

# Minutes of the Ordinary Meeting of Council



Olympia, Hawdon & Ibbott Rooms  
Level 4, 1 Flintoff Street, Greensborough

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The Meeting opened at 7.00pm.

**Acknowledgement of the Traditional Custodians**

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

**Diversity Statement**

The Mayor read Council's statement on its commitment to diversity and its principles.

**Present**

Mayor Cr Rick Garotti, Cr Peter Castaldo, Cr Alison Champion, Cr Peter Dimarelos, Cr Mark Di Pasquale, Cr Alida McKern, Cr Tom Melican, Cr Fiona Mitsinikos, Cr Elizabeth Nealy

**Apologies**

Nil

**Leave of Absence**

Nil

**Confirmation of Minutes**

That the following Minutes be confirmed:

*Ordinary Meeting of Council held 23 November 2020*

Moved: Cr Tom Melican

Seconded: Cr Elizabeth Nealy

CARRIED

**Disclosure of Interests**

Nil

**Presentation**

Nil

**1. URGENT BUSINESS**

Nil

**2. PETITIONS**

Nil

### 3. PEOPLE – COMMUNITY STRENGTHENING AND SUPPORT

#### 3.1 EMERGENCY MANAGEMENT PLANNING REFORM

##### EXECUTIVE SUMMARY

This report is to consider the disestablishment of the Banyule Municipal Emergency Management Planning Committee (MEMPC) and to note the changes brought about by the *Emergency Management Legislation Amendment Act 2018 (EMLA Act)* in relation to the roles and responsibilities of council in the Victorian Emergency Management Arrangements.

The *EMLA Act* was passed through Parliament in August 2018 and seeks to address known and documented risks in emergency management planning by establishing an integrated, comprehensive and coordinated framework for emergency management planning.

Emergency Management Victoria (EMV) has requested that all Councils resolve to disestablish their current MEMPCs as of 1 December 2020. A reformed MEMPC will be established and chaired by Council's newly appointed Municipal Emergency Management Officer (MEMO) [previously known as the Municipal Emergency Resource Officer]. These new arrangements also formalise the existing role of Municipal Recovery Manager (MRM).

Current existing EFT and budgets will cover program support. A review of the implemented reforms will take place in December 2021 whereby future recommendations will be presented back to Council.

This report seeks a resolution from Council to disestablish the current MEMPC.

##### **Resolution (CO2020/210)**

That Council:

1. Authorises the disestablishment of the existing Municipal Emergency Management Planning Committee (MEMPC) established under *s21(3)-(5) of the Emergency Management Act 1986*, in recognition that on 1 December 2020 these provisions were repealed by *s82(2) of the Emergency Management Legislation Amendment Act 2018* and replaced by the provisions of *s68 of the Emergency Management Legislation Amendment Act 2018*
2. Notes the changes to the emergency management arrangements, in particular the roles and responsibilities of Local Government.

Moved: Cr Tom Melican

Seconded: Cr Peter Dimarelos

CARRIED

### 3.2 STRENGTHENING OPPORTUNITIES FOR COMMUNITY CONNECTION AND REDUCING GAMBLING HARM

#### EXECUTIVE SUMMARY

Research has been undertaken on possible community connection programs and options for reducing gambling harm that are evidence informed and follow a public health approach. This research has identified Watsonia as a suitable location for a two-year pilot program to be delivered from the Watsonia Neighbourhood House and the Watsonia Library facilities.

The total cost to Council for this program would be \$164,000. The timing of when the program commences has different financial implications for Council's annual budgets. The two implementation options:

- Option 1 - with the program commencing from January 2021 or
- Option 2 – with the program commencing from July 2021.

Key partners in this proposal are: the Yarra Plenty Regional Library Watsonia branch, Watsonia Neighbourhood House, and the Libraries After Dark program.

#### **Resolution (CO2020/211)**

That Council:

1. Endorses the partnership project including the provision of \$164,000 funding for a Libraries After Dark program at the Watsonia Library and the Watsonia Neighbourhood House.
2. Invest in Option 1, a two-year project commencing in January 2021, to address social isolation, increase community connection and prevent harm from gambling in Watsonia
3. Allocates \$41,000 in Council's 2020/21 Budget and refers \$82,000 to the 2021/22 Budget process and \$41,000 to the 2022/23 Budget process.
4. Receives a progress report in 3 months after the commencement of the project and at 12 months and a final evaluation report at the completion of the 24-month program.

Moved: Cr Mark Di Pasquale

Seconded: Cr Tom Melican

CARRIED

### 3.3 COVID-19 RESPONSE - BANYULE'S ECONOMIC SUPPORT PACKAGE - STATUS UPDATE (RATEPAYERS, BUSINESS AND COMMUNITY)

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

#### EXECUTIVE SUMMARY

On 16 March 2020, a State of Emergency was declared in Victoria in relation to the COVID-19 pandemic. In response, Council confirmed Banyule's Economic Support Package of \$10.5m to support rate payers, local businesses and community groups to complement both the Federal and Victorian Government's support packages.

Council has provided significant assistance to ratepayers, business and community since the beginning of the COVID-19 Pandemic including:

- Providing support for ratepayers in the form of partial waivers of rates as well as rate deferrals.
  - A total of \$608,588 of rates have been waived for 1,560 of ratepayers in financial hardship. This compares to a budgeted amount of \$7,343,000 for the 2020/21 financial year (8.29% allocation).
  - Approximately \$2.8m of Council rates have been deferred until 30 June 2021 across a total of 1,035 ratepayers.
- Committing \$2.6m to support business recovery (excluding business rate support).
- Responding to the State Government's Outdoor Eating and Entertainment Package.
- As part of Council's support to the local community, the Community Grants Program was reviewed to better align with community need within a COVID-19 response and recovery environment. The approach was to repurpose and reimagine the existing program so that Council can assist to achieve positive community outcomes.
- Applying for state and federal grant funding such as Community Sports Infrastructure Stimulus Program and Local Roads and Community Infrastructure Program
- Rent Relief for Commercial and Community groups until 31 March 2021

This report provides an update in relation to the outputs achieved from the business and community support to date, status of the ratepayer hardship relief and recommends further financial support to assist Rate payers and Businesses in Banyule to emerge from the global pandemic.

#### Resolution (CO2020/212)

That Council:

1. Allocate \$316,017 from the existing Economic Recovery Package for the special rates and charges scheme by paying the business contribution for quarter 3 and quarter 4 of 2020/21.
2. Allocate \$53,035 from the existing Economic Recovery Package to extend the Business Support Officer for an additional six months to support the continuation of the Rediscover Local campaign.

