on 4 June 2018 that has been driver of the Inclusive Jobs Policy and Strategy.
2. Notes that any additional resources required to deliver on key initiatives within the Inclusive Local Jobs Strategy & Action Plan will be referred to council's annual budget processes for consideration.
3. Receive an annual report with an update regarding the implementation of the Inclusive Local Jobs Strategy & Action Plan.

Moved: Cr Rick Garotti
Seconded: Cr Craig Langdon

CARRIED

4. PLANET – ENVIRONMENTAL SUSTAINABILITY

Nil

5. PLACE – SUSTAINABLE AMENITY AND BUILT ENVIRONMENT

Cr Wayne Phillips declared a conflict of interest in item 5.1 being an indirect conflict by close association and left the chamber prior to the consideration of the item.

Cr Phillips left the meeting at 7.19pm and did not take part in the discussion or decision for this item.

5.1 COUNCIL LAND AT REAR OF 7A CURZON STREET, IVANHOE - DEFERRAL OF CONSIDERATION OF SUBMISSIONS FOR PROPOSED SALE OF LAND

A written statement was read on behalf of Robyn Roberts

EXECUTIVE SUMMARY

Council owns land known as 1 Liberty Parade, Ivanhoe contained on Certificate of Title volume 11466 folio 105. The proposal involves the sale of a 38m² parcel of this land described as Lot 1 on plan of subdivision PS813368T to the owners of 7A Curzon Street, Ivanhoe.

The statutory procedures under sections 189 and 223 of the *Local Government Act 1989* ('the Act') were commenced, giving public notice of the proposed land sale in the Herald Sun newspaper on 7 August 2020. At the close of the submission period on 4 September 2020, four written submissions were received. Two submitters have requested to be heard in support of their submissions.

Normally, any submissions received to the proposal would be considered at this Council meeting. However, given the circumstance of the outgoing Council being unable to complete both the consideration of submissions and the decision stages of the section 223 process of the Act before the election period, those stages should be delayed until the incoming Council is elected.

The first Ordinary meeting of the new Council will be held on 23 November 2020. It is proposed that a report on section 223 submissions received be presented to this meeting for consideration and a further report be presented to the 14 December 2020 Council meeting for a decision. As there will be an extended period before Council is able to consider submissions, it is proposed to allow for the period of receiving submissions to be extended until 5pm 2 October 2020.

Resolution (CO2020/186)

That

1. Council defer consideration of submissions received pursuant to section 223 of the *Local Government Act 1989* concerning the proposed sale of land at the rear of 7A Curzon Street, Ivanhoe to the Ordinary Meeting of Council on 23 November 2020 at 7pm pursuant to section 223 (1)(ii) and (iii) of the Act.
2. Council accept the receipt of further submissions up until 5pm on Friday 2 October 2020.
3. A further report be presented to Council at its meeting on 14 December 2020 to decide on the proposal.

4. Submitters be advised in writing that their submissions will be received at the 23 November 2020 Council meeting.

Moved: Cr Craig Langdon
Seconded: Cr Rick Garotti

CARRIED

5.2 WATERDALE ROAD, IVANHOE - PROPOSAL TO PLACE PERMANENT BARRIERS

EXECUTIVE SUMMARY

Council at its meeting on 7 September 2020, considered a report detailing some background and submissions on the proposed placement of permanent barriers on Waterdale Road, Ivanhoe, south of Upper Heidelberg Road.

The Ivanhoe Shopping Centre – Car Parking Precinct Management Plan & Pedestrian and Traffic Movement Plan was adopted by Council in September 2000 and supported the proposed closure of Waterdale Road, south of Upper Heidelberg Road for its expected contribution to on-street parking and its assistance to intersection traffic and pedestrian operating conditions.

The development of this location as a pedestrianised area was also included in the Open Space Strategy in 2007 and Ivanhoe Structure Plan (ISP). The ISP was adopted by Council on 1 December 2014, which formally recommended a pedestrianised area at this intersection and the installation of barriers to close the road.

Council has also been successful in obtaining a grant under the Local Parks Program valued at \$1.3 million to create 'pocket parks' for this location and on the south west corner of Norman Street and Waterdale Road and create a shared pedestrian and vehicle zone between the two locations along Waterdale Road.

