Minutes of the Ordinary Meeting of Council



Held on the 16 March 2020

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

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MINUTES

The Meeting opened at 7.04pm.

Acknowledgement of the Traditional Custodians

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

Present

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

Apologies

Nil

Leave of Absence

Nil

Confirmation of Minutes

That the following Minutes be confirmed:

Ordinary Meeting of Council held 24 February 2020

Moved: Cr Tom Melican

Seconded: Cr Craig Langdon CARRIED

Disclosure of Interests

Nil

Presentation

Nil

PROCEDURAL MOTION

Resolution (CO2020/32)

That Council undertake live streaming of the Council meeting being held on the 16 March 2020 to provide for access to the Banyule community who have been requested to reconsider the need to attend public events to prevent the spread of COVID-19.

Moved: Cr Craig Langdon Seconded: Cr Tom Melican

CARRIED

1. URGENT BUSINESS

CONSIDERATION OF URGENT BUSINESS ITEM

The spread of COVID-19 is creating health, social and economic challenges for governments all around the world. Local Government has an important role to play in supporting the efforts of our Commonwealth and State Governments in ensuring the ongoing delivery of critical community services and in building resilience in our local community. In this context it is important for Council to succinctly communicate the steps we are taking to deal with COVID-19

Resolution (CO2020/33)

That an item of Urgent Business on Banyule's response COVID-19 be considered.

Moved: Cr Rick Garotti

Seconded: Cr Craig Langdon CARRIED

Resolution (CO2020/34)

That Council:

- 1. Notes that the Victorian State Government has declared a state of Emergency across the entire State in response to COVID-19, and that Council:
 - a) advises that in accordance with the directions of the State Government's COVID-19 Declaration, Council has enacted its Business Continuity Plan; Municipal Emergency Management Plan; and Municipal Pandemic Plan
 - b) advises that it stands ready, willing and able to support health agencies and government services in managing the challenges associated with COVID-19;
 - c) advises it is prioritising the health, safety and well being of our staff and residents in all our decisions regarding the management of events, facilities and services; and
 - d) is exploring options to provide appropriate and timely assistance to ratepayers and local businesses who may experience financial hardship associated with the adverse economic implications of COVID-19.
- 2. Receive a confidential briefing from the CEO on this matter after public questions that would be closed to members of the public as it refers to confidential matters pursuant to Section 89(2) of the Local Government Act 1989 (as amended).
- 3. Make a public statement on any matter decided in the confidential section.

Moved: Cr Rick Garotti

2. PETITIONS

2.1 PETITION - REQUEST FOR A TRAFFIC MANAGEMENT PLAN FOR WATERDALE ROAD BETWEEN LOWER HEIDELBERG ROAD AND NORMAN ROAD

EXECUTIVE SUMMARY

A petition with 13 signatures has been received regarding the volume and speed of traffic using Waterdale Road between Lower Heidelberg Road and Norman Road.

The petition request is as follows:

"We, the undersigned, consider that the volume and speed of traffic using Waterdale Road between Lower Heidelberg Road and Norman Road is excessive for a residential street. It is detrimental to the residents in terms of safety and noise. Accordingly we hereby petition Banyule City Council to measure the traffic volume and develop a traffic management plan to reduce the volume and/or speed limit."

Resolution (CO2020/35)

That Council

- 1. Receives and notes the petition.
- 2. Refer the petition to the Traffic and Transport Team for investigation.
- 3. Advise the primary petitioner of this resolution.

Moved: Cr Tom Melican

2.2 PETITION FOR ZERO CHARGE FOR WASTE MANAGEMENT SERVICES OF APARTMENTS & TOWN HOUSES

Mr David Mulholland spoke on the item and Mr Robert White submitted a statement that was read by the CEO.

EXECUTIVE SUMMARY

A petition with 21 signatures has been received requesting a zero charge for waste management services of apartments and town houses.

The petition request is as follows:

"We, the undersigned ratepayers and / or residents of Banyule City Council petition Council that there should be zero charge for waste management services for owners of apartments/town houses already required by Council under town planning conditions to provide their own waste management services through its owners corporation."

Resolution (CO2020/36)

That Council

- 1. Receives and notes the petition.
- 2. Refer the petition to the Waste Management Team for investigation
- 3. Advise the primary petitioner of this resolution.

Moved: Cr Peter Castaldo Seconded: Cr Tom Melican

CARRIED

2.3 PETITION FOR SAFETY IMPROVEMENT ALONG KENILWORTH LANE IVANHOE

Mr Barry Budge submitted a statement that was read by the CEO.

EXECUTIVE SUMMARY

A petition with 21 signatures has been received requesting for safety improvements along Kenilworth Lane Ivanhoe.

"We the undersigned residents of 105 Upper Heidelberg Road Ivanhoe respectfully request that Banyule City Council urgently improve safety for pedestrians and vehicles using Kenilworth Lane, Ivanhoe by introducing the following safety measures deemed "technically" needed following an onsite investigation conducted by the Traffic Management Department:

- 1) That the **speed limit be restricted from 40km/h to 20km/h** with appropriate signage displayed at the entrance at both ends of Kenilworth Lane.
- 2) That a number of "**speed humps**" be installed to ensure compliance of the restricted speed limit of **20km/h**.
- 3) That a separation between pedestrians and vehicular traffic be implemented by way of road surface marking."

Resolution (CO2020/37)

That Council

- 1. Receives and notes the petition.
- 2. Refers the petition to the Transport & Traffic Team for investigation.
- 3. Advise the primary petitioner of this resolution.

Moved: Cr Peter Castaldo Seconded: Cr Craig Langdon

CARRIED

3. PEOPLE - COMMUNITY STRENGTHENING AND SUPPORT

3.1 AGE FRIENDLY AUSTRALIA NATIONAL FORUM EXECUTIVE SUMMARY

In 2019, Council supported one staff member and one community representative from the Age Friendly Advisory Committee to attend the 2019 Age Friendly Australia National Forum in Perth.

