

# Minutes of the Ordinary Meeting of Council



Held virtually on the 7 September 2020

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## MINUTES

The Meeting opened at 7.02pm.

### **Acknowledgement of the Traditional Custodians**

The Mayor read an acknowledgement of the traditional custodians, the Wurundjeri Wo-wurrung people.

### **Present**

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

*Note: Due to the Stage 4 State of Emergency COVID19 restrictions in place, participation in the meeting was via the online platform Zoom.*

### **Apologies**

Cr Wayne Phillips

### **Leave of Absence**

Nil

### **Confirmation of Minutes**

That the following Minutes be confirmed:

*Ordinary Meeting of Council held 17 August 2020*

Moved: Cr Craig Langdon

Seconded: Cr Tom Melican

CARRIED

### **Disclosure of Interests**

Nil

### **Presentation**

Nil

### **1. URGENT BUSINESS**

Nil

**AMEND ORDER OF BUSINESS****Resolution(CO2020/164)**

That the Order of Business be amended so that item 5.3 is considered before all other items on the Agenda as listed.

Moved: Cr Craig Langdon  
Seconded: Cr Peter Castaldo

CARRIED

**5.3 CONSIDERATION OF SUBMISSIONS - WATERDALE ROAD, IVANHOE - PROPOSAL TO PLACE PERMANENT BARRIERS**

**Roger Fyfe and Robyn Roberts spoke on the item via live video, Carl Ziebell spoke via pre-recorded audio, Kevan Hill and Nola McDowell spoke via pre-recorded video and; statements were read on behalf of Robin Edwards, David Edmonds, Bill Rewell, Emma Samuel and Kevin Biaggini.**

**EXECUTIVE SUMMARY**

This report is to enable Council to formally consider the written submissions received regarding the proposed placement of permanent barriers on Waterdale Road, Ivanhoe, south of Upper Heidelberg Road.

As part of the discussions for the Open Space Strategy in 2007 and Ivanhoe Structure Plan (ISP) in 2011, Waterdale Road, at Upper Heidelberg Road, Ivanhoe, was identified as a suitable location to create a pedestrianised area. The ISP was adopted by Council on 17 December 2012 and a revised version on 1 December 2014, which formally recommended a pedestrianised area at this intersection.

Recently, Council was successful in obtaining a grant under the Local Parks Program valued at \$1.3 million to create a 'pocket park' for this location.

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.

Council at its meeting on 15 June 2020, considered a report regarding the placement of permanent barriers on Waterdale Road, at Upper Heidelberg Road and resolved to commence the statutory procedures pursuant to sections 207 and 223 of the *Local Government Act 1989* ("Act"). All relevant statutory procedures have now been completed, including public advertising and consultation with all emergency services and Department of Transport. Submissions received are to be considered in this report before a final decision on 21 September 2020.

Further planning and consultation will also be undertaken to determine how the proposed public space is designed, developed and implemented as part of the larger pocket park project.

**Resolution(CO2020/165)**

That:

1. In respect of Council's published intention to place permanent barriers on Waterdale Road, Ivanhoe, south of Upper Heidelberg Road; and
2. Having received and considered submissions received under section 223 of the *Local Government Act 1989* ("Act");
3. Council hereby resolves to receive and consider a further report and to make a final decision on the proposed placement of permanent barriers on Waterdale Road, Ivanhoe, south of Upper Heidelberg Road, and to give its reasons for its decision, at the ordinary meeting of Council to be held on Monday, 21 September 2020.

Moved: Cr Rick Garotti

Seconded: Cr Peter Castaldo

CARRIED

## 2. PETITIONS

### 2.1 PETITION TO UPGRADE GREENSBOROUGH SKATEPARK

Cam Baines and James Cole spoke on the item via pre-recorded video.

#### EXECUTIVE SUMMARY

An online petition with 1265 names from people within Banyule, suburbs outside Banyule, other states of Australia including some signatories from overseas has been received requesting an upgrade of the Greensborough Skatepark. Out of the 1265 signatories 154 are from within Banyule.

A breakdown of the signatories is contained in this report.

The petition request is as follows:

*“This petition requests that Banyule City Council take action to replace the Greensborough skatepark”.*

*The Greensborough skatepark is old, decaying, has poor amenities, an outdated layout and has a poor community safety design resulting in making it feel unsafe for many skateboarders and scooter riders.*

*When built, the Greensborough Skatepark was a destination skatepark for many. Over time, the poor upkeep and outdated design has led to its use greatly decreasing.*

*Skateboarding and scooter riding provides excellent physical activity and teaches mutual respect, social networking, artistic expression and an appreciation of the environment. It gives kids something positive to do and links them to something that embraces all types of people.*

*With the Olympics now including skateboarding for the first time, skateparks will increase in popularity and skaters local to Greensborough, and from all over Melbourne would be grateful for a modern and safe place to skate.”*

Council has previously resolved to not accept online petitions. Officers are currently investigating online solutions similar to that used by both Federal and State Parliament. Given the current restrictions in relation to the pandemic, it is recommended that Council accepts the petition.

#### **Resolution (CO2020/166)**

That Council

1. Receives and notes the online petition of 1265 signatories with 154 from within Banyule
2. Refers the Petition to the Parks and Open Space Team for investigation.
3. Advise the lead signatory to the petition of this resolution.

Moved: Cr Mark Di Pasquale  
Seconded: Cr Tom Melican

CARRIED

### 3. PEOPLE – COMMUNITY STRENGTHENING AND SUPPORT

#### 3.1 UPDATE ON ADVOCACY RE GAMBLING HARM AND COVID-19

**Nola McDowell spoke on the item via pre-recorded video.**

##### EXECUTIVE SUMMARY

At the Ordinary Council meeting on Monday 18 May 2020 Council considered a report on the harm being caused by gambling in the context of COVID 19, and resolved to write to State and Federal Government representatives seeking support on a range of initiatives to reduce this harm and to support and protect persons who are vulnerable to gambling harm.

In accordance with Council's resolution a total of 17 letters were sent to State and Federal Members of Parliament urging changes be made to reduce gambling harm.

This report provides Council with an update in response to the Council Resolution of 18 May.

##### Resolution (CO2020/167)

That Council:

1. Notes the report and the correspondence received to date.
2. Continues to advocate to reduce gambling activity and harm from gambling activity in accordance with the Banyule Gambling – Gambling Harm Minimisation Policy 2019-2022.

Moved: Cr Tom Melican  
Seconded: Cr Craig Langdon

CARRIED



### 3.2 ADOPTION OF BANYULE'S RECONCILIATION ACTION PLAN

Terry Makin spoke on the item via pre-recorded video.

#### EXECUTIVE SUMMARY

Reconciliation Action Plans (RAPs) are nationally recognised plans which enable organisations to make their contribution to a reconciled Australia, by emphasising the public commitments an organisation will make to improve understanding and attitudes towards Aboriginal and Torres Strait Islander people and improve opportunities to reduce disadvantage for Aboriginal people.

Banyule's Final Draft RAP replaces Banyule's Aboriginal & Torres Strait Islander Plan (2017-2021) and has been designed to meet both Reconciliation Australia's *innovate* RAP framework requirements, as well as Banyule's Inclusion Access & Equity Framework (IAEF) goals and strategies.

Banyule's Final Draft RAP will be implemented over a two-year period (2020 – 2022) and outlines how Council will work in partnership with our First Nations Peoples to promote respect for culture, increase reconciliation awareness, improve Aboriginal service delivery, socio-economic opportunities and support positive cultural change in Banyule.