3. Postpone the administration of penalty interest charged on all arrears and outstanding balances from 31 December 2020 to 28 February 2021, with Penalty interest to be processed one business day after the 3rd instalment date and calculated from the last date that penalty interest was charged, 11 March 2020 (excluding balances that have been deferred formally via the COVID-19 deferral process)
4. Refer funding for an expansion of the Business Support Grants and the Rates Hardship Officer resource to the 2021/22 budget process utilising any surplus funding from the Economic Support Package.
5. Continues to freeze the non-statutory fees and charges at 2019/20 prices until 30 June 2021.
6. Notes that fees, charges and rent (where applicable for Council tenants) for all local community groups have been waived until 31 March 2021.
7. Acknowledge that the Women in Business Lunch and the Best Biz Awards, and the commencement of the Economic Development Strategy will be deferred to 2021/22 financial year.
8. Receive a further report outlining key outcomes and recommendations in relation to the program in August 2021 on the community Grant Program – 2020/21.
9. Allocate \$70,000 from the existing Economic Recovery Package as a one-off payment of \$10,000 for each of the (7) neighbourhood houses for digital enablement projects
10. Enter into formal service level agreements with each of the neighbourhood houses to ensure the payment is responsive to their specific requirements

Moved: Cr Tom Melican

Seconded: Cr Fiona Mitsinikos

**CARRIED**



**4. PLANET – ENVIRONMENTAL SUSTAINABILITY**

Nil

**5. PLACE – SUSTAINABLE AMENITY AND BUILT ENVIRONMENT****5.1 7A CURZON STREET, IVANHOE (LAND AT REAR) - SALE OF LAND PROPOSAL****EXECUTIVE SUMMARY**

At its meeting on 23 November 2020, Council received and considered nine written submissions pursuant to section 223 of the *Local Government Act 1989* ('the Act') regarding a proposal to sell a 38m<sup>2</sup> parcel of Council land to the owners of 7A Curzon Street, Ivanhoe. Two submitters requested to be heard and their submissions were read at the meeting.

Submitters comments are summarised as follows:

- The sale of public land of environmental significance in Darebin Creek Reserve is inappropriate.
- The sale of land given its current zoning of Public Conservation and Resource and restrictive covenant and reserve status is inappropriate.
- Object to the private sale of any public land in Darebin Creek Reserve.
- The proposed land sale price is well below market value.
- The proceeds of any sale should be allocated towards Darebin Creek Reserve maintenance and improvements.

Following the hearing and consideration of submissions, Council must now decide whether or not to sell the subject land.

The owners of 7A Curzon Street, Ivanhoe (Landowner) have confirmed that in the event Council resolves not to sell the land to them, they will seek to relinquish the Licence agreement.

**Resolution (CO2020/213)**

That Council:

1. Having complied with sections 189 and 223 of the *Local Government Act 1989*:
  - a. by giving public notice in the *Herald Sun* newspaper on 7 August 2020;
  - b. by inviting written submissions and requests to be heard in support of any submissions at Council's Ordinary Meeting of 23 November 2020; and
  - c. by recording that nine written submissions, including two verbal submissions were received;

Council is of the opinion that the Council Land contained on Certificate of Title volume 11466 folio 105 and described as Lot 1 on PS813368T (unregistered) at the rear of 7A Curzon Street, Ivanhoe should be retained at this time because of its public land value and connectivity to the Darebin Creek Reserve and that:

- a. the sale of land proposal be abandoned;
  - b. the Banyule Planning Scheme Amendment C124 Part 2 be abandoned; and
  - c. Council notify the Minister for Planning of the decision to abandon Banyule Planning Scheme Amendment C124 Part 2.
2. Advise submitters of its resolution and reasons pursuant to section 223 of the *Local Government Act 1989*.
  3. Terminate the Licence Agreement with the owners of 7A Curzon Street, Ivanhoe, and the landowner be advised accordingly.
  4. Plant out the subject land with appropriate indigenous ground covers, shrubs and trees with the species to be commensurate with the desired vegetation profile for this section of the Darebin Creek Reserve.

Moved: Cr Alida McKern

Seconded: Cr Peter Castaldo

CARRIED

**5.2 39 GRAND BOULEVARD, MONTMORENCY (ROAD RESERVE ADJACENT) - REMOVAL OF NATIVE VEGETATION ASSOCIATED WITH THE CONSTRUCTION OF A CAR PARK (P1139/2020)**

**A pre-recorded video was played of Michelle Giovas speaking on the item, followed by written statements read on behalf of Julie Fechner and Michael Ballock.**

**EXECUTIVE SUMMARY**

The proposal is for the removal of native vegetation (28 trees) on the road reserve adjacent to 39 Grand Boulevard, Montmorency in association with the reconstruction of the existing car park. A total of 37 trees are proposed to be retained, including nine of the 12 high retention value trees on site.

A total of 17 objections have been received during public notification. Concerns have been raised regarding the extent of vegetation removal, habitat impacts, neighbourhood character impacts and opportunities for offset planting. Other concerns have been raised regarding the design of the carpark which is not a direct consideration of this report.

A consultation meeting was held at the road reserve following public notification to discuss the concerns raised and design alterations to retain additional trees. Amendments to the car park design to retain additional vegetation have been included as proposed conditions of permit along with other conditions to protect and enhance habitats and undertake site remediation following the car park works.

The proposal, subject to modification to the car park layout secured through permit conditions, is considered to be acceptable as the majority of the trees on site are to be retained, including ten high retention value trees, maintaining the vegetation dominated character of the local area and streetscapes.

The proposal strikes a balance between the competing objectives of providing safe and efficient car parking while protecting trees and minimising tree removal.

Approval is recommended subject to conditions requiring modifications to retain additional high and medium retention value trees, a comprehensive landscaping plan with replanting to occur on site and native vegetation offset requirements.

**Resolution (CO2020/214)**

That Council:

1. Withdraws planning application P1139/2020.
2. Undertakes the reconstruction of the carpark adjacent to 39 Grand Boulevard, Montmorency in accordance with the following principles:
  - a) None of the existing vegetation within the carpark/road reserve is removed,
  - b) The existing ingress and egress to Grand Boulevard are utilised,
  - c) The works area for the reconstruction is limited to the existing sealed area.
  - d) It includes a parallel 'Kiss and Drop' zone for at least 4 vehicles,
  - e) The provision of a pedestrian access path from the new 'Kiss and Drop' zone to the footpath and existing pedestrians access points to the shopping centre are maintained,
  - f) The existing sealed surface in the north east corner of the carpark is removed and replanted,
  - g) A total of 30 car spaces are provided, and

h) Includes landscaping enhancements and habitat nesting boxes.