Key messaging at the forum focused on ageism and the positive impact of intergenerational programming/activities

Council's attendance at this forum has had a positive impact and has already led to initiatives and activities that will continue to support Banyule in being an Age Friendly City.

Resolution (CO2020/38)

That Council:

- 1. Note the report on the 2019 Age-friendly Australia Forum.
- 2. Continue its commitment to being an Age Friendly City by supporting work that enhances the lives of older people.
- 3. Acknowledge that Advisory Committee member Beverley Moss attended the Forum and provided a detailed report back to the Advisory Committee.

Moved: Cr Rick Garotti

4. PLANET – ENVIRONMENTAL SUSTAINABILITY

4.1 YARRA RIVER STRATEGIC PLAN

EXECUTIVE SUMMARY

The draft Yarra Strategic Plan (the Plan) was released by Melbourne Water for public consultation on 29 January 2020. It delivers the first Victorian integrated river corridor strategy.

The Plan has been prepared by Melbourne Water with the input from the Yarra Collaboration Committee (YCC), which is made up of 15 public entities that have a role in the health and management of the Yarra. In this capacity, Banyule Council representatives have provided input into the Plan's preparation.

The implications of the Plan for Council are:

- It identifies a vision, strategy and objectives for land within a 1km corridor alongside the Yarra. Banyule has approximately 20km of Yarra River frontage.
- Identifies immediate actions for the river corridor, enables long-term collaborative management between agencies and Traditional Owners.
- Council will need to consider the Plan as part of future decision-making processes that might affect the Yarra River Corridor, such as strategic planning or planning scheme amendments to ensure consistency.
- An early project supported by the Plan is to deliver the Yarra Flats Concept Plan (on Parks Victoria land), with funding of \$1 million.
- May provide opportunities to identify a range of projects associated to the Yarra River that might complement the vision and purpose of the Plan.
- Requires ongoing involvement in the YCC and establishes annual reporting requirements for Banyule.

In October 2019, support was provided for the Plan to be placed on public consultation. Melbourne Water is undertaking public consultation both online and through a series of engagement events (alongside the entire Yarra River corridor) until 29 March 2020. One of the river pop ups was held at the Heidi Makers Market, in Bulleen, on 8 February 2020. Our community has an opportunity to provide its feedback directly to Melbourne Water.

This report updates Council on the consultation process, seeks Council's endorsement of a draft submission to Melbourne Water and outlines the next steps, including a Ministerial Panel and the finalisation of the Plan.

Resolution (CO2020/39)

That Council:

- 1. Note the draft Yarra Strategic Plan.
- 2. Approve the draft submission to the Minister for Water giving conditional support of the draft Yarra Strategic Plan and seeking further clarity on the process and implications for the organisation, including:
 - a) The extent of administrative burden and cost to Council to fulfil its annual reporting obligations to the Birrarung Council against the Plan's measurements/actions.
 - b) The draft Plan still requiring reasonable editing and refinement (for legibility and removal of unnecessary repetition).

- c) That the implementation of the Land Use Framework is unclear, including how maps and directions for future land use and development will work with other statutory controls, including interim Yarra River Protection planning controls introduced in 2017; and
- d) To ensure that Council and the community are consulted with and can make a submission on any future planning scheme amendment to implement the land use framework.
- 3. Write to Melbourne Water to:
 - a) Commit to continue working with Yarra Collaborative Committee (YCC) towards a final Yarra Strategic Plan
 - b) Seek further detail on the Ministerial Panel process, including Terms of Reference
 - c) Ensure that any future implementation strategy does not adversely impact Council unfairly or unreasonably.
 - d) Seek further detail on Council's statutory obligations under the *Yarra River Protection (Wilip-gin Birrarung murron) Act 2017* and the ongoing organisational funding and governance implications and requirements.
 - e) Request a briefing from the Yarra Strategic Plan project team on submissions made by the Banyule community, and the YCC submission to the Ministerial Panel.
- 4. Note that Council endorsement does not extend to the Implementation Plan, Decision Making Framework or any future Planning Scheme Amendment.

Moved: Cr Craig Langdon Seconded: Cr Peter Castaldo

CARRIED

5. PLACE - SUSTAINABLE AMENITY AND BUILT ENVIRONMENT

5.1 BUILDING COMMUNITIES, CONNECTING PEOPLE: NORTHERN HORIZONS 2020

Mr David Mulholland spoke on the item.

EXECUTIVE SUMMARY

The Building Communities, Connecting People: Northern Horizons 2020 was prepared by the National Institute of Economic and Industry Research (NIEIR) and funded by the Department of Jobs, Precincts and Regions via the Northern Metropolitan Partnership. The report builds on the 2014 and 2016 versions of the Northern Horizons Strategy to provide an updated set of strategic directions for the region.

Northern Horizons has provided a comprehensive analysis of all aspects of needed infrastructure in Melbourne's North over a fifty-year period including transport, social, utilities, environment and economic facilities and services.

The report identifies that the Northern Region of Melbourne has the need for additional infrastructure in varying degrees, geography and scale identifying short, medium- and long-term projects and initiatives required to service the regions community. The report highlights infrastructure shortfalls when considering population growth projects. The report also identifies a "deficit" of regional capital spending on a population growth basis compared to the remainder of Melbourne.

The report also identifies significant opportunity to improve the infrastructure in Melbourne's North with SmartBus/Bus Rapid Transit routes required to establish a faster and better-connected public transport network that deliver 20-minute neighbourhoods.

Specific projects relating to Banyule City Council include:

- Bus interchange design at Greensborough,
- the La Trobe National Employment Cluster as a significant economic area within Melbourne's North,
- recognising the increase of women's participation in sport and notes the refurbishment of Olympic Park and Ford Park as priority projects.

The intent of the Strategy is to present a forward-looking infrastructure development strategy for Melbourne's North with a region wide focus on jobs, skills and connectivity.