#### Resolution (CO2020/168)

That Council, having considered the feedback from the public exhibition period:

1. Adopt the Banyule Reconciliation Action Plan (RAP) 2020-2022 at Attachment 1 to this report.
2. Write to submitters thanking them for their submission on Banyule's Final Draft Reconciliation Action Plan and advising of council's decision.
3. Continue to work alongside and strengthen our partnerships with our First Peoples and to work collaboratively to improve outcomes across a broad range of areas including social and economic well-being, civic participation and cultural heritage.
4. Continue to work with Banyule's Aboriginal and Torres Strait Islander Advisory Committee to oversee the implementation of the Reconciliation Action Plan actions.
5. Continue to implement the Reconciliation Action Plan actions and embed Council's commitment to reconciliation throughout our business and the municipality.
6. Continue to work with our partners and the wider community in our collective journey towards reconciliation.

Moved: Cr Tom Melican

Seconded: Cr Peter Castaldo

CARRIED

#### 4. PLANET – ENVIRONMENTAL SUSTAINABILITY

##### 4.1 CLIMATE ACTION PROGRAM - SOLAR ON LEASED FACILITIES

###### EXECUTIVE SUMMARY

In April 2020, Council resolved to maximise solar on all Council owned and occupied buildings, as part of taking action to achieve carbon neutrality by 2028.

A further report was requested for leased facilities, to determine how solar should be allocated on sites where Council does not pay the bills - Scope 3 sites (leased facilities).

Following Council's recent adoption of the Community Climate Action Plan (which includes a target of carbon neutrality for the Banyule Community by 2040) this report:

- explores technical considerations for sizing roof top solar for usage on facilities leased to not-for-profit community organisations;
- considers funding implications; and
- discusses the various options available to Council.

Council has made clear its intention to maximise solar on all its available roof space (having regard to existing site constraints such as the structural integrity of buildings and shading) given its declaration of a *Climate Emergency* and its desire to provide strong leadership to support climate action.

It is not possible to estimate the contribution each lessee will be required to make toward the solar system given the site constraints for each building is unknown and the current billing data is not available to Council. The notion of lessee's paying a contribution towards the system, however, does create value to the overall program.

A partial payback period using energy cost savings for a period of five years provides a strong case study for those not-for-profit community groups who lease council facilities.

This program will provide an ongoing financial benefit for those not-for-profit community groups who contribute to the overall health and wellbeing of Banyule.

###### **Resolution (CO2020/169)**

That Council:

1. Confirm support for the roof top solar program on Council owned facilities (leased to not-for-profit community groups) according to the following principles:
  - a. Sized to available roof space (maximise);
  - b. The overall cost of the system be limited to a 10-year return on investment period.
2. The installation will be conditional on the lessee entering into a funding agreement with Council which will include:
  - a. paying the energy saving between the cost of the projected electricity use (with no solar) and the actual electricity use (with solar) for a period of five years;
  - b. Provide annual billing data to Council.
3. Make every effort to prioritise the roll-out of panels under this program by manufacturers with an Australian base so that Council contributes to the generation of green collar jobs in Australia and can proudly promote this program as backing long-term sustainable manufacturing jobs in Australia.

4. Receive a further report on how Council can assist businesses with obtaining solar panels as part of Council's Climate Action Plan and assistance under the COVID-19 assistance package.
5. Prioritise the planning for this program and receive a further report in relation to the delivery timeframe.
6. Receive an update on the program as part of the annual climate action reporting in December of each year.

Moved: Cr Rick Garotti

Seconded: Cr Peter Castaldo

CARRIED

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## 5. PLACE – SUSTAINABLE AMENITY AND BUILT ENVIRONMENT

### 5.1 DEVELOPMENT PLANNING AND BUILDING ACTIVITIES REPORT (JANUARY - JUNE 2020)

#### EXECUTIVE SUMMARY

This report presents and provides commentary on the January to June 2020 activities of Development Planning and Building. Key highlights from the review period include:

#### Development Planning

- 'Live' (current) planning applications and requests reached a low of 366 in January and steadily increased over the review period to 407 in June;
- The percentage of applications determined within the statutory timeframes reached a record high in May with 81% of planning application determined in 60 days and 97% of VicSmart application determined within 10 business days.
- The number of tree related applications increased significantly during the review period with 386 applications received, a 46% increase on the previous six months.
- There has been a decrease in the number of Council decisions which have been overturned by the Victorian Civil and Administrative Tribunal throughout the review period with 49% of applications for review set aside by the Tribunal which is an improvement compared to 55% in the previous financial year.
- No 'out of time' appeals have been received in the review period or 2019/20 financial year.

#### Building

- The financial performance of Banyule BPI for the delivery of statutory and commercial services for the 2019/20 financial year is \$270,655 (excluding corporate overheads) compared to \$145,178 in the previous financial year (86% increase).
- Within a competitive market the number of Building permits issued over the 6 month review period was 537 which is comparable to the same time period in 2019 of 533.
- There was a 6% increase in permits issued for this financial year compared to last financial year
- There has been no increase in the number of outstanding building enforcement investigations overall despite receiving many more complex investigation requests than for the same period in 2019.

#### COVID-19 Impacts

- By comparison to the same period in the previous financial year, COVID-19 has not resulted in a reduction in Planning and Building applications being lodged in the fourth quarter of 2019/20.
- During the last quarter of the financial year when COVID-19 restrictions were introduced, the number of applications increased and was notably higher than the same period of the 2018/19 financial year.

#### Resolution (CO2020/170)

That Council note the Development Planning and Building Activities Report for the period January to June 2020.

Moved: Cr Tom Melican  
Seconded: Cr Craig Langdon

CARRIED

## 5.2 NORTH EAST LINK PROJECT - TEMPORARY LIMITED OPENING OF DRYSDALE STREET, YALLAMBIE

A statement was read on behalf of Katie George.

### EXECUTIVE SUMMARY

The North East Link (NEL) is being planned by the State Government as a direct north south road link through Banyule. Early works for the project commenced in May 2020, which include service relocations in preparation for main construction works in 2021.

As part of significant utility relocation early works, the intersection of Borlase Street and Drysdale Street will be temporarily closed by CPB Contractors. This will remove access to the eastern section of Drysdale Street and prevent residential vehicular access for the community, as Drysdale Street currently terminates in a dead-end at Lower Plenty Road.

The closure of Drysdale Street at Lower Plenty Road was originally by order of the City of Heidelberg in December 1975 under the Local Government Act 1958. The gazette for the closure was published on 22 September 1976. This area is outside of the declared project area for the NEL and there is some conjecture on whether the North East Link Project (NELP) can use their powers under the Major Transport Projects Facilitation Act 2009. Given this, NELP has made a request to Council to approve the temporary reopening. As the decision for the closure of the road was made by Council it is considered appropriate that the decision to temporarily reopen the road is also made by Council.

CPB Contractors is seeking to temporarily open Drysdale Street at the south-eastern end, through to Lower Plenty Road, for approximately two one-week periods in September 2020 and May 2021, whilst early works temporarily close the intersection of Borlase Street and Drysdale Street. Subject to approval, the intersection of Drysdale Street and Lower Plenty Road will be open for local vehicular access only during the early works utility relocation period mentioned.

It is considered that the limited temporary opening of Drysdale Street to provide local vehicular access for residents, with a condition of reinstatement after works are completed should be allowed.