Moved: Cr Alison Champion  
Seconded: Cr Peter Castaldo

CARRIED

***Councillor Di Pasquale left the Chamber at 07:51 pm.***

***Councillor Di Pasquale returned to the Chamber at 07:53 pm.***

### 5.3 MAJOR TRANSPORT PROJECTS AND ADVOCACY UPDATE

A pre-recorded video was played of Michelle Giovas speaking on the item followed by a written statement read on behalf of Fred Harrington.

#### EXECUTIVE SUMMARY

The State Government is currently progressing major transport projects that will impact the Banyule community in the short to medium term. These projects include the North East Link, Hurstbridge Railway Line upgrade Stage 2, Fitzsimons Lane upgrade and the M80 Ring Road upgrade.

Council has partnered with residents, local businesses, traders, and community groups to advocate for scope inclusions and improvements to these projects.

Some success has been achieved with additional investment, scope inclusion and change being made in some circumstances. However, the lack of detailed information being released by the State Government delivery agencies is limiting the extent of direct Council feedback on the designs.

Strong advocacy will continue on behalf of the community to achieve the best possible outcomes from these major transport projects.

An update on the Major Transport Projects advocacy campaign will be provided once the designs of the North East Link, Hurstbridge Railway Line Upgrade Stage 2 and Fitzsimons Lane are released to the public.

#### Resolution (CO2020/215)

##### That:

1. Council notes the updates on:
  - a) North East Link
  - b) Hurstbridge Line Duplication Stage 2
  - c) Fitzsimons Lane Upgrade
  - d) M80 Ring Road Upgrade
2. Council officers provide Councillors with regular updates on major transport projects as circumstances change and more information is made available from the Level Crossing Removal Project (LXRP), North East Link Project (NELP) or Major Road Projects Victoria (MPRV).
3. Council requests the Level Crossing Removal Project undertake further consultation with the community prior to proceeding with the next phase of the Hurstbridge Line Duplication Project particularly in relation to the station platforms and buildings and associated works with Montmorency station precincts which should include:
  - A full and open discussion with Council and the Community on available options and implications has taken place.
  - Clarity regarding car parking both at Montmorency station and in surrounding streets; the impact on flora and fauna; any changes to traffic management and the impact on the amenity of the local area.

4. Council seek an urgent meeting with Vicki Ward MP in support of the more than 1000 residents who have requested the Hon Jacinta Allan MP Minister for Transport Infrastructure to intervene in the processes of the Level Crossing Removal Project and seeking a meaningful consultation which meets Council's and the community's expectations for transparent design option process.
5. Council receives a further update on the North East Link project and an updated North East Link Advocacy Project List after the contract is awarded.
6. Council receives another report and update on the Major Transport Projects advocacy campaign on the North East Link, Hurstbridge Railway Line Upgrade Stage 2 and Fitzsimons Lane in early 2021.

Moved: Cr Alison Champion

Seconded: Cr Tom Melican

CARRIED

**6. PARTICIPATION – COMMUNITY INVOLVEMENT IN COMMUNITY LIFE**

Nil

**7. PERFORMANCE - USE OUR RESOURCES WISELY****7.1 AUDIT & RISK COMMITTEE - INDEPENDENT REPRESENTATIVE AND CHAIRPERSON****EXECUTIVE SUMMARY**

Each Council must establish an Audit & Risk Committee (the Committee) in accordance with the *Local Government Act 2020*. Each Committee must adopt a Charter. The Charter sets out how the Committee will operate including the membership and terms of appointment. At Banyule the Committee is made up of five members appointed by Council, three of whom must be independent members.

Dr Irene Irvine has been an Independent Representative on the Committee since 1 February 2018 and with the first term concluding on 31 January 2021.

As outlined in the Committee Charter Independent Representatives may be re-appointed for a further term but will not be appointed for more than two consecutive terms.

Since her appointment, Dr Irvine has showed a detailed understanding of the entity's business, displayed the ability to act objectively and independently and made a constructive contribution to the work of the committee. She has displayed a willingness to devote the time required to prepare and participate in committee meetings and engage with management outside committee meetings.

This report seeks to review the appointment term for Dr Irene Irvine, Independent Representative, on the Committee.

Dr Irvine is the current Chair of the Committee having been appointed as chair from 1 October 2018 to 30 September 2020 for two-year term, with her term as Chairperson just having recently expired.

The Committee at its meeting on 18 September 2020 recommended that Dr Irene Irvine be re-appointed as the Committee's Chairperson for a further period of two years (2 years).

**Resolution (CO2020/216)**

That Council:

1. Re-appoint Dr Irene Irvine for a second term as an Independent Representative on Council's Audit & Risk Committee for a further period of three years effective from 1 February 2021 and concluding 31 January 2024.
2. Appoint Dr Irene Irvine to the role of Chairperson on Council's Audit & Risk Committee for a further period of two years effective from 1 October 2020 and concluding 30 September 2022.

Moved: Cr Peter Castaldo

Seconded: Cr Peter Dimarelos

CARRIED

## 7.2 PROCUREMENT POLICY

### EXECUTIVE SUMMARY

The Procurement Policy includes the principles, processes and procedures that will apply to all purchases of goods, services and works by the Council.

The new *Local Government Act 2020* (LGA 2020) was approved on 24 March 2020. Under S108 of the LGA 2020, Councils will be required to adopt a new Procurement Policy prior to 31 December 2021.

A new Procurement Policy under LGA 2020 is currently being prepared in collaboration with the Northern Regional Group of Councils, with the intention to standardise the compliance aspects of the Procurement Policy across all seven Councils. The new policy will also strengthen Banyule's sustainable procurement provisions.

The new Procurement Policy will be submitted to Council for adoption in 2021, with an effective date of 1 July 2021. Until the new Policy is adopted and in effect, the existing Procurement Policy under *Local Government Act 1989* (LGA 1989) will apply to all Council's procurement processes.

In accordance with S186A of the LGA 1989, Council must prepare and approve a Procurement Policy and review at least once in each financial year (last reviewed in March 2020)

Council Officers have reviewed the existing Procurement Policy as attached, and recommends that, having reviewed it, and given the imminent adoption of a new Procurement Policy under the LGA 2020, no amendments are made to the current Policy.

### Resolution (CO2020/217)

That Council:

1. Retains the existing Procurement Policy under the *Local Government Act 1989*, without amendment, effective for the financial year to 30 June 2021.
2. Notes that the new Procurement Policy under *Local Government Act 2020* will be reviewed and considered for adoption by Council in 2021 with effect from 1 July 2021.