Resolution (CO2020/40)

That Council write to the Chief Executive of NORTH Link to:

- 1. Express disappointment that Councillors were not given the opportunity to have input into the development of the Northern Horizons 2020 report;
- 2. Request the Northern Horizons 2020 Summary Report be updated to incorporate reference from the Northern Horizons Evidence Report 2020 in relation to the Suburban Rail Loop and additional stations at the Austin Repatriation Hospital, Northland Shopping Centre, Heidelberg and La Trobe University. This would recognise that train stations at these locations would fully integrate the three key components of the La Trobe jobs cluster (La Trobe University, Northland and Heidelberg) and give the potential to transform our region into a major jobs and innovation hub;

- 3. Request a meeting with the Chief Executive of NORTH Link to discuss how they can strengthen their engagement with Councillors; and
- 4. Withhold Council's endorsement for the Northern Horizons 2020 report until steps 1, 2 and 3 occur.

Moved: Cr Rick Garotti

5.2 169 BURGUNDY STREET, HEIDELBERG - DEVELOPMENT OF A MIXED USE SIX STOREY BUILDING - P1330/2018

John Glossop submitted a statement on behalf of the permit applicant that was read by the CEO. Mr Andrew Gunter and Mr Matt Ryan spoke on the item.

Councillor Di Pasquale left the Chamber at 8.15 pm.

Councillor Di Pasquale returned to the Chamber at 8.17 pm.

EXECUTIVE SUMMARY

The proposal is for a mixed use development (six storey building) including a retail area at ground level and five apartments across five levels. Five parking spaces are provided in the form of mechanical stackers accessible via a rear laneway. Associated services and storage facilities are provided across the ground and first floor levels. A financial contribution is required in association with one car parking space in accordance with the Parking Overlay which applies to the Heidelberg Precinct.

The development is located within the core shopping strip of the Heidelberg Major Activity Centre and achieves compliance with the height and setback requirements of the Design and Development Overlay without unreasonably constraining future development on adjoining sites. Consideration has been given to the narrow width of the site and whether lot consolidation would be expected to achieve the strategic objectives of the overlay.

Four objections were received as a result of public notification. Abutting objector parties were contacted to discuss a variety of concerns raised including external amenity impacts and equitable development opportunities.

Amended plans have been submitted. It is considered that they now enable future ability to develop abutting properties as well as respond to the site's strategic context, including the objectives and guidelines of the Design and Development Overlay – Schedule 5. The proposal should be supported subject to conditions.

Resolution (CO2020/41)

That Council having complied with Section 52, 58, 60, 61 and 62 of the Planning and Environment Act 1987, resolves to issue a Refusal to Grant a Planning Permit in respect of Application No. P1330/2018 for the Development of a Mixed Use, six storey building at 169 Burgundy Street, HEIDELBERG on the following grounds:

Street Activation and Design

 The ground level street frontage lacks activity and interest through the loss of commercial frontage to the street and provision of the residential entry and services at ground level contrary to Clauses 15.01-1 – Urban Design, 21.04-1 – Housing, 43.02 - Design and Development Overlay (Schedule 5) of the Banyule Planning Scheme.

Building design and proportion

2. The proposed development fails to contribute positively to the local context and the Heidelberg Activity Centre and enhance the public realm contrary to Clauses 15.01-1S – Urban Design, 15.01-2S – Building design, 21.06-1 – Built Environment of the Banyule Planning Scheme.

Development Equity

3. The proposed development fails to provide equitable development opportunities for adjoining properties by virtue of the narrow width of the site and inability to setback the development from side boundaries contrary to Clauses 15.01-2S – Building design and 21.06-1 – Built Environment of the Banyule Planning Scheme.

Moved: Cr Peter Castaldo Seconded: Cr Craig Langdon

CARRIED

5.3 175 CAPE STREET, HEIDELBERG - PROPOSED TWO STOREY APARTMENT BUILDING (8 DWELLINGS) - P865/2019

Cassandra Mattiuzzo submitted a statement that was read by the CEO. Mr Marius Vogl, Ms Chiho Yoshikoshi and Mr Peter Bourke spoke on the item.

EXECUTIVE SUMMARY

The proposal is for the construction of a multi dwelling development (eight dwellings in a two storey apartment typology with associated basement car parking) on land at 175 Cape Street, Heidelberg. A reduction of one visitor parking space is proposed to vary the car parking provision of the Banyule Planning Scheme.

A total of 48 objections were received during the public notification stage. Concerns regarding overdevelopment, neighbourhood character, traffic increases and parking issues, insufficient space for landscaping, overlooking, overshadowing, insufficient private open space, poor accessibility for people with limited mobility, construction impacts and demolition of the existing dwelling have been raised.

A previous application for the development of six townhouses was not supported by the Victorian Civil and Administrative Tribunal (VCAT) on the grounds of neighbourhood character; external amenity impacts; lack of landscaping and functional planting space and issues regarding internal residential amenity.

The proposed development that forms part of this application is considered to provide an appropriate response to the neighbourhood character of the precinct and is supported by its location within an accessible area, within 150m to the northern boundary of the Heidelberg Activity Centre precinct and with good access to services, transport and shopping facilities.

The proposed development is considered to have addressed the issues raised in the previous VCAT decision with efficiencies through the apartment typology and reduction in the upper level resulting in improved landscaping opportunity, reduced visual bulk and improved internal residential amenity. The proposal should be supported, subject to conditions.

Resolution (CO2020/42)

That Council having complied with Section 52, 58, 60, 61 and 62 of the Planning and Environment Act 1987, resolves to issue a Refusal to Grant a Planning Permit in respect of Application No. P865/2019 for the development of eight (8) dwellings and waiver of carparking requirements at 175 Cape Street HEIDELBERG on the following grounds.

Strategic context

1. The site is not considered appropriate for the scale and density of development proposed and is contrary to the Residential Areas Framework at Clause 21.06-2 of the Banyule Planning Scheme.