Further planning and consultation with the community will be undertaken to determine how the proposed public space, south of Upper Heidelberg Road, is designed, developed and implemented as part of the larger pocket park and urban design project. Some benchmark examples of other pocket park and shared zone projects have been attached to this report.

There are two primary reasons that an outcome and decision on the closure of the road is preferred to occur now, being the approach to reinstatement of the road following the temporary closure and to give certainty for the concept designs of the pocket park.

If after the consultation and final design approval of the pocket park and urban design project, the design does not require this section of road to be closed consideration could be given to reopening it to traffic.

All relevant statutory procedures have now been completed, including public advertising and consultation.

Resolution (CO2020/187)

That:

1. In respect of Council's published intention to place permanent barriers on Waterdale Road, Ivanhoe, south of Upper Heidelberg Road; and having received and considered submissions received under section 223 of the Local Government Act 1989 ("Act") and having complied with the requirements of sections 207, Schedule 11 and 223 of the Act including considering a report on behalf of the Head, Transport for Victoria on the proposed closure, Council hereby resolves to place permanent barriers on Waterdale Road, south of Upper Heidelberg Road subject to finalisation of concept design for a pocket park.
2. Concept designs for a pocket park within the closed section of Waterdale Road, south of Upper Heidelberg Road, be prepared in consultation with the community and a report be presented on the final design at a future Council meeting. If the final pocket park design does not require the closure of the road, then the decision to place permanent barriers will not proceed.
3. A road safety audit is undertaken of the intersection of Seddon Street and Norman Street, Ivanhoe to identify any traffic safety improvements that could be made.

Moved: Cr Peter Castaldo

Seconded: Cr Craig Langdon

CARRIED

5.3 73 DEVON STREET, EAGLEMONT - PROPOSED FOUR DWELLING DEVELOPMENT (P117/2020)

Written statements were read on behalf of Milenko Podnar, Lindsay Mitchell, Peter Crone, Rowan Harrison and Leigh Anderson and a pre-recorded video was played of Jenny Mulholland speaking on the item.

EXECUTIVE SUMMARY

The proposal is for the development of four double storey dwellings and vegetation removal.

The proposal includes the retention of five trees including one high retention value tree (tree #3 – Italian Cypress) located to the west of the carriageway easement. The removal of two additional low retention value trees is also proposed.

A total of 55 objections were received during public notification. Concerns regarding impact on neighbourhood character, amenity impacts, traffic and car parking and vegetation removal have been raised.

The proposal includes variations to Council's Residential Neighbourhood Character policy with respect to separation between dwellings and contemporary design. The removal of the swimming pool to each dwelling improves planting opportunity throughout the site. The increase in permeable areas and improved planting species which can be required by conditions will support a landscaping buffer across the western interface with adjacent properties on Mount Street.

The site has previous planning and enforcement history relating to the removal of protected vegetation. Replanting was required as part of the permit issued for planning permit application P646/2017 and this is addressed in the recommendation.

The proposed development is considered to provide an appropriate response to the multi-unit developments to the east and recent contemporary single dwellings adjacent to the site and should be supported subject to conditions.

Resolution (CO2020/188)

RECOMMENDATION A

That Council, having complied with Section 52, 58,60 ,61, 62 of the Planning and Environment Act 1987, issue a Notice of Refusal to Grant a Planning Permit in respect of Planning Permit Application No, P117/2020; for the construction 4 dwellings and vegetation removal at 73 Devon Street EAGLEMONT subject to the following grounds:

Strategic context

1. The scale and density of the proposed development is contrary to the Residential Area Framework of Clause 21.06-2 of the Banyule Planning Scheme.

Siting, design and neighbouring residential amenity

2. The siting and design of the proposed development will have an overbearing physical impact upon the character of the area and will have an adverse impact upon local residential amenity and is contrary to Clauses 15.01-1 – Urban Design and 21.04-1 – Housing of the Banyule Planning Scheme.

Mass, bulk, scale and neighbourhood character

3. The mass, bulk and scale of the development is contrary to both the existing and preferred neighbourhood character, that would erode the spacious and well landscaped character. This is exacerbated through the proposed continuous built form and provision of swimming pools having an adverse visual impact and is contrary to Clauses 15.01-1 – Urban Design, 21.04-1 – Housing, 22.02 - Residential Neighbourhood Character Policy and Standards B1 – Neighbourhood Character, B2- Residential Policy Objectives and B31 – Design detail of Clause 55 (ResCode) of the Banyule Planning Scheme.