### **Resolution (CO2020/171)**

That Council:

1. Support the opening of Drysdale Street through to Lower Plenty Road, as a limited temporary measure during works affecting vehicular access at the intersection of Borlase Street and Drysdale Street, as part of early works utility relocation for the North East Link project.
2. Note that the temporary opening of Drysdale Street and Lower Plenty Road is for approximately two one-week periods, occurring in September 2020 and May 2021, with affected residents and Council to be notified a minimum of seven days prior to the road network changes.
3. Advise the contractor that all design and technical documentation pertaining to the opening of Drysdale Street, at its intersection with Lower Plenty Road, must be submitted to and approved by Council prior to commencing works.

4. Advise the contractor that upon completion of these works, the Drysdale Street and Lower Plenty Road intersection must be removed and reinstated to its existing conditions.

Moved: Cr Mark Di Pasquale

Seconded: Cr Rick Garotti

CARRIED

#### **5.4 21 - 25 BELLEVUE AVENUE, ROSANNA - CONSENT ORDER FOR THE PROPOSED CHILD CARE CENTRE (P954/2019)**

##### **EXECUTIVE SUMMARY**

Planning Permit Application P954/2019 for the use and development of a child care centre, reduction in standard car parking requirements and display of advertising signage was refused by Council on 24 February 2020.

The applicant lodged a review with the Victorian Civil and Administrative Tribunal (VCAT) against the decision. As part of the appeal process, a Compulsory Conference was held on Friday 7 August 2020. The Conference was chaired by the Tribunal with the permit applicant and Council representatives in attendance. There were five Objectors who were a formal party to the VCAT review.

As a result of the VCAT proceeding, the Permit Applicant and five objector parties agreed to an alternative outcome 'without prejudice' which reduces the number of children, reduces signage size, provides increased setbacks and fencing height. Council's representative agreed to conditions reflecting the alternative outcome on the basis that consent be formally obtained from Council.

It is considered that Council should now support the alternative outcome and consent to the Victorian Civil and Administrative Tribunal issuing a Planning Permit in accordance with the conditions agreed to at the Compulsory Conference.

##### **Resolution (CO2020/172)**

##### **RECOMMENDATION A**

That Council advise the Victorian Civil and Administrative Tribunal that it does not agree to the Consent Order received by Council on 20 August 2020 in relation to Planning Permit Application P954/2019 for use and development of a child care centre and display of advertising signage at 21 – 25 Bellevue Avenue, Rosanna.

##### **RECOMMENDATION B**

That Council advise the applicant and all parties that it would agree to a new Consent Order that includes all changes shown on the Consent Order received by Council on 20 August 2020 in relation to Planning Permit Application P954/2019 for use and development of a child care centre and display of advertising signage as well as the following changes:

1. Clarification of render detail to the southern wall.
2. Further detail of the southern boundary acoustic fence to be constructed of treated pine palings on both sides and capped and approved by an acoustic engineer.
3. Learning space 8 window to be fixed (non openable)
4. Removal of the air conditioning unit to the drying area.
5. The southern wall of the first floor drying area to be a solid wall 1.2 metres and then fixed louvres to 1.7 metres to prevent downward vision
6. Specification that the learning space 8 elevation and drying and outdoor play area are to have suitable acoustic qualities.
7. Specification that glazing to the first floor play space fencing is to have a maximum transparency of 25%
8. Specification that air conditioner units are not to be located in the southern half of the property.

### RECOMMENDATION C

That Council, following the commencement of the use of any child care centre approved at 21 – 25 Bellevue Avenue, Rosanna:

1. Implement 15 minute on-street parking restrictions along the Bellevue Avenue frontage of 21 – 25 Bellevue Avenue ROSANNA between 7-9am and 4-6pm Monday to Friday and unrestricted parking at all other times.
2. Carry out a review of the effectiveness of the restrictions 12 months after implementation.

Moved: Cr Tom Melican  
Seconded: Cr Craig Langdon

CARRIED

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## 6. PARTICIPATION – COMMUNITY INVOLVEMENT IN COMMUNITY LIFE

### 6.1 COMMUNITY VISION COUNCIL PLAN PROJECT - ENGAGEMENT APPROACH EXECUTIVE SUMMARY

The *Local Government Act 2020* (the Act) is designed to strengthen council autonomy. The detailed, prescriptive processes in the previous Act have been replaced with principles-based provisions, setting outcomes that councils must deliver. To support this, the Act requires councils develop an integrated, longer-term and transparent approach to planning, organised around a ten-year community vision.

It is also a requirement of the Act that deliberative engagement be undertaken to inform the development of the community vision and a number of the wider strategic and financial planning documents in scope of the Banyule Community Vision Council Plan Project (CVCP Project), which includes the four-year Council Plan.

To continue Banyule's long and strong history of working collaboratively with the community to shape our municipality and enhance outcomes, and also to ensure legislated requirements within the Act are fulfilled, work has been undertaken with both internal and external stakeholders, inclusive of Councillors, to develop the CVCPP Engagement Approach.

The purpose of this report is to seek Council resolution on the proposed engagement approach for the CVCP Project.

#### **Resolution (CO2020/173)**

That Council

1. Supports the proposed Banyule Community Vision and Council Plan Project Engagement Approach.
2. Notes that Banyule places community aspiration at the centre of Council's strategic and financial planning.
3. Notes that engagement approach has been designed in accordance with the Banyule Community Engagement Policy.
4. Effectively use expert external consultants to deliver the Community Vision and Council Plan. This will be in line with Council's commitment to develop the capability and capacity of its own officers to undertake community engagement on other major engagement projects.
5. Receive a report at the conclusion of the Community Vision and Council Plan process, on the name, cost and benefits of utilising external consultants and contractors for the size and scale of this project.

Moved: Cr Rick Garotti  
Seconded: Cr Craig Langdon

CARRIED



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## 7. PERFORMANCE - USE OUR RESOURCES WISELY

### 7.1 COUNCIL MEETING DATES AFTER THE ELECTION - CHANGES REQUIRED EXECUTIVE SUMMARY

The Council Meeting dates for 2020 were set by Council in 2019 including the Mayoral Election on Monday 9 November being the first meeting after the general election which has been confirmed for Saturday 24 October 2020.

The Victorian Electoral Commission (VEC) have advised that due to Victoria's COVID pandemic the declaration of the Council election results will now be delayed and are expected to be finalised by Friday 13 November 2020.

Therefore a change is required to re-schedule the Mayoral Election which has a flow on effect for subsequent Council meetings.

This is the first time Banyule Council's election will be held by postal voting due to changes to the Local Government Act 2020 and the Minister of Local Government's declaration that all Victorian Councils will be conducted by a uniform method.

Feedback from Council's whom have conducted postal elections before is that due to Victoria's current COVID pandemic and Australia Post delays, declarations could potentially be delayed further than the VEC anticipate. If this occurs, it is recommended that the CEO be delegated power to amend the Meeting dates accordingly.

#### **Resolution (CO2020/174)**

That

1. Council set the remaining Council Meeting dates for 2020 to be:
  - Wednesday 18 November 2020 – Mayoral Election
  - Monday 23 November 2020
  - Monday 14 December 2020 and the previously scheduled meetings be cancelled.
2. The CEO be authorised to make appropriate changes to the dates if the declaration of the results is delayed further.