Siting, design and neighbouring residential amenity

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

Mass, bulk, scale and neighbourhood character

3. The scale of the built form of the proposal is contrary to both the existing and preferred character of the neighbourhood and would compromise the spacious and well landscaped character of the site and minimise the opportunity to achieve a balanced outcome, in turn having an adverse visual impact on the streetscape contrary to Clauses 15.01-1S – Urban Design, 21.04-1 – Housing, 22.02 - Residential Neighbourhood Character Policy and Standards B1 – Neighbourhood Character, B13 – Landscaping and B31 – Design detail of Clause 55 (ResCode) of the Banyule Planning Scheme.

Open space/landscaping

4. Inadequate space has been provided throughout the development to provide canopy tree planting and landscaping to adequately soften views of the development from the street and neighbouring land and enhance the landscape character of the area contrary to Clauses 21.06 – Built Environment, 22.02 – Residential Neighbourhood Character Policy and Standard B13 – Landscaping of Clause 55 (ResCode) of the Banyule Planning Scheme.

Internal residential amenity

- 5. The proposed development would provide an inadequate level of residential amenity by reason of poor solar access to dwellings to the southern side of the site; poor private open space areas that are in shadow resulting in inadequate provision of secluded private open space for the recreational needs of future occupants due the following constraints:
 - (a) Orientation; and
 - (b) Bulk and height of walls, existing landscaping interfacing open space/courtyards.

This is contrary to Clauses 15.01-1 – Urban Design, 21.06 – Built Environment and Standard B29 – Solar access to open space of Clause 55 (ResCode) of the Banyule Planning Scheme.

ResCode non-compliance

- 6. The proposal fails to meet the following objectives and standards of Clause 55 of the Banyule Planning Scheme:
 - (a) Street setback objective (Standard B6); and
 - (b) Solar access to open space objective.

Moved: Cr Tom Melican

Seconded: Cr Peter Castaldo CARRIED

5.4 NEW TELSTRA PAYPHONES AND ELECTRONIC SIGNAGE - VARIOUS LOCATIONS

Mr Brian Grace and Mr Anthony Hocking spoke on the item.

EXECUTIVE SUMMARY

This proposal was initially considered by Council on 9 December 2019 but was deferred to enable further discussions with the applicant on the potential community benefits of the proposal. This report now reconsiders the matter following those discussions.

Permits are sought for the display of electronic promotion signs (each 1.47m² in area), to be established in conjunction with permitted Telstra payphones in eight locations within the municipality. The proposals have been publicly notified and two objections have been received to each application, with additional objections received in relation to 65 Watsonia Road, Watsonia (three in total) and 78 Nepean Street, Watsonia (four in total).

The proposals are considered to appropriately respond to Council policy relating to signs and are considered acceptable having regard to the commercial contexts of the proposed locations, visual and residential amenity and traffic safety. Minor changes are considered necessary for some proposals to further reduce impacts on residential amenity and public safety.

Following the deferral of the items on 9 December 2019 and a meeting held with Telstra representatives, further information is now included in this report. An "Agreement of community benefit" will set out details of restrictions on political and gambling advertising within all of the municipality, restriction of Alcohol advertising within 150m of schools as well as Council access to show event and other communication content on the rear and front screens.

It is considered that the proposal should be approved in all cases subject to the additional restrictions and opportunities set out in an "Agreement of community benefit". Separate recommendations are included for 69 Martins Lane, Viewbank and 111 Mountain View Road, Briar Hill on the basis that amended plans will need to be submitted to reflect changes.

Resolution (CO2020/43)

That the matter be deferred to a future meeting of Council to enable a briefing of Councillors.

Moved: Cr Mark Di Pasquale Seconded: Cr Peter Castaldo

CARRIED

6. PARTICIPATION - COMMUNITY INVOLVEMENT IN COMMUNITY LIFE

Nil

7. PERFORMANCE - USE OUR RESOURCES WISELY

Councillor Melican left the Chamber at 8.57 pm.

Councillor Melican returned to the Chamber at 8.59 pm.

7.1 BELLFIELD PROJECT UPDATE: DELIVERY OF MARKET HOUSING, SOCIAL HOUSING AND COMMUNITY HUB

Dr Anthony Lunken spoke on the item.

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*.

This report provides an update on all three components of the Bellfield project:

- Market Housing: Preparation for sale and development of land for market housing following approval of Planning Scheme Amendment C153;
- Social Housing: Delivery of social housing on Council-owned land; and
- Community Hub: Design and delivery of the new Bellfield Community Hub and relocated Community Garden.

Work has commenced on preparations for the sale of the *market housing* land. An Expression of Interest Process (EoI) is expected to commence in May 2020 followed by shortlisting of respondents and a targeted Request for Proposal (RfP), with a decision on sale of the land to occur in early 2021. These preparations are on the basis that a favourable outcome on the Planning Scheme Amendment is anticipated. Planning Scheme Amendment C153 (PSA) has been prepared to facilitate the redevelopment of the site with a Panel Report excepted shortly following a Planning Panel on 5 March 2020.

An additional component of work is the delivery of **social housing**. An Expression of Interest (EoI) to find a social housing provider was issued on 28 February 2020 with submissions due 27 March 2020. This will be followed by an evaluation of proponents, shortlisting against selection criteria and a Request for Proposal (RfP) from the shortlisted applicants.

Council has also committed to delivery of the Bellfield *Community Hub* and relocated Community Garden. From September to December 2019 consultation on a concept plan was carried out with internal user groups, the Project Reference Group and local community. Consultation is now complete and the concept plan components were supported by Council at OM 24 February 2020. Preparation of the delivery plan is underway, with refinement of the design into a detailed design. It is expected that construction of the Hub will commence in September 2020.

Resolution (CO2020/44)

That Council:

- Note that Planning Scheme Amendment (C152) Panel Hearing for Bellfield has occurred and a further report to Council will be provided following the receipt of the Independent Panel Report.
- 2. Note that a Probity Advisor has been engaged to oversee the integrity of the process for sale of the market housing land and the engagement of a registered housing provider to deliver the social housing.