Open space/landscaping

4. Inadequate space has been provided throughout the development to provide canopy tree planting and landscaping to adequately soften views of the development from the street and neighbouring land and enhance the landscape character of the area as well as compensate for previous tree removal on the site. This is contrary to Clauses 21.04-1 – Housing, 21.06 – Built Environment, 22.02 – Residential Neighbourhood Character Policy, 42.02 –Vegetation Protection Overlay – Schedule 3 and Standard B13 – Landscaping of Clause 55 (ResCode) of the Banyule Planning Scheme.
5. Insufficient information has been provided to determine whether the sewerage easement/asset located along the western boundary will prohibit the cut, terracing, retaining walls and tree planting proposed in this location. If consent cannot be provided by the relevant authority, this could compromise the ability to achieve an appropriate landscaping, private open space and internal amenity outcome contrary to Clauses 21.04-1 – Housing, 21.06 – Built Environment, 22.02 – Residential Neighbourhood Character Policy, 42.02 –Vegetation Protection Overlay – Schedule 3, Standards B13 and B28 – Landscaping and Private open space of Clause 55 (ResCode) of the Banyule Planning Scheme.

Impacts on protected trees.

6. The proposal may impact upon trees #1, #2 and #3 contrary to clause 42.02 – Vegetation Protection Overlay – Schedule 3 of the Banyule Planning Scheme.

RECOMMENDATION B

That Council:

1. Require the land owner to provide the following replacement planting required by Planning Permit P646/2017 by 30 November 2020:
 - Three (3) large canopy trees planted at a semi-advanced state (minimum pot size 40 litre);
 - One (1) medium canopy tree; and
2. Undertake enforcement where replacement planting is not provided within the requested timeframe

Moved: Cr Peter Castaldo
Seconded: Cr Craig Langdon

CARRIED

5.4 1 VASEY STREET, IVANHOE EAST - AMENDMENT TO LIQUOR LICENCE HOURS AT IVANHOE PUBLIC GOLF COURSE (P110/2020)

Written statements were read on behalf of Ian Reynolds and Bruce Dickey.

EXECUTIVE SUMMARY

Planning permission is sought to extend the existing liquor licence trading hours for the clubhouse at the Ivanhoe Public Golf Course. Originally, the applicant sought to include live music and extended hours up to 12.30am on weekends, however prior to public notice of the application, the proposal was amended to withdraw the live music component and the proposed liquor licence trading hours were reduced to the maximum of 11:30pm on weekends. No changes are proposed to the Licenced (Redline) Area or number of patrons.

A total of sixteen (16) objections have been received during public notification. Amenity concerns regarding intensification of the use as a function centre, live music, noise, overflow car parking and disorderly behaviour were predominantly raised in the objections. One objection has specified concerns about the impact of live music on the local fauna.

A consultation meeting was held and attended by representatives from the Development Planning Team, Councillors, objectors and the applicant. Discussions centred on the objectors concerns regarding the use of the site, deletion of the request for live music and the proposed extension of hours compared to the originally requested trading hours for the liquor licence. No objections were withdrawn as a result of the consultation meeting.

The amenity impacts are not considered to be unreasonable and can also be managed by conditions. Therefore, subject to the conditions relating to even further restrictions on trading hours compared to the reduced amended proposal, limited use of the external area and compliance with noise levels, it is considered that approval should be granted and a Notice of Decision to Grant a Planning Permit issued.

Resolution (CO2020/189)

That Council having complied with Section 52, 58, 60, 61 and 62 of the Planning and Environment Act 1987, issue a **Notice of Decision to Grant a Planning Permit** in respect of Application No. P110/2020 for Variation to trading hours for an existing On-Premises Liquor Licence at 1 Vasey Street IVANHOE subject to the following conditions:

Restrictions on use

Liquor trading hours

1. Except with the prior written consent of the Responsible Authority, the sale and consumption of alcohol must only occur between the following hours:

Monday & Tuesday	10:00am - 9:00pm
Wednesday & Thursday	10:00am - 11:00pm
Friday & Saturday:	10:00am - 11:30pm
Sunday:	10:00am - 10:00pm
Good Friday	12 noon – 11:30pm
Anzac day hours	
Sunday to Tuesday	12 noon - 10:00pm
Wednesday & Thursday	12 noon – 11:00pm

Friday & Saturday

12 noon - 11:30pm

ONGOING REQUIREMENTS OF THIS PERMIT

Layout Not To Be Altered

2. The extent of the licenced area shown on the endorsed red line plans must not be altered without the prior written consent of the Responsible Authority.

