

# Minutes of the Ordinary Meeting of Council



**Held on the 18 May 2020, 7.00pm**

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

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## MINUTES

The Meeting opened at 7.00pm.

### Statement of Apology:

Cr. Craig Langdon read out a statement of apology pertaining to Item 6.1 of the Ordinary Meeting of Council held on 6 April 2020.

### Acknowledgement of the Traditional Custodians

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

### Present

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

### Apologies

Cr Wayne Phillips, Cr Rick Garotti

### Leave of Absence

Nil

### Confirmation of Minutes

That the following Minutes be confirmed:

*Ordinary Meeting of Council held 27 April 2020 and Special Meeting of Council held 4 May 2020.*

Moved: Cr Craig Langdon  
Seconded: Cr Tom Melican

CARRIED

### Disclosure of Interests

Nil

### Presentation

Nil

### 1. URGENT BUSINESS

Nil

## 2. PETITIONS

### 2.1 DELORAINA AGED CARE, ADELINA STREET GREENSBOROUGH - REQUEST FOR INVESTIGATION TO CREATE AN INDENTED PAVED AND CURBED AMBULANCE PARKING SPACE

*Statements were read on behalf of Kevin Biaggini and Liz Jenkins.*

#### EXECUTIVE SUMMARY

A petition with 63 signatures has been received, the petition request is as follows:

*"We the undersigned petition or request Council to outline the action that Council should take to create an indented paved and curbed parking space (large enough to allow for an ambulance/10 seater age care facility bus) prior to the start of the 2020 winter (that is prior to 1 June 2020) in the nature strip on the Eastern side of Adeline Street Greensborough immediately opposite the (Eastern side of Adeline Street) ramp entrance to Deloraine Aged Care".*

#### Resolution (CO2020/71)

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 Mark Di Pasquale

Seconded: Cr Tom Melican

CARRIED

## 3. PEOPLE – COMMUNITY STRENGTHENING AND SUPPORT

Nil

#### 4. PLANET – ENVIRONMENTAL SUSTAINABILITY

##### 4.1 DRAFT COMMUNITY CLIMATE ACTION PLAN - FOR PUBLIC EXHIBITION

*Statements were read on behalf of Rosamund Krivanek, David Mulholland and Anthony Lunken.*

##### EXECUTIVE SUMMARY

As part of the 10 December 2018 Climate Action Resolution (CO2018/267) Council requested investigation into how Banyule could support the community in working towards carbon neutrality and the development of a long term plan, in line with the C40 Climate Action Planning Framework.

Work has been undertaken over the last 8 months to inform a draft Community Climate Action Plan (CAP). This has included community consultation during 2018/19, seeking feedback on barriers to the uptake of certain actions.

The CAP identifies 32 draft actions across eight key themes. Together, these will create a thriving and responsive Banyule - one that is connected, inclusive and resilient, in the face of climate change. The draft Plan supports the recently endorsed Corporate Emissions Reduction Plan (2020 – 2023), which outlines priority actions for achieving Council's carbon neutrality target by 2028.

The draft is presented in this report for Council endorsement to commence public consultation.

##### **Resolution (CO2020/72)**

That Council

1. Endorse the draft Community Climate Action Plan (CAP) for a six week public consultation period;
2. Invite former participants of the focus groups and workshop sessions that informed the draft to provide feedback;
3. Promote the exhibition period via a range of digital platforms, including Facebook and e-newsletters.

Moved: Cr Peter Castaldo  
Seconded: Cr Tom Melican

CARRIED

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**5. PLACE – SUSTAINABLE AMENITY AND BUILT ENVIRONMENT****5.1 12-16 MOUNTAIN VIEW ROAD AND 1 ALLENS ROAD, MONTMORENCY - PROPOSED PART LAND EXCHANGE - PUBLIC SUBMISSIONS****EXECUTIVE SUMMARY**

A possible Land Exchange has been explored with the owners of 1 Allens Road, Montmorency (Landowner) to facilitate a future upgrade of the Montmorency Bowling Club (MBC).

The proposal involves exchanging Parcel A (168m<sup>2</sup>) ('Council Land') and Parcel B (146m<sup>2</sup>) (Owners' Land'). Refer Plan of Survey 8342 at Attachment 1.

The proposal provides an increased area of land in Parcel A to be exchanged for the Owners' Land in Parcel B. This compensates the Landowner for requiring them to enter a section 173 Agreement restricting Parcel A for garden, landscaping, patio, decking and swimming pool use only.