Market Housing:

- 3. Support the progression of preparing the land for sale for *market housing* as follows:
 - a) Note that, while Ministerial approval for PSA C153 is pending, work has commenced to prepare the land for sale for market housing on the basis that a favourable outcome is anticipated.
 - b) Commence the Notice of Intention (NoI) to sell the land earmarked for market housing.
 - c) Completion of the marketing of the land with support of a property agent and commencing the process for the sale of the residential land through an Expression of Interest (EoI) followed by a Request for Proposal (RfP) phase.
 - d) Accept the proposed evaluation criteria for assessment of Eol/RfP responses which includes:
 - i. Commercial terms
 - ii. Development Proposal
 - iii. Approach and capacity
 - iv. Experience, expertise and market leadership
 - v. Timeliness
 - e) Note that an evaluation panel has been assembled for assessment of the market housing Eol/RfP responses.
 - f) Note that shortlisting of residential property developers will occur by August 2020 and approval to sell the land will be sought in early 2021.

Social Housing:

- 4. Support the progression of the **social housing** project as follows:
 - a) Commence the Notice of Intention (NoI) to lease the land earmarked for social housing.
 - b) Note that collation and assessment of EoIs is to be completed by the evaluation panel by mid-April 2020.
 - c) Note that shortlisting of a social housing provider, using agreed assessment criteria, will be completed by June 2020.
 - d) Note that appointment of a social housing provider will occur in August 2020 following Council approval.

Community Hub:

- 5. Support the progression of the construction of the *Community Hub* and noting the following:
 - a) The progression of the concept plan which will now lead to detailed design.

- b) Completion of the EoI and RfP processes to appoint a builder by September 2020.
- c) Completion of construction of the Community Hub and relocated Community Garden during 2020/21.

Moved: Cr Craig Langdon Seconded: Cr Rick Garotti

CARRIED

7.2 PROPOSED DISCONTINUANCE AND SALE OF LAND ADJOINING 247 WATERDALE ROAD IVANHOE

EXECUTIVE SUMMARY

RW072 is a constructed 'road' part of which is currently enclosed within the property fence line of an independent service station at 247 Waterdale Road, Ivanhoe. The land is currently being used by customers and staff for car parking.

A request was received in late 2018 from the owners of 247 Waterdale Road, Ivanhoe, for Council to consider a road discontinuance and sale of the resultant land.

In accordance with section 206 and 223 of the *Local Government Act* 1989 (Act), public notice was given in the *Heidelberg Leader* on 14 January 2020. No submissions were received.

The purpose of this report is for Council to consider whether or not to proceed with the discontinuance and sale of the section of road or retain the section of road for municipal purposes.

Resolution (CO2020/45)

That Council

- 1. Having complied with sections 206 and 223 of the Local Government Act 1989:
 - a. by giving public notice in the "Heidelberg Leader" on 14 January 2020; and
 - b. by recording that no submissions or requests were received.

Forms the view that the section of road adjoining 247 Waterdale Road, Ivanhoe is no longer reasonably required for general public use for the following reasons:

- the proposal will not impact traffic or pedestrian movement in the vicinity of the area;
- · service authority assets will be protected;
- the proposal will not adversely affect adjoining neighbours and is not currently used by neighbouring properties.
- 2. Authorises the publication of its resolution in the Victorian Government Gazette.
- 3. Acknowledges that upon publication of the resolution in the Victorian Government Gazette, the section of road be discontinued, and the land sold to the owner of 247 Waterdale Road, Ivanhoe by private treaty.
- 4. Authorises the amendment of Council's Road Register to reflect the discontinuance of the section of road, following publication of the resolution in the Victorian Government Gazette.
- 5. Authorises the signing of the necessary documentation at the appropriate time.

Moved: Cr Craig Langdon

Seconded: Cr Mark Di Pasquale CARRIED

7.3 PROCUREMENT POLICY

EXECUTIVE SUMMARY

In accordance with S186A of the *Local Government Act 1989 (LGA)*, Council must prepare and approve a Procurement Policy and review at least once in each financial year.

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

The Policy is attached and has been reviewed in consultation with stakeholders to ensure alignment with best practice principles.

Some of the key changes include amendments to:

- Reflect Council's self-assessment response to the IBAC reports on Integrity Frameworks and Corruption with Local Government Procurement; and
- Reflect Council's adopted actions from the Corporate Emissions Reduction Plan.

The adopted Procurement Policy must be available for inspection by the public at the Council office and on the Council website.

Council staff within the Procurement Team and Social Enterprise & Local Jobs program are collaborating to develop a Sustainable Procurement strategy (including environmental outcomes) to present to Council for consideration in 2020.

Post the adoption of the Sustainable Procurement strategy by Council, it is anticipated that further amendments will be required to be made to the Procurement Policy to reflect the strategies and targets adopted by Council

Resolution (CO2020/46)

That Council

- 1. Note that the Procurement Policy was discussed at the Audit and Risk Advisory Committee meeting on Friday 13 March 2020.
- 2. Adopt the Procurement Policy as reviewed and amended.
- Upon the advice of the Audit and Risk Advisory Committee include additional details on the specific practice of purchase order compliance in a future review of the Procurement Policy.

Moved: Cr Rick Garotti

7.4 ADOPTION OF BANYULE CITY COUNCIL'S RATING STRATEGY 2020/2021 EXECUTIVE SUMMARY

Banyule City Council's Rating Strategy is reviewed annually to ensure that Council supports the rating principles used to levy rates and charges, in collaboration with determining the Council's Budget for the coming financial year.

In developing the draft Rating Strategy 2020/21 Council considered the various options available in levying differential rates and charges across all ratepayers in the municipality; and considered the appropriate general rate increase to continue to provide the quality services, capital works and major initiatives being proposed for 2020/21.

To assist in the determination of levying rates and charges Council undertook public consultation on the draft Rating Strategy 2020/21 for 8 weeks between December 2019 and February 2020. The consultation period has since concluded and all feedback relating to the draft Rating Strategy 2020/21 has been considered.