Moved: Cr Craig Langdon  
Seconded: Cr Tom Melican

CARRIED

## 7.2 FRAUD AND CORRUPTION CONTROL POLICY

**Kevan Hill spoke on the item via pre-recorded video and a statement was read on behalf of Rosamund Krivanek.**

### EXECUTIVE SUMMARY

The Banyule City Council Fraud and Corruption Control Policy (the Policy) has been developed to align with the Australian AS 8001-2008 *Fraud and corruption control*.

Under Division 8 section 54 of the *Local Government Act 2020* the Audit and Risk Committee is required to monitor and provide advice on risk management and fraud prevention systems and controls. Under the Audit and Risk Committee Charter responsibilities the Committee has resolved for the Policy to be considered by Council for adoption after having received a final draft of the Policy.

The Policy has been reviewed in consultation with stakeholders to ensure alignment with best practice principles and to be consistent with the protected disclosure legislation – *Public Interest Disclosure Act 2012 (PID Act)*. The policy considers the Victoria's Auditor-General's Office, (VAGO) report - 'Fraud and Corruption Control – Local Government 19 June 2019' and The IBAC 'Local Government Integrity Framework Review' – 28 March 2019 recommendations.

Council is requested to adopt the Banyule City Council Fraud and Corruption Policy.

### Resolution (CO2020/175)

That Council:

- 1) Note that the Fraud and Corruption Control Policy:
  - a) Outlines Banyule City council's approach to controlling the risk of fraud and corruption from prevention through to detection and response activities.
  - b) States a zero tolerance to fraud and corruption with all employees, Councillors, contractors and other services providers required to act with integrity at all times and refrain from fraudulent or corrupt conduct.
  - c) Is one component of Banyule's fraud and corruption plan (framework) through which the Audit and Risk Committee can monitor risk management and fraud prevention systems and controls.
- 2) Adopt the Banyule City Council Fraud and Corruption Control Policy (Attached) with the following amendment:
  - a) In the event the CEO is under investigation the Public Interest Disclosure Coordinator will inform the Audit and Risk Committee and the Council as appropriate and as soon as possible, in consultation with the appropriate oversight authorities

Moved: Cr Rick Garotti

Seconded: Cr Craig Langdon

CARRIED

### 7.3 RISK MANAGEMENT FRAMEWORK

A statement was read on behalf of Michelle Giovas and Kevan Hill spoke on the item via pre-recorded video.

#### EXECUTIVE SUMMARY

In September 2019, Council engaged risk management consultants Aon to undertake a review of our Risk Management Policy (policy) and Risk Management Framework (framework). This review, and subsequent recommendations, form the basis of the new policy and framework, an overview of which is presented in this report to Council for endorsement.

This report outlines the key changes to the Risk Management Framework and Policy, in particular relation to:

- Council's Risk Management Principles
- Likelihood and Impact descriptors
- Control Effectiveness
- Roles and Responsibilities
- Risk Appetite
- Risk Management Action Plan

The Council should note that the Audit and Risk Committee, Senior Management Team have considered the new Policy and Framework prior to submission to the Councilor Group for endorsement.

#### **Resolution** (CO2020/176)

That Council

1. Note that the review has further strengthened Banyule's Risk Management practices.
2. Note the commitment of senior management to continuously monitor and improve risk management of Council operations.
3. Accept the Audit and Risk Committee's endorsement of the revised Risk Management Framework and Policy.
4. Adopt the Risk Management Framework and Policy.

Moved: Cr Rick Garotti

Seconded: Cr Tom Melican

CARRIED

## 7.4 INDEPENDENT REPRESENTATIVE AUDIT & RISK COMMITTEE

A statement was read on behalf of Michelle Giovias.

### EXECUTIVE SUMMARY

The Audit and Risk Committee (the Committee) is established in compliance with section 53(1) of the *Local Government Act 2020* (the Act). The Audit and Risk Committee's role is to report to the Council and provide appropriate advice and recommendations on matters relevant to its Charter in order to facilitate decision making by the Council in relation to the discharge of its responsibilities.

*The Local Government Act 2020* has five new requirements that Audit and Risk Committees must meet. One of these five requirements to the Act states that a majority of committee members must be independent of council; the chair must not be a councillor and members of council staff must not be committee members. Collectively, the committee must have expertise in financial and risk management and experience in public sector management.

Current membership of the Audit & Risk Committee consists of two Councillors and two Independent Representatives and in its current form will not meet the requirements of the Act.

To meet the requirement of majority independent members the Audit & Risk Committee Charter was amended on the 17 August 2020 to increase the number of Independent members to three.

The position of Independent Representative of the Audit & Risk Committee was advertised on Saturday 4 July and closed on the 17 July 2020. Interviews were held on the 30 July and it is recommended that Greg Rimmer-Hollyman be appointed as the new Independent Representative member from 1 September 2020 for a period of three years (3 years).

### **Resolution (CO2020/177)**

That Council appoint Greg Rimmer-Hollyman as the new Independent Representative member of the Audit & Risk Committee from 1 September 2020 for a period of three years (3 years).

Moved: Cr Rick Garotti

Seconded: Cr Tom Melican

CARRIED

## **7.5 VICTORIAN GOVERNMENT - LOCAL SPORTS INFRASTRUCTURE AND COMMUNITY SPORTS STIMULUS FUNDING**

### **EXECUTIVE SUMMARY**

Council has made several funding applications via various State Government funding opportunities to support improvements and redevelopment of sporting infrastructure across the municipality for the 2020/21 financial year.

In February 2020, Council submitted five (5) applications for the Local Sports Infrastructure Fund (LSIF) which provides State Government funding for high-quality and accessible community sport and recreation facilities.

Applications included the following projects:

- Warringal Park Female Friendly and Sports field Lighting upgrade
- Yulong Reserve Female Friendly and Sports field Lighting upgrade
- Greensborough War Memorial Female Friendly Change room upgrade
- Whatmough Park Sports Field Lighting
- Malahang Reserve Splash-park Feasibility Study

In March 2020 Council submitted one (1) application via the World Game Facilities fund which promotes partnerships between the Victorian Government, Local Government Authorities, football leagues and associations and local sporting clubs to deliver on upgrading existing and constructing new football (soccer) facilities. The project applied for was Chelsworth Park Sports field lighting.

In June 2020 the State Government announced a Community Sports Infrastructure Stimulus Program and this was part of the Government's Building Works package, designed to support shovel-ready projects to get thousands of people back to work. Council submitted three (3) projects for this funding round being:

- Banyule Nets Outdoor Multi Sport Courts Stage 2
- Darebin Creek Trail Renewal Project Stage 3
- Olympic Park Redevelopment Stages 3 and 4

In late July and August 2020, Council received notification of all funding rounds and has been successful in receiving funding for two projects being:

- Greensborough War Memorial Female Friendly Change room upgrade
- Whatmough Park Reserve Sports-field Lighting Upgrade

This will result in \$1.1M of community asset upgrades and development with a State Government contribution of \$400,000 via the Local Sports Infrastructure Fund (LSIF).

In relation to the projects that were unsuccessful in receiving State Government funding Warringal Park Female Friendly and Sports field lighting, Yulong Reserve Female Friendly and Sports field lighting have been funded in the 2020/21 Capital Budget and can still proceed without State Government support.

The Malahang Reserve Splash Park is currently not funded in the 20/21 budget and this report recommends an allocation of \$40,000 is made towards this project so that planning, feasibility and design work can be commenced which will allow Council to apply for future funds for constructions work at a later date.