Moved: Cr Peter Castaldo

Seconded: Cr Mark Di Pasquale

CARRIED



### 7.3 QUARTERLY FINANCIAL MANAGEMENT REPORT - FOR THE PERIOD ENDED 30 SEPTEMBER 2020

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

#### EXECUTIVE SUMMARY

This Financial Management Report is for the period ended 30 September 2020 and provides the explanations for the following:

- The key income and expenditure actual operating results against budget
- Capital Works financial performance
- COVID-19 financial impact
- Other key financial indicators

The economic disruption caused by the unexpected COVID-19 Stage 4 restrictions imposed by the Victorian Government has had a greater impact on Council's businesses than anticipated in the budget. This has surpassed the budget assumptions including in the Budget 2020/21.

- September forecast revisions have resulted in a further \$1.430m unfavourable movement to the adopted budget deficit of \$1.351m. It is estimated that the additional net annual cost impact is \$4.541m.
- The current spend on the Economic Support Package is \$0.917m. This has been much lower than anticipated with the lower take up of rates waivers and greater number of rate deferral applications. At this stage, no adjustment has been made to the forecast spend of the package and will be regularly monitored over the next quarter.
- The \$10.5m package was further refined by Council at its meeting on Monday 21 September 2020. This included extending the rent relief for commercial and community groups to respond to the Stage 4 restrictions in addition to an increase in Category C waiver and eligibility adjustment to Category B.

#### Operating Surplus:

The year to date (YTD) actual financial performance against budget is tracking favourable by \$3.085m.

Council has forecasted to deliver an operating deficit of **\$2.781m** for the year 2020/21. This includes a significant provision for rate waivers of which approximately 5% has been drawn upon.

The forecast variances are primarily related to:

- Exceeded COVID-19 business impact - \$4.541m; offset by
- Additional contributions income (mainly from Public Open Space) - \$1.252m
- Additional operating and capital grants revenue - \$1.455m
- Other income (mainly from insurance reimbursement) – \$0.520m

The 2020/21 underlying operating deficit is forecast to be **\$13.674m** compared to a budgeted underlying deficit result of **\$8.444m**. This underlying result is determined after adjusting for non-recurrent capital grants and capital contributions of \$10.892m.

#### Capital Works Performance:

As of 30 September 2020, a total of **\$13.184m** has been spent on capital works.

The capital works expenditure is forecast to be **\$74.667m** (the adopted capital budget is **\$63.550m**). The forecast includes capital works projects (\$9.352m) that were budget in 2019/202 and will now be completed in 2020/2021.

**Resolution (CO2020/218)**

That Council note:

1. The Quarterly Financial Management Report for the period 30 September 2020, with consideration of:
  - a. The forecast to deliver an operating deficit of \$2.781m against the adopted budget of \$1.351m for the year ended 30 June 2021.
  - b. The extension of the COVID stage 4 restrictions has surpassed the budget assumptions resulting in a further \$1.430m unfavourable movement to the adopted budget deficit.
  - c. The underlying operating deficit of \$13.674m is after adjusting for non-recurrent capital grants and capital contributions of \$10.892m.
  - d. The net cost impact on the forecast directly from COVID-19 restrictions is \$4.541m.

Moved: Cr Peter Castaldo

Seconded: Cr Mark Di Pasquale

CARRIED

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**7.4 AWARD OF CONTRACT NO. 1067-2020 - PROVISION OF WAN, LAN, WLAN AND MANAGED SERVICES****EXECUTIVE SUMMARY**

This report is to consider the awarding of Contract No 1067-2020 for Provision of WAN, LAN, WLAN and Managed Services.

Council is using a wide range of IT systems and applications to deliver the business functions and services to the community. Underpinning the systems and applications is the core IT infrastructure, including the data network.

The Tender Evaluation Panel (TEP) has recommended the awarding of the contract to Thomas Duryea Logicalis Pty Ltd (TDL) in accordance with the tender and conditions as determined by Council.

The contract is over a 4-year period with the option to extend for further periods of any duration up to a maximum extension period of 3 years at Council's discretion.

**Resolution (CO2020/219)**

That Council:

1. Award Contract No. 1067-2020 - Provision of WAN, LAN, WLAN and Managed Services to Thomas Duryea Logicalis Pty Ltd for a total estimated value of \$2,346,365.64 (ex. G.S.T), including WAN, LAN, WLAN and Managed Services and a Schedule of Rates for out of scope services.
2. Authorise the Director of Corporate Services to sign the contract and any other associated documents.
3. Authorise the Director of Corporate Services to award extensions of this Contract, subject to review of the Contractor's performance and Council's business needs, at the conclusion of the initial 4 year contract term and extension periods.

Moved: Cr Peter Dimarelos

Seconded: Cr Tom Melican

CARRIED

## 7.5 AWARD OF CONTRACT NO. 1078-2020 - PANEL OF ARBORIST CONSULTANCY SERVICES

### EXECUTIVE SUMMARY

This report is to consider the awarding of Contract No. 1078-2020 - Panel of Arborist Consultancy Services.

Council sought Tenders from contractors to appoint a panel for arborist consultancy services, which included but are not limited to:

- Tree Reports and Risk Assessments;
- Tree Management and Protection Plans;
- Tree Data Collection;
- Construction Impact Assessments;
- Policy and Strategy Development;
- Onsite Arborist roles for Developments;
- Expert Witness Evidence and Statements for legal purposes; and
- Inhouse consulting and interim acting roles.

Tenders were received from fifteen (15) companies and the Tender Evaluation Panel (TEP) has recommended awarding the contract to six (6) tenderers in accordance with the tender and conditions as determined by Council:

The contract will commence 1 January 2021. The Initial Contract Term shall be for a maximum initial period of two (2) years with the option to extend for further periods of any duration up to a maximum extension period of three (3) years based on satisfactory performance and meeting Council objectives.

### **Resolution (CO2020/220)**

That Council

1. Award Contract No. 1078-2020 - Panel of Arborist Consultancy Services to:
  - ENSPEC Pty Ltd
  - Ironbark Environmental Arboriculture Pty Ltd
  - Xylem TreeCare Pty Ltd
  - Tree Dimensions
  - Tree Logic Pty Ltd
  - Greenscape Tree Consulting Pty Ltd
2. Authorise the Director Assets and City Services to extend the contract for further periods of any duration up to a maximum extension period of 3 years subject to satisfactory performance and the meeting of Council objectives.

3. Authorise the Director of Assets & City Services to sign the contract and any other associated documents.

Moved: Cr Mark Di Pasquale

Seconded: Cr Tom Melican

CARRIED

## 7.6 AWARD OF CONTRACT NO. 1069-2020 - CONTRACTORS FOR THE CONSTRUCTION OF CHAIN WIRE FENCING INCLUDING CRICKET NETS PANEL

### EXECUTIVE SUMMARY

This report is to consider the awarding of Contract No. 1069-2020 - Contractors for the Construction of Chain Wire Fencing Including Cricket Nets Panel (the contract).