Number of Patrons

3. The total number of patrons at the premises at any one time (including a maximum of 81 patrons in the outdoor seating area) must not exceed 387 except with the written consent of the Responsible Authority.

Use of external area

4. No liquor shall be served or consumed after 11pm in the external area as referred to in the Red Line Area Plan endorsed on 14/12/95 by the Liquor Licensing Commission (or any subsequent endorsed red line area plan).

No Live Entertainment

5. No live entertainment shall be provided in the subject premises except with the written consent of the Responsible Authority.

Background Music

6. Entertainment only in the form of pre-taped background music may be provided for the benefit of patrons of the premises. Highly amplified music must not be played.

No External Sound System or Amplified Equipment

7. Without the prior written consent of the Responsible Authority no form of public address system or sound amplification equipment shall be used on the premises so as to be audible outside the premises.

Neighbour amenity

8. The amenity of the area must not be adversely affected by the development and/or use, through the:
 - (a) The processes carried on;
 - (b) Transport of materials, goods or commodities to or from the land;
 - (c) Appearance of any building, works or materials;
 - (d) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
 - (e) Presence of vermin;
 - (f) In any other way.

all to the satisfaction of the Responsible Authority.

Time Limits

9. In accordance with section 68 of the Planning and Environment Act 1987, this permit will expire if one of the following circumstances applies:
- The liquor licence trading hours approved by this permit are not commenced within two years of the date of this permit.
 - The use is discontinued for a continuous period of two years.

PERMIT NOTES

N1 Expiry of Permit

In accordance with section 69 of the *Planning and Environment Act 1987*, the Responsible Authority may extend the periods referred to if a request is made in writing:

- (a) Before the permit expires, or
- (b) Within six months afterwards, or

In the event that this permit expires, or the subject land is proposed to be used or developed for purposes different from those for which this permit is granted, there is no guarantee that a new permit will be granted. If a permit is granted then the permit conditions may vary from those included on this permit having regard to changes that might occur to circumstances, planning scheme provisions or policy.

N2 Health Approval Required

Prior to the commencement of the use you are required to obtain the necessary Council Health Department approvals.

N3 Noise Levels

Permissible noise levels emanating from the site must comply with the requirements of the State Environment Protection Authority.

N4 No Additional Signage

Unless no permit is required under the Planning Scheme, other signs must not be constructed or displayed without a further permit.

Moved: Cr Peter Castaldo
Seconded: Cr Rick Garotti

CARRIED

6. PARTICIPATION – COMMUNITY INVOLVEMENT IN COMMUNITY LIFE

6.1 BANYULE COMMUNITY ENGAGEMENT POLICY 2020 (FOR ADOPTION)

A pre-recorded video was played of Michelle Giovas speaking on the item and written statements were read o behalf of Alida McKern, Robyn Roberts and Brian Grace

EXECUTIVE SUMMARY

It is a requirement of the *Local Government Act 2020* that councils develop and adopt a Community Engagement Policy, and in turn that the Community Engagement Policy is utilised to inform engagement plans that support the development of Council's key strategic and financial planning documents (at a minimum).

For several months Council has been working collaboratively with community and stakeholders to develop the draft Banyule Community Engagement Policy 2020 (The Draft Policy).

The draft Policy will replace Council's existing Community Engagement Framework that has guided our work in this space to date.

In July 2020 Council resolved to release the Draft Policy for public exhibition for the four-week period 28 July- 25 August 2020.

Throughout the public exhibition period the draft Policy, along with supporting contextual information was available for review on Shaping Banyule. The opportunity to participate in the final review process was widely promoted via avenues such as social media feeds, Banyule Council website content along with a promotional article in the Banner August edition, distributed to all Banyule households.

Over 200 views of the document occurred during the four-week period, demonstrating a strong community interest in community engagement and Council's commitment and approach to planning and undertaking quality and meaningful community engagement.

Overall feedback received was positive and evidences community support of the Policy.