The Chelsworth Park Lighting project is not funded in the 2020/21 budget but is listed for funding in future years and there is an opportunity to reapply in November 2020 for this project for State Government funding.

Regarding the three projects that did not receive the Infrastructure Stimulus funding it is recommended that Council continues to advocate to the State Government for funding to support these significant projects in the future.

**Resolution (CO2020/178)**

That Council:

1. Notes the outcome of the funding applications for the 2020-2021 Local Sports Infrastructure Fund (LSIF), World Games Fund and the Victorian Government's Community Sports Infrastructure Stimulus Program
2. Informs stakeholders regarding the outcome of the funding applications and proceeds with the implementation of the following projects:
  - a. Warringal Park Female Friendly and Sports field Lighting
  - b. Yulong Reserve Female Friendly and Sports field lighting
  - c. Greensborough War Memorial Female Friendly Change room upgrade
  - d. Whatmough Park Sports- Field Lighting.
3. Allocates \$40,000 to the Malahang Reserve Splash Park Feasibility Study to commence this planning and design work.
4. Approves the Chelsworth Park Sports field lighting project to be resubmitted to the World Games Facilities fund when the new funding round opens in November 2020.
5. Continues to advocate to the State Government for funding to support
  - a. Nets Outdoor Multi Sport Courts Stage 2
  - b. Darebin Creek Trail Renewal Project next stage
  - c. Olympic Park Redevelopment Stages 3 and 4.

Moved: Cr Mark Di Pasquale  
Seconded: Cr Tom Melican

CARRIED

## 7.6 BELLFIELD PROJECT: AWARDING OF LEASE FOR DELIVERY OF SOCIAL HOUSING

A statement was read on behalf of Rosamund Krivanek.

### EXECUTIVE SUMMARY

Council has committed to the delivery of **social housing** on land adjacent to the Bellfield **Community Hub** and relocated community garden. A minimum number of thirty dwellings has been previously agreed by Council to be delivered as part of this project.

An Expression of Interest (EoI) was issued to 37 registered community housing providers and associations on 28 February 2020. Selection criteria were agreed by Council for assessment of the EoI submissions to facilitate shortlisting of the respondents.

Of the EoI submissions received, four respondents were shortlisted by the Evaluation Panel and invited to submit a Request for Proposal (RfP), following Council deciding to move to RfP at a meeting on 18 May 2020. The RfP ran from 20 May 2020 until 3 July 2020. Part way through the RfP phase, one of the four shortlisted respondents elected not to continue with the process. The selection criteria previously agreed by Council (for the EoI) were used to assess the RfP submissions.

Three RfP submissions were received and one has been selected as the preferred **social housing** provider for the Bellfield project by the Evaluation Panel. The successful project includes up to 58 dwellings (depending on the final dwelling configuration and mix) over four levels plus rooftop garden and basement car parking for 43 cars. Council must now consider awarding the project to the preferred provider and execution of legal documentation so that the development can commence.

### Resolution (CO2020/179)

That Council:

1. Notes that the Request for Proposal (RfP) for selection of a provider for construction of social housing at Bellfield has been completed.
2. Notes that the Evaluation Panel has selected Respondent 1 as the preferred provider, subject to agreeing and executing the Agreement for Lease (AfL) and Lease. Documents provided as drafts in Respondent 1's RfP will be finalised and appended to the Lease including the:
  - Project Management Plan
  - Organisational Management Plan
  - Asset Management Plan
  - Community Engagement Plan
3. Agrees to the Agreement for Lease (AfL) and grants a Lease to Respondent 1 for the land located at part of 230 Banksia Street, Bellfield for a term of 50 years (commencing date to be confirmed) at \$1 per annum.
4. Note that both Respondents 2 and 3 will be formally advised that they have not been chosen as the preferred provider but that, as the offer is still subject to contract negotiation, they should continue to be committed to the project until formal notification that legal documents have been executed.
5. Authorises the necessary documentation to effect the Agreement for Lease (AfL) and Lease to be signed and sealed at the appropriate time.

6. Stipulates that the AfL and Lease documentation will include Council input as a key stakeholder, with Respondent 1 working collaboratively and constructively with Council and the local community in the final design and construction of the social housing building and during operation of the completed project.
7. Notes that in the event Respondent 1 does not engage in good faith on the representations provided in their RfP documentation, Council will exercise its legal rights as appropriate.
8. Agrees to the issue of a public announcement providing details of the preferred social housing provider for the Bellfield project once the Agreement for Lease (AfL) has been signed.
9. Notes that the weighted scores of each Respondent were not originally provided to Council (in the confidential attachments) as part of the Council report. Council requested and received this information from officers prior to the Council meeting to inform its decision.

Moved: Cr Rick Garotti  
Seconded: Cr Craig Langdon

CARRIED



**7.7 AWARD CONTRACT NO 1051-2020 - HARD WASTE COLLECTION****EXECUTIVE SUMMARY**

This report is to consider the awarding of Contract No 1051-2020 for “Hard Waste Collection” which is a component of the kerbside residential waste service.

A tender for Hard Waste Collection Service was advertised in the Local Government tender section of The Age newspaper on Saturday 30 May 2020 and closed on Wednesday 24 June 2020. Each tender was evaluated using a weighted matrix based on financial, technical, commercial and other criteria.

The Tender Evaluation Panel (TEP) has recommended awarding the contract to Jubilee Trial Pty Ltd in accordance with the tender and conditions as determined by Council.

**Resolution (CO2020/180)**

That

1. Contract No. ‘1051-2020’ for ‘Hard Waste Collection’ be awarded to Jubilee Trial Pty Ltd as per the schedule of rates for an estimated \$1,518,000.00 (ex. G.S.T) over a 4-year period.
2. The Director Assets and City Services be authorised to extend the contract for further periods of any duration up to a maximum extension period of two (2) years at the end of the first 2 years, subject to satisfactory performance and the meeting of Council objectives.
3. The Director of Assets and City Services be authorised to sign the contract and any other associated documents.

Moved: Cr Tom Melican

Seconded: Cr Craig Langdon

CARRIED

**7.8 AWARD OF CONTRACT NO 1054-2020 "RECONSTRUCTION OF DEWINTON RESERVE OVAL AND CRICKET NETS"****EXECUTIVE SUMMARY**

This report is to consider the awarding of Contract No 1054-2020 for "Reconstruction of De Winton Reserve Oval and Cricket Nets" for the reconstruction of the oval at De Winton Reserve and the upgrading of the cricket nets in this reserve.

As part of the 2020/21 Capital Works programme, Council is proposing to reconstruct De Winton Oval with works including earth works, drainage works, irrigation works, root zone mix installation, turfgrass establishment, concrete works and fencing. The cricket net works include the construction of four cricket nets.

Tenders were advertised in The Age and on Council's website. During this period, forty-two (42) companies downloaded the tender documents and twelve (12) submissions were received by the closing time.

The Tender Evaluation Panel (TEP) has recommended awarding the contract Contract No 1054-2020 for "Reconstruction of De Winton Reserve Oval and Cricket Nets" for the lump sum price of \$1,290,655 (excl. GST) to Evergreen Turf Group Pty Ltd.

**Resolution (CO2020/181)**

That:

1. Contract No. '1054-2020' for 'Reconstruction of De Winton Reserve Oval and Cricket Practice Nets' be awarded to Evergreen Turf Group Pty Ltd for \$1,290,655.00 (ex. G.S.T).
2. That the Director of Assets and City Services be authorised to sign the contract and any other associated documents.