Council sought tenders from experienced contractors to appoint a panel for the construction of chain wire fencing requirements within the municipality.

The works include but not limited to, the following:

- Construction of new park perimeter and sporting oval fences;
- Construction of screen fences;
- Installation of pedestrian and boom gates;
- Construction of cricket nets; and
- Repairs and maintenance to existing chain wire fences.

The Tender Evaluation Panel (TEP) has recommended awarding the contract to two (2) of the six (6) tenderers in accordance with the tender and conditions as determined by Council:

- Supreme Wire Fence & Gate (Aust) Pty Ltd; and
- Melbourne Chain Wire Fencing.

The contract will commence 1 January 2021 for 1 year, including the option to extend the contract to 30 June 2025 based on satisfactory performance and meeting Council objectives.

### Resolution (CO2020/221)

That Council:

1. Award Contract No. 1069-2020 - Contractors for the Construction of Chain Wire Fencing Including Cricket Nets Panel for the initial period of 1 year commencing on 1 January 2021 with the option to extend for further periods of any duration up to a maximum extension period of 4 years based on satisfactory performance and meeting Council objectives to:
  - Supreme Wire Fence & Gate (Aust) Pty Ltd
  - Melbourne Chain Wire Fencing
2. Authorise the Director Assets and City Services to extend the contract for further periods of any duration up to a maximum extension period of 4 years subject to satisfactory performance and the meeting of Council objectives.
3. Authorise the Director of Assets & City Services to sign the contract and any other associated document.

Moved: Cr Peter Castaldo

Seconded: Cr Elizabeth Nealy

CARRIED

## 7.7 AWARD OF CONTRACT NO. 0990-2019 - PROVISION OF SPORT, RECREATION, LEISURE, OPEN SPACE, ARTS AND CULTURE CONSULTANCY SERVICES

### EXECUTIVE SUMMARY

This report is to consider the awarding of Contract No. 0990-2019 - Provision of Sports, Recreation, Leisure, Open Space, Arts and Culture Consultancy Panel to support the organisation in the following 4 categories:

- **Category A - Public Reserve, Public Realm and Open Space master planning**
- **Category B - Sport Recreation and Leisure Facility master planning**
- **Category C - Sport Recreation and Leisure Facility planning and development**
- **Category D - Arts, Heritage and Cultural Planning**

The services include, but are not limited to, the following:

- Development of category related strategies/feasibility studies;
- Master planning;
- Facility planning and development;
- Strategic planning;
- Program review and evaluation;
- Industry analysis, market research and evaluation;
- Document Review and Policy Development;
- Funding submissions;
- Implementation plans;
- Community consultation and engagement.

Tenders were received from thirty-six (36) consultants. The top 6 tenderers in Categories A, B & C are recommended and the top 3 are recommended in Category D. Category D only required 3 based on future projects and the particular category of services.

The Initial Contract Term shall be for a maximum initial period of three (3) years with the option to extend for further periods of any duration up to a maximum extension period of two (2) years at Councils discretion. The contract begins 21 December 2020.

### **Resolution (CO2020/222)**

That Council:

1. Award Contract No. 0990-2019 - Provision of Sports, Recreation, Leisure, Open Space, Arts and Culture Consultancy Panel for the initial period commencing 21 December 2020, initial Contract Term shall be for a maximum initial period of three (3)

years with the option to extend for further periods of any duration up to a maximum extension period of two (2) years at Councils discretion to:

**Category A - Public Reserve, Public Realm and Open Space master planning**

- Thompson Berrill Landscape Design P/L
- Michael Smith and Associates Landscape Architecture and Urban Design
- Playce P/L
- Otium Planning Group P/L
- Pollen Studio P/L
- Rush Wright Associates

**Category B - Sport Recreation and Leisure Facility master planning**

- Michael Smith and Associates Landscape Architecture and Urban Design
- Otium Planning Group
- Playce P/L
- City Collective
- Track Consultants P/L
- @leisure

**Category C- Sport Recreation and Leisure Facility planning and development**

- Otium Planning Group
- City Collective
- Tract Consultants
- Tredwell Management Services
- @leisure
- SPORTENG

**Category D - Arts, Heritage and Cultural Planning**

- The Engagement Collective
  - Planning for Communities P/L
  - MI Associates
2. Authorise the Director of Community Programs to extend the contract for further periods of any duration up to a maximum extension period of 2 years subject to satisfactory performance and the meeting of Council objectives.
  3. Authorise the Director of Community Programs to sign the contract and any other associated documents.

Moved: Cr Elizabeth Nealy  
Seconded: Cr Peter Castaldo

CARRIED



**7.8 AWARD OF CONTRACT NO. 1056-2020 - PROVISION OF ARCHITECTURAL DESIGN SERVICES PANEL FOR BUILDING PROJECTS UP TO \$2 MILLION****EXECUTIVE SUMMARY**

This report is to consider the awarding of Contract No. 1056-2020 - Provision of Architectural Design Services Panel for Building Projects up to \$2 Million.

Council sought tenders from experienced consultants to appoint a panel for the Provision of Architectural Design Services Panel for Building Projects up to \$2 Million.

Services required will include:

- Preparation of concept and detailed architectural designs;
- Specifications and construction drawings;
- Engagement/coordination of other consultants;
- Contract/Project management.

Tenders were received from thirty-eight (38) consultants and five (5) consultants have been chosen to deliver the services to Council under this contract.

The contract will commence 1 January 2021. The Initial Contract Term shall be for a maximum initial period of one years with the option to extend for further periods of any duration up to a maximum extension period of three (3) years based on satisfactory performance and meeting Council objectives.

**Resolution (CO2020/223)**

That Council:

1. Award Contract No. 1056-2020 - Provision of Architectural Design Services Panel for Building Projects up to \$2 Million, for the initial period of 1 year commencing on 1 January 2021 with the option to extend for further periods of any duration up to a maximum extension period of 3 years based on satisfactory performance and meeting Council objectives to:
  - K20 Architecture
  - Cassisi Architects Pty Ltd
  - Greenway Hurst Page Pty Ltd
  - AVOR Architecture Pty Ltd
  - Davidson Architecture
2. Authorise the Director Assets and City Services to extend the contract for further periods of any duration up to a maximum extension period of 3 years subject to satisfactory performance and the meeting of Council objectives.
3. Authorise the Director of Assets & City Services to sign the contract and any other associated documents.

Moved: Cr Peter Dimarelos  
Seconded: Cr Fiona Mitsinikos

CARRIED

## 7.9 AWARD OF CONTRACT NO. 1081-2020 - CONTRACTORS FOR MINOR WORKS PANEL

### EXECUTIVE SUMMARY

This report is to consider the awarding of Contract No. 1081-2020 - Minor Civil Works Panel for Projects Up To \$200,000.