It is recommended that Council adopt the proposed Rating Strategy 2020/21 (without change) and that the proposed Rating Strategy 2020/21 informs the proposed Budget 2020/21.

Resolution (CO2020/47)

That Council:

- 1. Note the feedback from the community relating to the draft Banyule City Council's Rating Strategy 2020/21 and thank them for their contribution.
- 2. Adopt the proposed Banyule City Council Rating Strategy 2020/21.

Moved: Cr Rick Garotti

7.5 CONTRACT 1008-2020 - SUPPLY AND DELIVERY OF UP TO SEVEN 22M3 SIDE LOADING REFUSE TRUCKS

EXECUTIVE SUMMARY

This report is to consider the awarding of Contract No 1008-2020 for "Supply and Delivery of Up To Seven 22m³ Side Loading Refuse Trucks".

Council advertised the tender for Contract No 1008-2020 for "Supply and Delivery of Up to Seven 22m³ Side Loading Refuse Trucks on 31 August 2019. The tender closed on 1 October 2019 with 5 submissions and 11 separate options being received for consideration. After a detailed analysis of all submissions, 2 truck and body combinations were shortlisted and demonstrations of these 2 were held at the Operations Centre. The final scoring showing one truck and body combination as being the most suitable for Council operations.

The Tender Evaluation Panel (TEP) has recommended awarding the contract to <u>Adtrans</u> <u>Trucks</u> for the supply and delivery of seven (7) Iveco Acco 6x4 Refuse Trucks with Bucher Sport SL6 22m³ bodies in accordance with the tender and conditions as determined by Council.

Resolution (CO2020/48)

That:

- 1. Contract No. '1008-2020' for 'Supply and Delivery of Up to Seven 22m³ Side Loading Refuse Trucks" be awarded to Adtrans Trucks for \$2,824,800 (ex. G.S.T, registration costs and stamp duty).
- 2. The Director of Assets and City Services be authorised to sign the contract and any other associated documents.

Moved: Cr Rick Garotti

7.6 ASSEMBLY OF COUNCILLORS

EXECUTIVE SUMMARY

Under the Local Government Act 1989 an Assembly of Councillors is defined as:

A meeting of an advisory committee of the Council, if at least one Councillor is present or; A planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be:

- a) the subject of a decision of the Council or;
- b) subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee.

In accordance with Section 80A of the Local Government Act 1989 Council is required to report as soon as possible to an Ordinary Meeting of Council a record of any assemblies of Councillors held. Below is the latest listing of notified assemblies of Councillors held at Banyule City Council.

RECORD OF ASSEMBLIES

1	Date of Assembly:	4 February 2020, 6.00pm			
	Type of Meeting:	Banyule Arts & Cultural Advisory Committee			
	Matters Considered:				
	 Future Histories (gallery visit) Ivanhoe Library & Cultural Hub – update Napier Waller House – Tour follow up BACAC Evaluation (year 1) Banyule Heritage Study Advisory Committee remittance 2020 schedule of meetings 				
	Councillors Present:				
	Craig Langdon Staff Present: Hannes Berger - Arts & Culture Team Leader Steph Neoh - Art Curator Others Present: Rosemary Crosthwaite, Fran Lee, Anne Bennett, Les Walkling, Kevin Ritchie, Genelle Ryan, Joanne O'Hara, Sandra Diaz, June Gassin, Rebecca Armstrong, Lisa Byrne, Craig Eloranta, Irianna Kanellopoulou, Sha Sawari.				
	Conflict of Interest: NIL				

2	Date of Assembly: 17 February 2020, 5.30pm				
	Type of Meeting:	Councillor Briefing			
	 Matters Considered: Arts & Culture Activation Plan – Ivanhoe Library & Cultural Hub 				
	Bell Street Mall				

- Parking & Local Laws
- Budget Capital Works

Councillors Present:

Peter Castaldo

Alison Champion

Mark Di Pasquale

Rick Garotti

Craig Langdon

Tom Melican

Wayne Philips

Staff Present:

Allison Beckwith - Chief Executive Officer

Geoff Glynn – Director Assets & City Services

Scott Walker - Director City Development

Marc Giglio - Director Corporate Services

Lisa Raywood - Acting Director Community Programs

Kerryn Woods – Executive & Councillors Team Leader

Nicole Maslin - Acting Manager Leisure

Adrian Cully - Community Programs Project Officer

Steph Neoh - Art Curator

Nikki Ralston - Arts & Cultural Development Officer

Hannes Berger - Arts & Culture Team Leader

Lucy Rasdell - Strategic Property Manager

Jonathan Risby - Manager Transport

Darren Bennett - Manager Environment & Place

Mark Bernhardt - Municipal Laws Coordinator

James Kelly - Manager Delivery & Assets

Tania O'Reilly - Manager Finance & Procurement

Others Present:

Tammy Shepherd & Peter Crick - Consultant Tract

Conflict of Interest: NIL

Date of Assembly:	24 February 2020, 5.00pm			
Type of Meeting:	Planning Briefing			
Matters Considered:				
Planning permit application at 175 Cape Street Heidelberg Councillors Present:				
Alison Champion Craig Langdon Tom Melican Wayne Philips				

Scott Walker – Director City Development
Joel Elbourne – Manager Planning & Building
David Moon – Development Planning Coordinator

Others Present: NIL

Conflict of Interest: NIL

4 Date of Assembly: 24 February 2020, 5.30pm

Type of Meeting: Councillor Briefing

Matters Considered:

Items on the Council agenda for the Ordinary Meeting of 24 February 2020 (excluding confidential items) as listed below:

- 3.1 Himilo Community Connect Request for Financial Support
- 5.1 Bellfield Community Hub Concept Plan
- 5.2 Hurstbridge Line Duplication Stage 2 Update
- 5.3 21 25 Bellevue Avenue, Rosanna Proposed Child Care Centre P954/2019
- 7.1 Contract Award 1022-2020 Construction of Olympic Park Stage 2
- 7.2 Quarterly Financial Management Report For the period ended 31 December 2019
- 7.3 Assembly of Councillors
- 7.4 Audit & Risk Advisory Committee Minutes 6 December 2019