Feedback received did not necessitate alterations to the draft Policy. However, points raised within the feedback are important when considering Policy implementation/community engagement practise, particularly the promotion of engagement opportunities.

Resolution (CO2020/190)

That Council:

1. In accordance with the *Local Government Act 2020*, adopts the final draft Banyule Community Engagement Policy (attached).
2. Notes the Community Engagement Policy strengthens Council's commitment to the provision of responsive, accessible and meaningful community engagement in order to inform decisions and deliver quality outcomes in partnership with the community.
3. Notes that the Community Engagement Policy will be utilised to inform engagement plans that support the development of Council's key strategic and financial planning documents, as specified within the *Local Government Act 2020*.

Moved: Cr Rick Garotti
 Seconded: Cr Tom Melican

CARRIED

7. PERFORMANCE - USE OUR RESOURCES WISELY

7.1 COUNCIL MEETING DATES 2021

EXECUTIVE SUMMARY

In accordance with *The Local Government Act* and Council's *Governance Rules* (adopted 17 August 2020), Council is required to fix the date, time and place of Council Meetings and provide notice of the Meeting schedule of an Ordinary Meeting or Unscheduled Meeting (previously known as Special Meeting).

To assist in forward planning, dates for the next year are generally determined in each August/September the year before. The dates and venues of Council Meetings are published in the Council Calendar, Banner and Council's website.

The proposed dates for 2021 are based on a meeting every 3 weeks, and take into consideration Public Holidays, the legislative requirements for the Budget and Council Plan timetable, the Election of Mayor, and the Australian Local Government Association (ALGA) National General Assembly dates.

For 2021, it is recommended that all Council Meetings be held in the Council Chambers at 275 Upper Heidelberg Road, Ivanhoe after the completion of the Ivanhoe Library and Cultural Hub.

The purpose of this report is to consider and approve a schedule of meeting dates for the Council Meetings for 2021. Council may by resolution amend these dates.

Resolution (CO2020/191)

That Council Meetings commence at 7.00pm, and the dates for 2021 be as follows:

Month	Date (Monday)
February	8
March	1 22
April	12
May	3 24 26 – Unscheduled, Wed (Consideration of Budget & Council Plan Submissions only)
June	7 28
July	19

August	9 30
September	20
October	4 25
November	8 (Mayoral Election only) 15
December	6

Moved: Cr Craig Langdon
Seconded: Cr Tom Melican

CARRIED

7.2 AWARD OF CONTRACT NO 1063-2020 "CONSTRUCTION OF LOWER PLENTY PAVILION"

EXECUTIVE SUMMARY

This report is to consider the awarding of Contract No 1063-2020 for "Construction of Lower Plenty Pavilion".

Council sought Tenders from suitably qualified and capable contractors to undertake construction of the renovation and extension to the existing Lower Plenty Pavilion improving female-friendly amenities to increase female participation in AFL & Cricket.

Tenders were received from twelve (12) contractors prior to the closing date.

The Tender Evaluation Panel (TEP) recommends that Council award Contract No 1063-2020 "Construction of Lower Plenty Pavilion" for the lump sum price of \$854,738.00 (ex GST) to Harris HMC Interiors (Vic) Pty Ltd in accordance with the tender and conditions as determined by Council.

Resolution (CO2020/192)

That:

1. The Contract No. 1063-2020 for "Construction of Lower Plenty Pavilion" be awarded to Harris HMC Interiors (Vic) Pty Ltd for the lump sum price of \$854,738.00 (ex. GST).
2. The Director of Assets & City Services be authorised to sign the contract and any other associated documents.

Moved: Cr Mark Di Pasquale
Seconded: Cr Alison Champion

CARRIED

7.3 AWARD OF CONTRACT NO. PA 2206-0221 FOR "SUPPLY OF FLEET SERVICES AND CONSUMABLES"

EXECUTIVE SUMMARY

This report is to consider signing up to Procurement Australia (PA) Contract "PA 2206-0221" for the 'Supply of Fleet Services and Consumables'. PA have recently undertaken a public tender process combining a number of services on behalf of Victorian Councils.

Council currently utilises two PA contracts to purchase a range of automotive spare parts and services. These contracts have now been replaced with one PA contract that includes the following service categories:

- Automotive Accessories;
- Automotive Spare Parts;
- Automotive Batteries;
- Fleet Management Services;
- Lubricants, Fluids, Greases and Coolants;
- Tools and Workshop;
- Tyres; and
- Vehicle Disposal Services.