Council sought Tenders from experienced contractors to appoint a panel for minor civil works such as drainage, concreting, earthworks, asphaltting, line marking, retaining walls and landscaping. The works include:

- Asphaltting;
- Kerbing;
- Concrete paving;
- Drainage Pit and Pipe installation;
- Line marking;
- Construction of post and panel Retaining walls;
- Hire Rates for equipment.

Tenders were received from thirty-six (36) companies and five (5) companies have been chosen to deliver the services to Council under this contract.

The contract will commence 1 January 2021. The Initial Contract Term shall be for a maximum initial period of one (1) year with the option to extend for further periods of any duration up to a maximum extension period of three (3) years based on satisfactory performance and meeting Council objectives.

### Resolution (CO2020/224)

That Council:

1. Award Contract No. 1081-2020 - Minor Civil Works Panel for Projects Up To \$200,000, for the initial period of 1 year commencing on 1 January 2021 with the option to extend for further periods of any duration up to a maximum extension period of 3 years based on satisfactory performance and meeting Council objectives to:
  - Bosco Civil Pty Ltd
  - Franco Paving Pty Ltd
  - JR Willett Pty Ltd
  - Parkinson Group (Vic) Pty Ltd
  - Prestige Paving Pty Ltd
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 3 years subject to satisfactory performance and the meeting of Council objectives.

3. The Director of Assets & City Services be authorised to sign the contract and any other associated documents.

Moved: Cr Tom Melican

Seconded: Cr Mark Di Pasquale

CARRIED

**7.10 AWARD OF CONTRACT NO. 1080-2020 - CONSTRUCTION OF GREENSBOROUGH WAR MEMORIAL PAVILION****EXECUTIVE SUMMARY**

This report is to consider the awarding of Contract No. 1080-2020 - Construction of Greensborough War Memorial Pavilion.

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

Tenders were received from Nineteen (19) contractors prior to the closing date.

**Resolution (CO2020/225)**

That Council:

1. Award Contract No. 1080-2020 - Construction of Greensborough War Memorial Pavilion be awarded to Bowden Corporation Pty Ltd for the lump sum price of \$545,000 (ex. GST).
2. Authorise the Director of Assets & City Services to sign the contract and any other associated documents.

Moved: Cr Mark Di Pasquale  
Seconded: Cr Alison Champion

CARRIED

**7.11 AWARD OF CONTRACT NO. 1052-2020 - CONSTRUCTION OF THE BELLFIELD COMMUNITY HUB AND COMMUNITY GARDEN****EXECUTIVE SUMMARY**

The Bellfield Community Hub will be an environmentally sustainable building bringing together many of the services Banyule City Council offers for babies, children, families and older adults, in one large integrated hub. The new hub will provide two kindergarten rooms with a large outdoor play area, two maternal child health rooms, one enhanced maternal child health suite, three large community rooms, two allied health consulting suites, three social support rooms for older adults, a social enterprise cafe, a large relocated community garden, landscaping, car parking and a municipal road between Perkins Avenue and Banksia Street.

Council sought submissions via an Expression of Interest for a suitably qualified commercial builder. Council received twenty-four submissions that were evaluated and a shortlist was compiled for the Request for Tender. The Request for Tender was issued directly to the shortlisted builders. It opened on 9 September 2020 and closed on 16 October 2020. Four submissions were received by the closing time.

The Tender Evaluation Panel has recommended awarding the contract to Commercial Industrial Construction Group Pty Ltd in accordance with the tender and conditions as determined by Council.

**Resolution (CO2020/226)**

That Council:

1. Award Contract No. 1052-2020 - Construction of the Bellfield Community Hub and Community Garden to Commercial Industrial Construction Group Pty Ltd for \$11,746,269.00 (ex. G.S.T).
2. Authorise the Director of Assets and City Services to sign the contract and any other associated documents.

Moved: Cr Peter Dimarelos  
Seconded: Cr Alida McKern

CARRIED

## 7.12 BELLFIELD PROJECT: AWARDING CONTRACT OF SALE FOR DELIVERY OF MARKET HOUSING (BANKSIA VILLAGE)

A written statement was read on behalf of Anthony Lunken.

### EXECUTIVE SUMMARY

Banyule Council is undertaking a redevelopment project to deliver a new Community Hub, relocated Community Garden and an integrated housing redevelopment, which includes both market and social housing. The location encompasses part of the former Banksia La Trobe Secondary College site, the existing Bellfield Community Centre and community garden and other properties fronting Oriel Road. The redevelopment of the site is known as the Bellfield Project.

At the 16 March 2020 Council meeting, Council agreed to commence the process for the sale and development of residential land for market housing at Bellfield through an Expression of Interest (EoI) followed by a Request for Proposal (RfP) phase. Planning Scheme Amendment (PSA C153) had already been prepared to facilitate redevelopment of the land, in accordance with the Bellfield Urban Design Guidelines (UDG 2020) and has since been lodged for Ministerial approval, which is expected in the near future.

The EoI was issued in May 2020 and, at the August 2020 Council meeting, Council noted the outcome and the shortlist of respondents selected by the Evaluation Panel and agreed to support progression of the sale to the RfP phase. The shortlisted respondents were invited to participate in the RfP, with the land being offered in its entirety under a Contract of Sale which is conditional on planning approval. A Section 173 Agreement was also issued as part of the RfP documentation which aims to lock in key deliverables for the development.

The RfP phase commenced on 8 September 2020 and ran until 23 October 2020. The selection criteria previously agreed by Council for the EoI were used to assess the RfP submissions. Following assessment by the Evaluation Panel, a preferred developer has been identified. Council must now consider sale of the land to the preferred developer and providing authorisation to finalise negotiation of the Contract of Sale and Section 173 Agreement to enable execution of legal documentation to affect sale of the land.

### Resolution (CO2020/227)

That Council:

1. Notes the outcome of the Request for Proposal (RfP) for sale of the Council owned land known as 96, 98, 98A, 100 Oriel Road and 232 Banksia Street, Bellfield.
2. Accepts the Evaluation Panel recommendation of Respondent 2 as the preferred developer and agrees to formally advise them that they are the preferred developer subject to finalisation of negotiations and execution of the Contract of Sale and Section 173 Agreement.
3. Agrees to formal notification of the other respondents indicating that, while they have not been chosen as the preferred developer, as the offer is still subject to contract finalisation, they should remain committed to the project until formal notification that legal documents have been executed.
4. Authorises the Chief Executive Officer, or her delegate, to finalise negotiations between Banyule Council and **Respondent 2** in relation to the Contract of Sale and

Section 173 Agreement and for the documentation to be signed at the appropriate time.