Moved: Cr Tom Melican

Seconded: Cr Craig Langdon

CARRIED

**7.9 AWARD OF CONTRACT NO. 1058-2020 "CONSTRUCTION OF GREENSBOROUGH PRESCHOOL EXPANSION AND REFURBISHMENT WORKS"****EXECUTIVE SUMMARY**

This report is to consider the awarding of Contract No 1058-2020 for "Construction of Greensborough Preschool Expansion and Refurbishment Works".

As part of the 2020/21 Capital Works programme, Council is proposing to expand Greensborough Preschool to include a new play room and to refurbish the existing preschool building and accompanying MCH.

Tenders were advertised in The Age and on Council's website. During this period twenty six (26) companies downloaded the tender documents and fifteen (15) submissions were received by the closing time.

The Tender Evaluation Panel (TEP) recommends that Council award Contract No 1058-2020 "Construction of Greensborough Preschool Expansion and Refurbishment Works", for the lump sum price of \$996,987.00 (excl. GST), to Malcorp Building and Carpentry Services.

**Resolution (CO2020/182)**

That:

1. Contract No 1058-2020 "Construction of Greensborough Preschool Expansion and Refurbishment Works", for the lump sum price of \$996,987.00 (excl. GST), be awarded to Malcorp Building and Carpentry Services.
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 Craig Langdon

CARRIED

**7.10 ASSEMBLY OF COUNCILLORS****EXECUTIVE SUMMARY**

Assembly of Councillors were previously required by the Local Government Act 1989, this section has now been repealed.

Council at its meeting on 15 July 2020 resolved to continue to consider reports of Councillor attendance at Briefings and Advisory Committee meetings until such time as the new requirements are provided for in the adoption of the new Governance Rules.

**RECORD OF MEETINGS**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                         |                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| <b>1</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>Date of Meeting:</b>                                                                                                                                                                                                                 | 10 August 2020 6.30pm         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Type of Meeting:</b>                                                                                                                                                                                                                 | Councillor Briefing – Virtual |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Matters Considered:</b>                                                                                                                                                                                                              |                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <ol style="list-style-type: none"> <li>1. Gambling – outline of options for supporting socialisation and community connectedness</li> <li>2. Community Vision and Council Plan</li> <li>3. Council Meeting – virtual process</li> </ol> |                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Councillors Present:</b>                                                                                                                                                                                                             |                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Peter Castaldo<br>Alison Champion<br>Mark Di Pasquale<br>Rick Garotti<br>Craig Langdon<br>Tom Melican                                                                                                                                   |                               |
| <b>Staff Present:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                         |                               |
| Allison Beckwith - <i>Chief Executive Officer</i><br>Geoff Glynn – <i>Director Assets &amp; City Services</i><br>Marc Giglio – <i>Director Corporate Services</i><br>Scott Walker – <i>Director City Development</i><br>Kath Brackett – <i>Director Community Programs</i><br>Gina Burden – <i>Manager Governance &amp; Communication</i><br>Vivien Ferlaino – <i>Governance Coordinator</i><br>Kerry Woods – <i>Executive &amp; Councillors Team Leader</i><br>Lisa Raywood – <i>Manager Public Health Protection, Aged &amp; Community Planning</i><br>Theonie Tacticos – <i>Community and Social Planning Coordinator</i><br>Jo van Dort – <i>Community &amp; Social Planning</i><br>Bridget Ruff – <i>Integrated Planning Project Manager</i> |                                                                                                                                                                                                                                         |                               |
| <b>Others Present:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                         |                               |
| Nil                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                         |                               |
| <b>Conflict of Interest:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Nil                                                                                                                                                                                                                                     |                               |
| <b>2</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>Date of Meeting:</b>                                                                                                                                                                                                                 | 17 August 2020 – 6.00pm       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Type of Meeting:</b>                                                                                                                                                                                                                 | Councillor Briefing – Virtual |

**Matters Considered:**

Items on the Council Agenda for the Ordinary Meeting of 17 August 2020 (excluding confidential items) as listed below:

- 3.1 Proposal for the establishment of a Banyule Scouts Grants Program
- 3.2 Proposed New Lease with The Scouts Association of Australia (Victorian Branch) - Various Sites
- 5.1 North East Link Project: Supreme Court Appeal Settlement
- 5.2 Hurstbridge Railway Line Upgrade (Stage 2): Advocacy to address project shortcomings
- 5.3 Community Climate Action Plan Adoption
- 7.1 Governance Rules (Draft)
- 7.2 Public Transparency Policy (Draft)
- 7.3 Council Expense Policy (Draft)
- 7.4 Audit & Risk Committee
- 7.5 Update of Delegations
- 7.6 Audit & Risk Advisory Committee Minutes - 19 June 2020
- 7.7 Appointment of Independent Chairperson of the CEO Employment Matters Committee
- 7.8 Financial Management Report - Preliminary June 2020 Performance
- 7.9 Report on property transactions for the 6 months ending 30 June 2020
- 7.10 Proposed Leases – Preschools
- 7.11 Bellfield Project - EOI Evaluation for Delivery of Bellfield Community Hub and Community Garden
- 7.12 Bellfield Project: EOI evaluation for delivery of market housing (Banksia Village)
- 7.13 Contract 1036-2020 – Supply and Delivery of One 6x4 High Pressure and Vacuum Drain Cleaning Truck
- 7.14 Contract No 1042-2020 for "Supply and Delivery of Welding and Fabrication Services"
- 7.15 Eaglemont Tennis Club Capital Works Project - Request for additional funds
- 7.16 Assembly of Councillors

**Councillors Present:**

Peter Castaldo  
 Alison Champion  
 Mark Di Pasquale  
 Rick Garotti  
 Craig Langdon  
 Tom Melican

**Staff Present:**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| Allison Beckwith - <i>Chief Executive Officer</i><br>Geoff Glynn – <i>Director Assets &amp; City Services</i><br>Marc Giglio – <i>Director Corporate Services</i><br>Scott Walker – <i>Director City Development</i><br>Kath Brackett – <i>Director Community Programs</i><br>Gina Burden – <i>Manager Governance &amp; Communication</i><br>Vivien Ferlino – <i>Governance Coordinator</i><br>Emily Outlaw – <i>Council Business Team Leader</i><br>David Pascolo – <i>IT Technical Analyst</i><br>Duncan Stephen – <i>Jets Sound Engineer / Program Assistant</i> |     |
| <b>Others Present:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |     |
| Nil                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |     |
| <b>Conflict of Interest:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Nil |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                         |                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| <b>3</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Date of Meeting:</b>                                                                                                                                                                 | 24 August 2020 6.30pm         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Type of Meeting:</b>                                                                                                                                                                 | Councillor Briefing – Virtual |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Matters Considered:</b>                                                                                                                                                              |                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <ul style="list-style-type: none"> <li>• Aged Care</li> <li>• Waste Management</li> <li>• Climate Action</li> <li>• General Discussion – Community Vision &amp; Council Plan</li> </ul> |                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Councillors Present:</b>                                                                                                                                                             |                               |
| Peter Castaldo<br>Alison Champion<br>Mark Di Pasquale<br>Rick Garotti<br>Craig Langdon<br>Tom Melican                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                         |                               |
| <b>Staff Present:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                         |                               |
| Allison Beckwith - <i>Chief Executive Officer</i><br>Kath Brackett – <i>Director Community Programs</i><br>Geoff Glynn – <i>Director Assets &amp; City Services</i><br>Marc Giglio – <i>Director Corporate Services</i><br>Scott Walker – <i>Director City Development</i><br>Kerryn Woods – <i>Executive &amp; Councillors Team Leader</i><br>Lisa Raywood – <i>Manager Public Health Protection, Aged &amp; Community Planning</i><br>Kaylene Hodgkin – <i>Health Services Policy &amp; Project Coordinator</i><br>Leanne Horvath – <i>Health Services Policy &amp; Project Coordinator</i><br>Angela Brophy – <i>Home Support Coordinator</i><br>Russell Darling – <i>Manager Strategic Waste</i><br>Andrew Croft – <i>Waste Management Coordinator</i><br>Darren Bennett – <i>Manager Environment and Place</i> |                                                                                                                                                                                         |                               |
| <b>Others Present:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                         |                               |
| Nil                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                         |                               |