The Tender Evaluation Panel has recommended acceptance of the PA contract in the categories and with a range of suppliers. Procurement Australia provide the Head Agreement through this contract and Council will utilize the services of the contractors under this agreement by managing the day to day administration and documentation of purchases.

Resolution (CO2020/193)

That:

1. Council sign up to Procurement Australia Contract 2206-0221 for the Supply of Fleet Services and Consumables.
2. The Director of Assets and City Services be authorised to sign the contract and any other associated documents.
3. The Director of Assets and City Services be authorised to award extensions of this Contract, subject to successful Contractor's performance and Council's business needs, at the conclusion of the initial 2-year Contract Term.

Moved: Cr Tom Melican
Seconded: Cr Alison Champion

CARRIED

7.4 CERTIFICATION OF THE FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT FOR THE YEAR ENDED 30 JUNE 2020

EXECUTIVE SUMMARY

Council is required to complete and forward to the Minister for Local Government its Annual Report by 30 September each year. This year due to COVID-19, this date has been extended by two months to 30 November 2020.

The Council must not submit the financial statements or the performance statement to its auditor or the Minister unless it has passed a resolution of Council giving its in-principle approval to the financial statements and performance statement.

Council is required to produce audited Annual Financial Statements and a Performance Statement pursuant to the requirements and process outlined in the *Local Government Act 1989* and the Local Government (Planning and Reporting) Regulations 2014. The Financial Statements and Performance Statement form part of Council's Annual Report 2019/20.

The Financial Statements and Performance Statement are subject to external audit by the Victorian Auditor General or their contracted agent. The detailed audit of the Financial Statements and Performance Statement for the year ended 30 June 2020 was undertaken by an agent of the Victorian Auditor General during August 2020.

The Audit Committee held its meeting on 18 September 2020 to review the Financial Statements and Performance Statement for the year ended 30 June 2020. Following Audit clearance, the Audit and Risk Advisory Committee recommends to Council that it approves 'in principle' the Financial Statements and Performance Statement pursuant to Section 132 of the Act, prior to formal presentation to the Auditor General.

In accordance with Section 134(2) of the Local Government Act 1989 a Public Notice will be placed outlining the:

- availability of the Annual Report and Audit Reports for inspection
- the date of the meeting of Council to consider the Annual Report.

It is recommended that the Annual Financial Statements and Performance Statement be approved 'in principle' for submission to the Auditor and forwarded to the Minister of Local Government.

Resolution (CO2020/194)

That Council:

1. Approve 'in principle' the Financial Statements and the Performance Statement for the year ended 30 June 2020.
2. Authorise its Councillor representatives on the Audit and Risk Committee and in their absence any other Councillor as substitute, to sign the Financial Statements and Performance Statement for the year ended 30 June 2020 in their final forms, after any changes recommended or agreed to by the Victorian Auditor-General, have been made.
3. Upon receipt of the Victorian Auditor General's Audit Reports on the Financial Statements and Performance Statement, a report be prepared as soon as is practicable to consider and adopt the Annual Report 2019/20, inclusive of the Report of Operations, Financial Statements and Performance Statement at the Special Council Meeting.

5. Forward a copy of the 'in principle' Annual Report 2019/20 to the Minister on or before 31 November 2020.
6. Give Public Notice:
 - a) of the availability of the report of the auditor under Section 10 of the Audit Act 1994
 - b) of the Annual Report to be considered at the Council Meeting on 23 November 2020.

Moved: Cr Rick Garotti

Seconded: Cr Peter Castaldo

CARRIED

7.5 AMENDMENTS TO BANYULE'S COVID-19 ECONOMIC SUPPORT PACKAGE

Pre-recorded videos were played of Katie George and Kevan Hill speaking on the item.

EXECUTIVE SUMMARY

To date Council has provided a significant response to the COVID-19 State of Emergency. At the forefront of Council's response is the safety and wellbeing of all members of the community.

The emergency, and consequently Council's response, is ever-changing. Council is supporting Banyule by maintaining financial sustainability, supporting local businesses, protecting Council staff health and wellbeing, supporting the local community, minimising Council service disruption and supporting rate payers.