Other Matters:

- NEL update
- · Fees & Charges

Councillors Present:

Peter Castaldo

Alison Champion

Mark Di Pasquale

Rick Garotti

Craig Langdon

Tom Melican

Wayne Philips

Staff Present:

Allison Beckwith - Chief Executive Officer

Geoff Glynn - Director Assets & City Services

Marc Giglio - Director Corporate Services

Scott Walker - Director City Development

Lisa Raywood – Acting Director Community Programs

Gina Burden - Manager Governance & Communication

Vivien Ferlaino – Governance Coordinator

Jonathan Risby – Manager Transport

Joel Elbourne - Manager Planning & Building

Helena Celejowski - Media & Marketing Communications Officer

Mary-Jane Borg - Governance Officer

Others Present: NIL	
Conflict of Interest:	NIL

5	Date of Assembly:	26 February 2020, 10.00am			
	Type of Meeting:	Age Friendly City Advisory Committee			
	Matters Considered:				
	 Healthy and Active Ageing Expo Reviewing the Age in Focus 'Dementia Friends' program Undertake activities which build the capacity of residents to best understand and utilise available transport options 				
	Councillors Present:				
	Craig Langdon				
	Staff Present:				
	Lauren Brooker – Age Friendly City Program Social Planner Leanne Horvath – Service Planning, Assessment & Community Support Coordinator Kaylene Hodgkin – Acting Manager Health, Aged & Community Planning				
	Others Present:				
	Glenn Swafford, Susanne Walker, Jennifer Helmich, Marita Carmody, Allison Ryan, Karlene Lang, Stewart Morritt, Bev Moss, Gerard Vander, Mary Ann Williams, Margaret Breare, Jenny Dale				
	Conflict of Interest:	NIL			

Date of Assembly: 2 March 2020, 6.30pm Type of Meeting: **Councillor Briefing** Matters Considered: IT & Digital Transformation Preschool Leases Waste Management Update Transport NORTH Link **Councillors Present:** Peter Castaldo Alison Champion Mark Di Pasquale Rick Garotti Craig Langdon Wayne Philips

Staff Present:

Allison Beckwith - Chief Executive Officer

Lisa Raywood - Acting Director Community Programs

Marc Giglio - Director Corporate Services

Geoff Glynn – Director Assets & City Services

Scott Walker – Director City Development

Kerryn Woods - Executive & Councillors Team Leader

Russell Darling - Manager Operations

Andrew Croft – Waste Management Coordinator

Leah Van Hemert - Manager IT & Digital Transformation

Lucy Rasdell – Strategic Property Manager

Jonathan Risby – Manager Transport

Others Present: NIL

Conflict of Interest: NIL

Resolution (CO2020/49)

That the Assembly of Councillors report be received.

Moved: Cr Craig Langdon Seconded: Cr Tom Melican

CARRIED

8. SEALING OF DOCUMENTS

Nil

9. NOTICES OF MOTION

9.1 KOALA HABITAT IN BANYULE

Mr Kevin Biaginni and Ms Daphne Hards submitted statements that were read by the CEO.

Cr Wayne Phillips submitted a Notice of Motion

Resolution (CO2020/50)

That a report comes to Council that:

- 1. Investigates the feasibility of providing habitat for bushfire effected koalas and other native animals within the municipality of Banyule; and
- 2. Considers opportunities to provide habitat in Banyule and nearby locations that are not Council managed, such as Parks Victoria land.
- 3. Seeking advice on how best council can contribute to the koala habitat in the future.

Moved: Cr Wayne Phillips

Seconded: Cr Mark Di Pasquale CARRIED

10. GENERAL BUSINESS

10.1 HEIDELBERG WEST BUSINESS PARK ACKNOWLEDGEMENT

Cr Craig Langdon advised that on 5 March 2020 he, Cr Tom Melican and the Mayor, Cr Alison Champion attended a celebration at the Heidelberg West Business Park to acknowledge the great work that has been achieved with crime prevention in the area.

Cr Langdon spoke of the murals on the corner of Orr Street and Bamfield Road and at 186 Dougharty Road. These murals have transformed unattractive fences which have been hot spots for graffiti into colourful welcoming sites that celebrate the hive of activity that buzzes around in Banyule's business park every day. The murals were designed by local artist, Anthony Despotellis from Remedy Art in collaboration with Council and the HWBPA committee. Smart Commercial Group Painting and Coatings provided the undercoat and the anti-graffiti top coats on both murals free of charge.

Cr Langdon congratulated all those involved and he thought that the civic pride that had been demonstrated had been fantastic and feedback from the community had been overwhelmingly positive.

10.2 BANYULE COMMUNITY

Cr Mark Di Pasquale thanked and congratulated the Banyule community for how we are working as a community during these times of Coronavirus and in a State of Emergency.

10.3 GREENSBOROUGH TENNIS CLUB

Cr Mark Di Pasquale congratulated Helen Pendry of the Greensborough Tennis Club. Cr Di Pasquale acknowledged Helen's 40 years of service on the Committee and noted that both her mother & now son have also been on the Committee. Cr Di Pasquale advised there was a BBQ held Sunday 15 March 2020 for the reopening of the courts and lights.

10.4 KALPARRIN GARDEN PATHS

Cr Di Pasquale informed that the Kalparrin garden paths will shortly be redone, and advised that leading into winter, residents should be aware of the works as the paths can get slippery.

10.5 JAGA JAGA VOLUNTEER AWARDS

Cr Alison Champion noted that she attended the Jaga Jaga Volunteer Awards along with Cr Tom Melican on Sunday 8 March 2020. Cr Champion acknowledged that there were 99 recipients awarded at the event and over 50% of recipients were from Banyule. She thanked all the volunteers for their commitment to their communities.