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|--|------------------------------|-----|
|  | <b>Conflict of Interest:</b> | Nil |
|--|------------------------------|-----|

|                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                       |                                            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|--------------------------------------------|
| 4                                                                                                                                                                                                                                                                                                                                                                                               | <b>Date of Meeting:</b>                                                                               | 24 August 2020 8.30pm                      |
|                                                                                                                                                                                                                                                                                                                                                                                                 | <b>Type of Meeting:</b>                                                                               | Confidential Councillor Briefing – Virtual |
|                                                                                                                                                                                                                                                                                                                                                                                                 | <b>Matters Considered:</b>                                                                            |                                            |
|                                                                                                                                                                                                                                                                                                                                                                                                 | Confidential Matters considered                                                                       |                                            |
|                                                                                                                                                                                                                                                                                                                                                                                                 | <ul style="list-style-type: none"> <li>Contractual matters</li> </ul>                                 |                                            |
|                                                                                                                                                                                                                                                                                                                                                                                                 | <b>Councillors Present:</b>                                                                           |                                            |
|                                                                                                                                                                                                                                                                                                                                                                                                 | Peter Castaldo<br>Alison Champion<br>Mark Di Pasquale<br>Rick Garotti<br>Craig Langdon<br>Tom Melican |                                            |
| <b>Staff Present:</b>                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                       |                                            |
| Allison Beckwith - <i>Chief Executive Officer</i><br>Kath Brackett – <i>Director Community Programs</i><br>Geoff Glynn – <i>Director Assets &amp; City Services</i><br>Marc Giglio – <i>Director Corporate Services</i><br>Scott Walker – <i>Director City Development</i><br>Kerryn Woods – <i>Executive &amp; Councillors Team Leader</i><br>Lucy Rasdell – <i>Strategic Property Manager</i> |                                                                                                       |                                            |
| <b>Others Present:</b> Nil                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                       |                                            |
|                                                                                                                                                                                                                                                                                                                                                                                                 | <b>Conflict of Interest:</b>                                                                          | Nil                                        |

**Resolution (CO2020/183)**

That the Record of Councillor meetings report be received.

Moved: Cr Craig Langdon  
 Seconded: Cr Tom Melican

CARRIED

**8. SEALING OF DOCUMENTS**

Nil

**9. NOTICES OF MOTION**

Nil

**10. GENERAL BUSINESS**

**10.1 VICTORIAN DOCTORS**

Cr Mark Di Pasquale referred to and tabled an open letter to the Victorian Premier signed on behalf of numerous medical practitioners last week outlining their concerns about the Victorian Government’s management of the COVID 19 pandemic as a public health issue. The purpose of the letter was to raise awareness of the opposing views regarding the most effective way of controlling the disease, and outlines an alternative policy approach from that of the Victorian Government.

Cr Di Pasquale thanked and acknowledged the courage shown by these medical practitioners in voicing and raising their concerns.

A full copy of the letter is available on the attached link:

[https://quadrant.org.au/opinion/qed/2020/09/a-doctors-open-letter-to-daniel-andrews/?fbclid=IwAR03P85vQ2HVNcA6P4NpHmfjwwt4AHDUbc\\_BHVjilVfmHljuxpriagycByk](https://quadrant.org.au/opinion/qed/2020/09/a-doctors-open-letter-to-daniel-andrews/?fbclid=IwAR03P85vQ2HVNcA6P4NpHmfjwwt4AHDUbc_BHVjilVfmHljuxpriagycByk)

**Closure of Meeting**

The Meeting was closed at 9.46pm.

DATED: ..... DAY OF ..... 2020

.....  
MAYOR

*The next Ordinary Meeting of Council will be held on Monday, 21 September 2020.*



## PUBLIC QUESTION TIME

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1</b> | <p><b>Name &amp; Suburb</b></p> <p>Jenny Mulholland OAM - Ivanhoe</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|          | <p><b>Question:</b></p> <p>Can Council update the East Ivanhoe community and the East Ivanhoe Traders Association in regard to when the traffic lights and other safety measures will be installed in Lower Heidelberg Rd East Ivanhoe near the IGA supermarket?</p>                                                                                                                                                                                                                                                                                                 |
|          | <p><b>Response:</b></p> <p><i>Scott Walker - City Development</i></p> <p><i>Requests have been made to the Department of Transport to install a raised pavement at the existing Pedestrian signals, install a new set of pedestrian signals at the west end of the centre and an extension to the traffic island at the roundabout from Warncliffe Road to the existing crossing. The Department of Transport has advised that they will consider these items in future State Government Transport budgets. Advocacy for these works to occur will continue.</i></p> |

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>2</b> | <p><b>Name &amp; Suburb</b></p> <p>Emilia Williams - Rosanna</p>                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|          | <p><b>Question:</b></p> <p>What action is council taking to control/remove the infestation of Cape Weed which has now become so prevalent through the Warringal Parklands, Banyule Flats, Rosanna Park and River Gum Walk?</p>                                                                                                                                                                                                                                                                          |
|          | <p><b>Response:</b></p> <p><i>Geoff Glynn - Assets &amp; City Services</i></p> <p><i>Council actively controls the growth and spread of cape weed on sportsgrounds and in bushland sites where it is impeding growth of remnant indigenous flora or overrunning onto younger revegetation sites.</i></p> <p><i>Cape weed is not actively controlled in passive reserves due to the ease of spread of this weed, and the resources that would be required to eradicate it in passive open space.</i></p> |

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>3</b> | <p><b>Name &amp; Suburb</b></p> <p>Michelle Giovas - Heidelberg</p>                                                                                                                                                                                                                                                                                                                                                                                       |
|          | <p><b>Question:</b></p> <p>Could Council please advise if consideration has been given to returning the public forum back to its previous time of being heard prior the Council Meeting to improve residents/ratepayers access to this forum?</p>                                                                                                                                                                                                         |
|          | <p><b>Response:</b></p> <p><i>Marc Giglio - Corporate Services</i></p> <p><i>Council has only recently, following a period of community consultation, reviewed it's meeting procedures as part of the development and adoption of the Governance Rules, a requirement of the new Local Government Act 2020. The review did not reveal a necessity to change any of Council's current avenues for community participation in the Council Meetings.</i></p> |