Both the Federal and State Governments have extended funding to help stimulate the economy. Banyule is proposing to extend several funding components of the Economic Support Package that have expired since they were introduced. These include:

1. Postpone Penalty Interest charges on outstanding rates until 31 December 2020
2. Extend Rent Relief for Commercial tenants for a further 3 months
3. Extend Rent Relief for Community groups for a further 6 months
4. Extend 5 day payment terms for suppliers for a further 6 months

The extension of timeframe recommended for consideration by Council will cost approximately \$465,000 which will be funded from the current Banyule Economic Support Package.

In addition, two further changes are recommended to provide additional targeted relief to residents, as previously outlined in the Council report on 15 June 2020 Item 3.3:

1. Include the eligibility to a rate waiver for owner occupied residential properties to those receiving JobKeeper payments for businesses operating out of residential properties (Category B).
2. Increase rates waiver under Category C, being for all other ratepayers, from \$100 to \$250 to a maximum of the applicants 2020/21 general rates levied, whichever is the minimum.

Given the dynamic nature of the COVID-19 recovery and the direct link to the easing of restrictions, it is difficult to determine what financial support may be required in another six months' time to ratepayers, local businesses and community groups. A further report will be presented at the Ordinary Council meeting, scheduled for 14 December 2020, to review the effectiveness of the total support provided during the year.

Resolution (CO2020/195)

That Council:

1. Defer interest penalties that would be imposed in accordance with Section 172 (2) of *Local Government Act 1989* until 31 December 2020, at that date penalty interest will be calculated from the day that interest was last imposed for all previous year debts and from the due date of the first two instalments for current rating year.
2. Continue to provide rent relief by waiving the 2020/21 second quarter rental payable by eligible affected commercial tenants in Council owned buildings.
3. Waive fees, charges and rent (where applicable for Council tenants) for all local community groups for a further six month period commencing from 1 October 2020 until 31 March 2021. This includes Summer Sports Clubs - ground use, pavilion hire and utilities.

4. Extend the 5 business day payment terms for all suppliers to Banyule City Council until 30 June 2021.
5. Offer the Employee Assistance Program (EAP) to appropriate community groups and associations, including neighbourhood houses, in Banyule for the remainder of the 2020/21 financial year.
6. Resolve to grant general rate waivers under section 171A of the *Local Government Act 1989* to owners or authorised representatives who are receiving JobKeeper payments and operating a business from their residential property. The amount to be waived will be \$500 to a maximum of the applicants 2020/21 general rates levied.
7. Increase the granting of general rate waivers under section 171A of the *Local Government Act 1989* for all other ratepayers – financial hardship demonstrated through a significant loss of income directly due to the coronavirus pandemic, from \$100 to \$250 to a maximum of the applicants 2020/21 general rates levied.
8. Provide a status report to Council on Banyule's Economic Support Package at the Ordinary Council meeting scheduled for 14 December 2020.

Moved: Cr Rick Garotti

Seconded: Cr Peter Castaldo

CARRIED

7.6 RECORD OF COUNCILLOR MEETINGS**EXECUTIVE SUMMARY**

The *Local Government Act 1989* previously required that Assembly of Councillors (meetings of Councillors held outside of the formal Council Meeting program) were to be reported to the next available Council meeting, this section has now been repealed.

In accordance with the *Local Government Act 2020*, Council at its meeting on 17 August 2020 adopted the Banyule Governance Rules which include the requirement to report to Council on Councillor attendance at Briefings and Advisory Committees.

RECORD OF MEETINGS

1	Date of Meeting:	18 August 2020 6.00pm Virtual
	Type of Meeting:	Multicultural Working Group Meeting
	Matters Considered:	
	<ul style="list-style-type: none"> • Neami National services to CaLD community presentation • Advocacy Opportunity with Amnesty International- Community Sponsorship Program • Local Government Elections and supporting the CaLD community to vote • Greensborough Community Art Project • Pride Flag Update- Intersection with People if Colour • Diversity Statement Update • Partnership with Banyule Community Health to support community members on temporary visas impacted by Covid19 • Religious Discrimination Bill Report Update 	
	Councillors Present:	
	Craig Langdon 6.30pm – 7.51pm Tom Melican – 6.00pm – 6.30pm	
Staff Present:		
Gemma Boucher – <i>Community & Social Planner</i> Theonie Tacticos – <i>Community and Social Planning Coordinator</i>		
Others Present:		
Committee Members: Hedi Azadi, Uzma Rubab, Veronica Heng Teng Lee, Maria Axarlis-Coulter, Susan Zhou, Andrea Gallo, Ansam Sadik and Albert Fatileh (Victoria Police), Susan Crellin (Olympic Adult Education), Samantha Peek and Katya Hamiwka (Neami National)		
Conflict of Interest:	Nil	