ADJOURNMENT OF MEETING

Resolution (CO2020/51)

That the Meeting be adjourned for Public Question Time.

Moved: Cr Mark Di Pasquale Seconded: Cr Tom Melican

CARRIED

The Meeting adjourned for the Public Question Time at 9.51pm.

PUBLIC QUESTION TIME

1 Name & Suburb

Kevin Biaggini - Ivanhoe

Question:

Will Banyule Council support BRAG's waste management strategy submission that a Waste to Energy facility should be constructed for the northern suburbs of Melbourne which includes Banyule?

Response:

Geoff Glynn - Director of Assets & City Services

The State Government has instructed Metropolitan Waste and Resource Recovery Group to commence the investigative process for an Alternate Waste Technologies facility that services the North West of Melbourne. Banyule City Council is included in this project and it is expected that it may 12 to 18 months to develop a business case.

2 Name & Suburb

Edward Smart - Eaglemont

Question:

I have just recently received a newsletter from BRAG News, I would like to ask the following question from their back page to be answered, pertaining to the title:-

\$20 Million Cost Blowout on the Ivanhoe Library Project!

Are these allegations factual and what is the legality of this material as there is no Name, Address, Phone no. nor E-Mail address?

Response:

Marc Giglio - Corporate Services

At the January Ordinary Council meeting, Council awarded Buxton Constructions the contract for the construction of a library, cultural hub and associated works at 275 Upper Heidelberg Road Ivanhoe for a lump sum of \$29,344,548 (excluding GST). This was within Council's expected price range.

There is no legislation covering the requirement for community newsletters to contain details such as Name, Address, Phone or email addresses (unless in an Election Period).

It would be considered a good practice for any newsletter to include such details.

Name & Suburb

Emma Samuel - Ivanhoe

Question:

Can Council update the East Ivanhoe community in regards to the 90 apartment development bordering The Boulevard and Cedric Street in East Ivanhoe?

Response:

Scott Walker - City Development

Planning Permit P996/2017 was issued by the Victorian Civil and Administrative Tribunal on 12 October 2018 for the development of 107 apartments and 11 townhouses including removal of protected vegetation at a large consolidation of sites at Wamba Road in Ivanhoe East.

The relevant planning permissions are in place for the development to proceed and it is understood that the next stage of development proposed is service and infrastructure upgrade and drainage works to Irvine Road.

The developer representative has been contacted for a specific update.

4 Name & Suburb

John Hawkes - Ivanhoe

Question:

At Ordinary Meeting of Council 11 Dec 2017, Council resolved to present to the Planning Minister omnibus schedule C114 proposing rezoning of properties, including Ivanhoe Station – Squash Courts.

Subsequently, the subject property was removed from the C114 presented to the Planning Minister.

Did Council initiate the removal of subject property from C114 and for what reason?

Response:

Scott Walker - City Development

Amendment C114 was an amendment to correct straightforward anomalies in the Banyule Planning Scheme. Following the 11 December 2017 Council Resolution, the 'Squash Courts' site at Ivanhoe Station (103 Marshall Street) was identified as having a range of technical land use planning matters needing detailed investigation. These were considered inappropriate for a 'fix up' amendment because C114 was not the subject of public exhibition.

The subject site was incorrectly included in Attachment 3 to the 11 December 2017 Council Report as a VicTrack requested amendment and on the assumption the land was owned by VicTrack. After the 11 December 2017 resolution but prior to authorisation to exhibit the amendment from the Minister for Planning, it was identified

as private land and VicTrack did not want to pursue it as part of a package of tidy-ups at its stations. The subject site was removed from C114 before authorisation due to the land use and ownership issues. Attachment 3 to the 11 December 2017 council report was indicative, subject to change and not binding on Council in terms of the final content of C114.

Formal notice to landowners was only legally required post Ministerial Authorisation of C114. The subject site was not included in C114 and therefore it was not necessary to inform the landowner.

5 Name & Suburb

Kevan Hill - Ivanhoe

Question:

In late 2019 Council declared a climate emergency. Does Council currently have a system for measuring, calculating, estimating, recording, statistically analysing and reporting on the environmental impact (such as greenhouse gases emissions, total carbon footprint) of its operations and major projects?

Response:

Scott Walker - City Development

In December 2019, Council endorsed its Corporate Emissions Reduction Plan, 2020 – 2023. As outlined in this Plan, measuring and monitoring of our carbon emissions and progress against our 2028 carbon neutrality target will be a strong focus of the Council.

Progress will be reported annually via our State of the Environment Report, which is released around October each year.

This Report captures a variety of environmental Key Performance Indicators, including, Council GHG emissions, Council water use, Tree planting in streets, parks and bushland, and Landfill waste per household.

6 Name & Suburb

David Mulholland - Heidelberg

Question:

What is Council's current policy for buying alcohol to serve on Council night related to who purchases the alcohol, the method of payment, the budget which this is drawn?

Response:

Marc Giglio - Corporate Services

Banyule has no specific policy for catering before Council meetings. A meal is provided before the meeting and a limited selection of alcoholic beverages is available. The meal and beverages are served by Council's caterer.

Council staff follow standard procurement processes where a purchase order is required. The Council meetings budget provides for all Council meetings expenditure. The cost is reported annually in the 'Cost of Governance' per Councillor indicator and published on the 'Know your Council Website'.

The Public Question Time concluded at 10.00pm.

Closure of Meeting to the Public

That in accordance with Section 89(2) of the *Local Government Act 1989*, Council close the Meeting to members of the public and adjourn for five minutes to allow the public to leave the Chamber prior to considering confidential item 11.1.

Moved: Cr Tom Melican

Seconded: Cr Peter Castaldo CARRIED

It is noted that a confidential briefing occurred as part of Urgent Business item 1.1 and no decision was made.

The Meeting was adjourned at 10.02pm.

Closure of Meeting

The Meeting was closed at 10.07pm	The I	Meetina	was	closed	at	10.07	om
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The next Ordinary Meeting of Council will be held on Monday, 6 April 2020.