5. Agrees to issue a public announcement providing details of the preferred developer once all legal documentation has been executed.

Moved: Cr Peter Dimarelos

Seconded: Cr Tom Melican

CARRIED

**7.13 RECORD OF COUNCILLOR MEETINGS****EXECUTIVE SUMMARY**

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

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

**RECORD OF MEETINGS**

<b>1</b>	<b>Date of Meeting:</b>	16 November 2020 – 6.30pm
	<b>Type of Meeting:</b>	Councillor Mandatory Training – Module 1
	<b>Matters Considered:</b>	
	1. Councillor Mandatory Training (section 32 of the 2020 LG Act) <ul style="list-style-type: none"> <li>• the role of a Councillor, a Mayor and a Deputy Mayor</li> <li>• the role of a Chief Executive Officer</li> <li>• any practices, protocols or policies in relation to the interaction between members of Council staff and Councillors.</li> </ul>	
	2. Councillor Code of Conduct and new Councillor Gift Policy requirements	
	<b>Councillors Present:</b>	
	Peter Castaldo Alison Champion Peter Dimarelos Mark Di Pasquale Rick Garotti Alida McKern Tom Melican Fiona Mitsinikos Elizabeth Nealy	
	<b>Staff Present:</b>	
Allison Beckwith - <i>Chief Executive Officer</i> Geoff Glynn – <i>Director Assets &amp; City Services</i> Marc Giglio – <i>Director Corporate Services</i> Scott Walker – <i>Director City Development</i> Kath Brackett – <i>Director Community Programs</i> Gina Burden – <i>Manager Governance &amp; Communication</i> Vivien Ferlaino – <i>Governance Coordinator</i> Megan Kemp – <i>Councillor &amp; Civic Events Officer</i> Kerryn Woods – <i>Executive &amp; Councillor Team Leader</i>		
<b>Others Present:</b>		
Nil		
<b>Conflict of Interest:</b>	Nil	



2	<b>Date of Meeting:</b>	30 November 2020 – 6.30pm
	<b>Type of Meeting:</b>	Councillor Mandatory Training – Module 2
<b>Matters Considered:</b>		
Councillor Mandatory Training (section 32 of the 2020 LG Act)		
<ol style="list-style-type: none"> <li>1. Councillor Conduct and Obligations <ul style="list-style-type: none"> <li>• Standards of Conduct</li> <li>• Councillor Misconduct: Misconduct, Serious Misconduct and Gross Misconduct</li> <li>• Internal Arbitration and Councillor Conduct Processes</li> <li>• Complaints and Dispute Resolution Procedures</li> </ul> </li> <li>2. The <i>Local Government Act 2020</i> and Overarching governance principles and the supporting principles</li> <li>3. Governance Rules, including Councillor Expenses</li> <li>4. Confidentiality: Closed Meetings and Confidential Information</li> <li>5. Fraud and Corruption <ul style="list-style-type: none"> <li>• Perceived Bias</li> <li>• Gifts and Bribery</li> <li>• Privacy</li> <li>• Conflict of Interest</li> <li>• Misuse of Position</li> <li>• Improper Direction and Influence</li> <li>• Use of resources</li> </ul> </li> </ol>		
<b>Councillors Present:</b>		
Peter Castaldo Alison Champion Peter Dimarelos Mark Di Pasquale Rick Garotti Alida McKern Tom Melican Fiona Mitsinikos Elizabeth Nealy		
<b>Staff Present:</b>		
Allison Beckwith - <i>Chief Executive Officer</i> Geoff Glynn – <i>Director Assets &amp; City Services</i> Marc Giglio – <i>Director Corporate Services</i> Scott Walker – <i>Director City Development</i> Kath Brackett – <i>Director Community Programs</i> Gina Burden – <i>Manager Governance &amp; Communication</i> Vivien Ferlaino – <i>Governance Coordinator</i>		
<b>Others Present:</b>		
Steven Cooper – VLGA Tony Raunic – Hunt & Hunt		
<b>Conflict of Interest:</b>		Nil

**Resolution (CO2020/228)**

That the Record of Councillor meetings report be received.

Moved: Cr Peter Dimarelos

Seconded: Cr Alison Champion

CARRIED

**8. SEALING OF DOCUMENTS**

Nil

**9. NOTICES OF MOTION**

Nil

**10. GENERAL BUSINESS****10.1 MASTER SPORTSMAN OF THE YEAR AWARD**

Cr Tom Melican recognised the achievement of local resident Mr Duke Trench-Thiedman receiving the Masters Sportsman of the Year Award at the recently held 2020 Victorian Disability Sports and Recreation Awards.

**10.2 VIRTUAL CAROLS BY CANDLELIGHT**

Cr Peter Castaldo acknowledged the recent Carols by Candlelight virtual event and commended the evening's performers and production team.

**10.3 BUNDOORA SCOUTS SCARFING**

Cr Rick Garotti thanked the Bundoora Scout Group for 'scarfing' him at a formal ceremony held recently. Cr Rick Garotti acknowledged the members and leadership of Bundoora Scout Group and paid tribute to all the scout groups in Banyule for their contribution to the community.

**Closure of Meeting to the Public**

That in accordance with Section 66(2)(a) of the *Local Government Act 2020*, Council close the Meeting to members of the public prior to considering the confidential matters in 11.1.

Moved: Cr Alison Champion

Seconded: Cr Elizabeth Nealy

CARRIED

*The Meeting was closed to the public at 8.36pm.*

**Closure of Meeting**

The Meeting was closed at 10.00pm.