2	Date of Meeting:	20 August 2020 6.00pm Virtual
	Type of Meeting:	LGBTIQ+ Working Group Meeting
Matters Considered:		
<ul style="list-style-type: none"> • Greensborough Community Art Project 		

<ul style="list-style-type: none"> • Inclusive Celebrations at Banyule Kinder and Childcare Centres • Diversity Statement Update • Religious Discrimination Bill Report Update • Inclusive Employment Program/Inclusive Employment Strategy Update 	
Councillors Present:	
Tom Melican	
Staff Present:	
Gemma Boucher – <i>Community & Social Planner</i> Theonie Tacticos – <i>Community and Social Planning Coordinator</i>	
Others Present:	
Committee Members: Lara Hunter, Lachlan Harris, Claire Flynn, Megan Burke, Callum Cunningham (Victoria Police) Katie Larsen (Mind Australia)	
Conflict of Interest:	Nil

Resolution (CO2020/196)

That the Record of Councillor Meetings report be received.

Moved: Cr Tom Melican

Seconded: Cr Mark Di Pasquale

CARRIED

8. SEALING OF DOCUMENTS

Nil

9. NOTICES OF MOTION

Nil

10. GENERAL BUSINESS**10.1 OUTGOING MESSAGES FOR COUNCIL TERM 2016-2020**

All Councillors spoke on the highlights of the past 4 year Council term and acknowledged each other, Council Staff and the Community.

Closure of Meeting

The Meeting was closed at 9.36pm.

DATED: DAY OF 2020

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MAYOR

*The next Meeting of Council will be the Mayoral Election held on
Wednesday 18 November 2020 and the next Ordinary Meeting of Council will be held on
Monday 23 November 2020.*

PUBLIC QUESTION TIME

1	Name & Suburb Lawrie Zion, Heidelberg West
	Question: What measures is Council taking to develop new strategies to address the rapidly growing hoon bike problem that is compromising public safety in Heidelberg West, especially in the Olympic Park, Darebin Creek trail, and adjacent recreational areas at a time of increased use of these recreational areas by the public?
	Response: <i>Geoff Glynn – Director Assets & City Services</i> <i>Council officers have raised the issues with the Victoria Police as the issue is a community safety and policing issue.</i> <i>The Victoria Police have advised council that they are engaging with their Highway Patrol to develop a way forward and seek the support of the Solo Unit as well. The police are also investigating purchasing a motorbike to assist in management.</i> <i>The issue will also be a regular agenda item at the Community Safety meeting with the police to explore ways of managing this difficult issue.</i>

2	<p>Name & Suburb</p> <p>Roger Fyfe, Ivanhoe</p>
	<p>Question:</p> <p>On 25/6/18 a Heritage Planning update and draft historical themes report was adopted. On 29/10/18 a Heritage review - Banyule Thematic Environmental History process listed three projects approved to be conducted over the next two years.</p> <ol style="list-style-type: none"> 1. Preparation of a Thematic Environmental History (prepared 2018) 2. A Heritage study to identify places of heritage significance 3. A Planning Scheme Amendment to apply the Heritage Overlay to places assessed as having heritage significance in the heritage study. <p>Given six heritage overlay sites in Ivanhoe have no mandatory heights - rather, limited change anticipated - how much longer will these places remain vulnerable to developers?</p>
	<p>Response:</p> <p><i>Scott Walker - Director City Development</i></p> <p><i>The heritage study, which began in February 2020, is expected to be complete and ready for Council adoption early next year (Feb - April 2021). The planning scheme amendment to implement the adopted study is anticipated to take 12 months and should be complete in early 2022.</i></p> <p><i>A review of mandatory heights on heritage overlay sites in the Ivanhoe Activity Centre is a separate piece of work to the Heritage Study. The current planning provisions applying to these sites have been reviewed and no changes are considered to be necessary at this stage.</i></p>