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| <b>4</b> | <p><b>Name &amp; Suburb</b></p> <p>Sheldon Williams - Rosanna</p>                                                                                                                                                                                                                                                                                                                                                                                 |
|          | <p><b>Question:</b></p> <p>Given the many competing needs for council funds, cost overruns on Ivanhoe library and a very disappointing decision to increase rates by another 2% in what is now a recession; why is council planning to spend \$30,000 plus on a Disc Golf Course at Banyule Parklands, when a majority of regular users of the parklands and local residents were not consulted on the proposal and do not want it developed?</p> |
|          | <p><b>Response:</b></p> <p><i>Kath Brackett - Community Program</i></p> <p><i>This project was allocated \$30,000 as part of the 19/20 budget submissions. Consultation on the course design and location will continue when restrictions are eased and safe to do. Construction is on hold.</i></p>                                                                                                                                              |

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| <b>5</b> | <b>Name &amp; Suburb</b><br><br>Kevin Biaggini - Ivanhoe                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|          | <b>Question:</b><br><br>Given the decision by Stonnington City Council to refund the recent 2% rate rise to all ratepayers will Banyule City Council now follow this lead given that we are now officially in recession?                                                                                                                                                                                                                                                                                                                                                                                          |
|          | <b>Response:</b><br><br><i>Marc Giglio - Corporate Services</i><br><br><i>Council allocated \$10.5 million from the 2020/21 Budget to help residents, local business and community groups impacted by COVID-19. This includes direct rate relief to help financial pressures on the area of the community that need it the most. Rate relief is available in the form of a rate deferral of up to 15 months in addition to a rates waiver between \$100 -\$500 depending on your property category. This equates to a reduction in total rates and charges of \$4.5m or 4.31% for the 2020/21 financial year.</i> |

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| <b>6</b> | <p><b>Name &amp; Suburb</b></p> <p>Natasha Reifschneider - Rosanna</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|          | <p><b>Question:</b></p> <p>DELWP is currently exhibiting the 'Yarra River - Bulleen Precinct Land Use Framework Plan' for public comment. This Framework plan includes a large proportion of Open Space and River environment in Heidelberg. Submissions are due by 25th of September.</p> <p>Is Banyule Council preparing a submission to this plan to advocate for the community?<br/>Will Banyule Council submit to the Panel considering this plan?<br/>Could this plan be promoted on Banyule's website for residents to be aware of this plan and opportunity to have their say?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|          | <p><b>Response:</b></p> <p><i>Scott Walker - City Development</i></p> <p><i>The advisory committee will consider all submissions made during the 2019 and 2020 public exhibition periods. Council has made a submission to the advisory committee in the first exhibition period. It is not intended to make a further submission in response to the updated framework plan, as the changes do not affect the key considerations expressed in the submission already lodged.</i></p> <p><i>It is intended that a Council representative will speak to the submission at the Panel Hearing.</i></p> <p><i>Information about the updated Framework Plan and Panel Hearing is on the front page of Council's website. DELWP has directly notified stakeholders and residents of the Yarra River – Bulleen Precinct updated materials while the advisory committee will facilitate further exhibition and public hearings. This includes public notifications provided directly to approximately 3,500 residents, landowners and other stakeholders.</i></p> |

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| <b>7</b> | <p><b>Name &amp; Suburb</b></p> <p>Kevan Hill - Ivanhoe</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|          | <p><b>Question:</b></p> <p>A Councillor has recently emailed 1200 people to advise them that if Council did not impose the 2% rate hike for 2021FY it would result in Council losing \$2million forever.</p> <p>Does Council agree with this statement. If so, please provide a detailed calculation based on Council's actual operations and not a hypothetical calculation of compound interest.</p> <p>Given the Councillor's statement, Banyule ratepayers are entitled to know the annual and ongoing compound benefit over the last ten years from 2011/2012 to 2020/2021 flowing from Rates increasing by 42.84% versus the 16.40% increase in CPI over the same period (assumes 2% CPI increase 2021FY)</p> <p>Please provide the compounding benefit calculations, starting annually from 2011/2012 up until 2020/2021.</p> |
|          | <p><b>Response:</b></p> <p><i>Marc Giglio - Corporate Services</i></p> <p><i>Council calculations on a single year 0% rate increase rather than the Rate Cap are based on the compounding effect on the current rate base.</i></p> <p><i>This would result in a one year shortfall of \$2,056,726 and when extrapolated over the next ten years would equate to a cumulative \$22.5 million.</i></p> <p><i>Rate increases over the last 10 years have provided funding for major community facilities and vital infrastructure. There are also a number of cost increases over that period that were well in excess of CPI for example energy costs and cost shifting from other levels of government.</i></p>                                                                                                                       |

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| <b>8</b> | <p><b>Name &amp; Suburb</b></p> <p>Nola McDowell - Ivanhoe</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|          | <p><b>Question:</b></p> <p>What is this Council's policy on graffiti in Banyule and in relation to the costs incurred by Council to remove graffiti, could Council please advise the annual budgets for graffiti removal and/or graffiti management for the past four years versus actual spend and specifically how many graffiti removal works were carried out in Hawdon ward over the period 2017FY to 2020FY and what was Council's annual spend on this work?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|          | <p><b>Response:</b></p> <p><i>Geoff Glynn - Assets &amp; City Services</i></p> <p><i>Council recognises that graffiti management is integral to people's perceptions of safety and aesthetics in the municipality. Banyule Graffiti Strategy 2020-2024 outlines Council's commitment to the management of graffiti on Council property and to work collaboratively with other agencies and the community to support effective management of graffiti on assets in Banyule. The Strategy is on Council's website.</i></p> <p><i>Council's budget allocation and actual expenditure for graffiti removal is:</i></p> <p><i>2016/17 Budget \$173k, Actual \$188k</i></p> <p><i>2017/18 Budget \$176k, Actual \$224K</i></p> <p><i>2018/19 Budget \$180k, Actual \$245k</i></p> <p><i>219/20 Budget \$184k, Actual \$187k</i></p> <p><i>The Council data management system for graffiti does not currently collate budget details across wards.</i></p> |

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| <b>9</b> | <p><b>Name &amp; Suburb</b></p> <p>Roger Fyfe - Ivanhoe</p>                                                                                                                                                                                                                                                                                                                       |
|          | <p><b>Question:</b></p> <p>Construction of 154 Upper Heidelberg Road Ivanhoe has been facilitated by a construction management plan approved by Council. Given that it appears the building will not be finished until some 14 months after construction commenced, will Council now provide a copy of the construction management plan so that the benefits can be assessed?</p> |
|          | <p><b>Response:</b></p> <p><i>Scott Walker - City Development</i></p> <p><i>A copy of the requested document has been provided to the resident.</i></p>                                                                                                                                                                                                                           |

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| <b>10</b> | <b>Name &amp; Suburb</b><br><br>Alicia Curry – Rosanna                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|           | <b>Question:</b><br><br>I was part of the community engagement with council in relation to the upgrade of the Banyule City Council website. However, numerous pieces of information have been removed since it's inception. The local ward news was previously available online for both current and historical under each councillor. Also, as suggested, council had provided an interactive map with advertised planning documents which made it easier for residents to see any local applications - and this has since been removed. Could council please review and re-instate these missing pieces of information, and implement a sophisticated and comprehensive online planning application search system in line with other councils such as Nillumbik instead of the minimalist information that Banyule provides? |
|           | <b>Response:</b><br><br><i>Scott Walker - City Development</i><br><br><i>Banyule's Communication team has advised that the map of planning applications currently on public notification was shown during the testing period for the new website but this was not included with the final release. Enhancements to the sorting of public notifications are currently being considered and further enhancements will look for opportunities to provide more information about planning controls. This may include the public notification map.</i>                                                                                                                                                                                                                                                                              |