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

.....  
MAYOR

*The next Ordinary Meeting of Council will be held on Monday, 8 February 2021.*

## PUBLIC QUESTION TIME

<b>1</b>	<p><b>Name &amp; Suburb</b></p> <p>Roger Marcus Fyfe - Ivanhoe</p>
	<p><b>Question:</b></p> <p>Council, at its meeting, 21/9/2020, outlined a process that would be followed with regard to developing a pocket park in Ivanhoe:</p> <p>"Council has also been successful in obtaining a grant under the Local Parks Program valued at \$1.3 million to create 'pocket parks' for this location and on the south west corner of Norman Street and Waterdale Road and create a shared pedestrian and vehicle zone between the two location along Waterdale Road. Further planning and consultation with the community will be undertaken to determine how the proposed public space, south of Upper Heidelberg Road, is designed, developed and implemented as part of the larger pocket park and urban design project. Some benchmark examples of other pocket park and shared zone projects have been attached to this report. There are two primary reasons that an outcome and decision on the closure of the road is preferred to occur now, being the approach to reinstatement of the road following the temporary closure and to give certainty for the concept designs of the pocket park. If after the consultation and final design approval of the pocket park and urban design project, the design does not require this section of road to be closed consideration could be given to reopening it to traffic."</p> <p>My Question:</p> <p>Are works undertaken in the one-way section of Waterdale Road Ivanhoe consistent with Council's undertaking at its 23 September Meeting, that there would be prior consultation with the community. If not why not?</p>
	<p><b>Response:</b></p> <p><i>Scott Walker – Director City Development</i></p> <p>The works in Waterdale Road are being undertaken and funded by the developer of 154 Upper Heidelberg Road to construct a crossover and to reinstate damage caused to this area during their building construction and use of the area. They are not associated with the Local Park project and are in line with Council resolution of 21 September 2020 to ensure that the road can be reopened to vehicles if required in the future.</p> <p>Consultation on the Local Park project is expected to commence early next year.</p>
<b>2</b>	<p><b>Name &amp; Suburb</b></p> <p>Jenny Mulholland OAM - Ivanhoe</p>
	<p><b>Question:</b></p> <p>The Mayor recently announced that the Boulevard East Ivanhoe Christmas festivities would be cancelled this year and it is understood that residents have been threatened with police action if they put any christmas decorations or lights on their properties. Prior to making this decision did the Council seek advice as to how the Boulevard christmas lights could be continued this year in a COVID safe way including submitting a COVID safe event plan?</p>

	<p><b>Response:</b></p> <p><i>Kath Brackett – Director Community Programs</i></p> <p>Council’s decision regarding this community event was not made lightly and was driven by State Government regulations in relation to Covid-19, consultation with residents via survey and online forum, consultation with Victoria Police and Council’s commitment to prioritise community safety. Several factors informed this decision over months of deliberation and scenario planning that was firmly focused first and foremost on what can or maybe permitted under current co-vid government restrictions.</p> <p>The State Government released the Public Events Framework in response to the pandemic and under the Framework, Boulevard Lights is classified as a Tier 1 event. Approval for a Tier 1 event requires implementation of significant measures to reduce transmission risk in a public place and a COVIDSafe Event Plan for Tier 1 events must be submitted for review and approval at least 8-10 weeks prior to the event commencement. Given the timeframe, this is not achievable due to the extensive requirements required.</p> <p>There has never been any directive banning Christmas decorations, nor any threat of police action against residents. Correspondence sent to Boulevard residents has encouraged minimising decorations to discourage visitation, however this decision is entirely up to the residents.</p> <p>Council appreciates this event is loved by many and hopes to support the event in the future once it is safe to do so.</p> <p>Link to Council’s Statement on website:</p> <p><a href="https://www.banyule.vic.gov.au/Events-activities/Major-events/Boulevard-Lights">https://www.banyule.vic.gov.au/Events-activities/Major-events/Boulevard-Lights</a></p>
3	<p><b>Name &amp; Suburb</b></p> <p>Alicia Curry – Rosanna</p> <p><b>Question:</b></p> <p>In 2013 Banyule council commissioned Engeny to complete flood modelling across Banyule for major and minor floods (100 year ARI and 5 year ARI). As this report did not include climate change projections or assessment, what further flood modelling has Banyule council completed across the municipality in the last 7 years?</p> <p><b>Response:</b></p> <p><i>Geoff Glynn – Director Assets and City Services</i></p> <p>A municipal wide catchment modelling study commenced in early 2020 to review flood risk in Banyule and is expected to be completed in April 2021. The modelling is based on the current Australian Rainfall and Runoff 2019 guidelines, which has been developed to incorporate climate change impacts, and Melbourne Water flood mapping technical specifications.</p>

4	<p><b>Name &amp; Suburb</b></p> <p>Anonymous</p> <p><b>Question:</b></p> <p>Four years ago, a planning permit was granted for the Rosanna Woolworths at the old council offices at 44 Turnham Ave, Rosanna after council sold them the property (conditional on the permit being granted). Woolworths has yet to build or operate in Rosanna. Can council confirm the status of the permit and how council will keep the public updated of this significant development.</p> <p><b>Response:</b></p> <p><i>Scott Walker – Director City Development</i></p> <p>The site at 44 Turnham Avenue is privately owned and has a permit in place for a Supermarket redevelopment. The timing of delivery of the supermarket or any other redevelopment of the site is a matter for the landowner.</p>
5	<p><b>Name &amp; Suburb</b></p> <p>Margaret Lorraine Fyfe - Ivanhoe</p> <p><b>Question:</b></p> <p>What is the current status of Council's Heritage Study, given that a number of Heritage Overlay sites in Central Ivanhoe do not have height limits specified in the Ivanhoe Structure Plan?</p> <p><b>Response:</b></p> <p><i>Scott Walker – Director City Development</i></p> <p>Progress on the heritage study is continuing. There has been a slight delay due to COVID 19 restrictions during July to October as access to Public Records Office Victoria and site inspections were unable to occur during this time. The study is expected to be complete and ready for Council adoption mid next year (April-June 2021). The planning scheme amendment to implement the adopted study is anticipated to take 12 months and should be complete in 2022.</p> <p>A review of mandatory heights on heritage overlay sites in the Ivanhoe Activity Centre is a separate piece of work to the Heritage Study. The current planning provisions applying to these sites have been reviewed and no changes are considered to be necessary at this stage.</p>
6	<p><b>Name &amp; Suburb</b></p> <p>David Gentle – Ivanhoe East</p> <p><b>Question:</b></p> <p>Council has "information" on C107 on the Shaping Banyule website. However, Council has given no space on it's Shaping Banyule website for any arguments against the project, and there are many very strong arguments, which Banyule residents and ratepayers are expressing, against the Project.</p>

How does Council reconcile the need for Councillors to be neutral, but simultaneously for Council to be openly biased in favour of the applicant?

**Response:**

*Scott Walker – Director City Development*

Council has supported the preparation and exhibition of Amendment C107 to the Banyule Planning Scheme (C107). The public consultation process asks the community what it thinks about Council's amendment. The C107 exhibition period ran for six weeks, closing on the 10 December 2020.

The amendment is prepared and exhibited under the requirements of the *Planning and Environment Act 1987* (the Act), and is a standard process followed by all Councils in Victoria. A Council is asked to make key decisions on an amendment in accordance with the Act. If Council continues to progress an amendment following submissions, it must refer those to an independent planning panel, who will hear and consider all submissions (and make its findings in a public report). Council can only ever adopt, but never approve a final amendment. The Minister for Planning is the final decision maker for all planning scheme amendments. This ensures appropriate steps are in place to ensure a fair and transparent public process is in place before changes to any planning scheme are made.

The information presented on Shaping Banyule aims to provide community with adequate detail to allow informed submissions.