The statutory procedures under sections 189 and 223 of the *Local Government Act 1989* ('the Act') regarding the Land Exchange proposal has been completed.

Public notice was given in the "*Diamond Valley Leader*" on 1 April 2020. At the close of submissions on 29 April 2020, three written submissions were received.

The purpose of this report is for Council to consider the written submissions received. The submissions have been provided to Councillors.

A further report will be presented to Council on 15 June 2020 to resolve on the Land Exchange proposal.

**Resolution (CO2020/73)**

That

1. Council receive and consider three written submissions pursuant to section 223 of the *Local Government Act 1989* in response to the public notice given of the proposed Land Exchange proposal involving part of 12-16 Mountain View Road and 1 Allens Road Montmorency.
2. A further report be submitted to Council at its meeting on 15 June 2020 to resolve on the Land Exchange proposal.

Moved: Cr Craig Langdon  
Seconded: Cr Tom Melican

CARRIED

## 5.2 BELLFIELD PROJECT UPDATE: DELIVERY OF SOCIAL HOUSING

*A statement was read on behalf of Emma Samuel.*

### 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*.

As detailed in the 16 March 2020 Council report, an Expression of Interest (Eoi) to find a social housing provider was issued on 28 February 2020. The Eoi was sent to all 37 registered housing associations and providers registered under Victoria's regulatory system which is overseen by the State appointee, the Housing Registrar.

Submissions were received on 3 April 2020 and assessed by the Evaluation Panel against selection criteria previously agreed by Council on 28 October 2019. A shortlist of respondents has been agreed by the Panel. A probity advisor has had overview of the process and was present at the evaluation assessment meeting.

This report provides an update on the shortlisted respondents agreed by the Panel and details for the next stage of the process to select the social housing provider for delivery of social housing on Council-owned land through the Request for Proposal (RfP) process.

The development of social housing at Bellfield provides well targeted economic stimulus, delivering both social benefits and creating jobs. This project is one that could be rolled out in a timely manner, with funding from both State and Federal Governments being likely for community housing providers in the short term.

### Resolution (CO2020/74)

That Council

1. Notes the shortlist of providers for construction of social housing at Bellfield which have been selected by the Evaluation Panel and included as confidential Attachment 1.
2. Supports the progression of the social housing project to the Request for Proposal (RfP) Phase to enable selection of a preferred provider for delivery of social housing at Bellfield.
3. Notes the framework for the Contracts (both the Agreement for Lease and Lease documents) in this report and that the draft documents will be attached to the RfP.
4. Notes the timeline to be followed for the selection of the social housing provider, with appointment to occur in August 2020 following Council approval.

Moved: Cr Craig Langdon  
Seconded: Cr Peter Castaldo

CARRIED

### 5.3 CHANGES TO PLANNING REQUIREMENTS FOR NON GOVERNMENT SCHOOLS

#### EXECUTIVE SUMMARY

Currently, non-government schools located in Banyule are located in Residential zones and need planning permission from Council to use of the land for education and for buildings and works. Planning permits will often consider a student capacity and staff numbers are also conditions of planning permits based on the number of car spaces available on campus.

Reforms are now proposed by the State Government which seek to implement a fast-track assessment process for all non-government schools and broaden the Minister for Planning's role as Responsible Authority for new schools and significant expansions to existing schools.

While balancing the needs of Victoria's growing student population, the proposed provisions will diminish notification and review rights currently available to residents.

The changes also set out that the Minister for Planning will be the Responsible Authority for projects at existing schools with an estimated cost of \$4 million or greater. Council's role in this scenario would be limited to providing referral comments only.

The Department of Environment, Land, Water & Planning is seeking Council's views on the proposed changes by 22 May 2020. It is considered that a submission should be made raising concern in relation to changes to third party rights and also seek clarification on other aspects of the changes.

#### **Resolution (CO2020/75)**

That Council make a submission to Department of Environment, Land, Water & Planning raising in relation to the proposed permanent planning scheme provisions for non-government schools which:

1. Outlines concern in relation to the:
  - a) diminishing of the rights of residents to be involved in some planning permit applications.
  - b) diminishing of the rights of residents to seek a review of a decision by Council or the Minister for Planning.
  - c) absence of a trial period.
2. Seeks clarification in relation to the intended operation of the provisions with respect to:
  - a) Development Plan Overlays and existing Development Plans.
  - b) Changes sought to existing permits where staff or student numbers are proposed to be increased or a reduction is sought to the car parking rates set out in the Planning Scheme.
  - c) A use application where there is a low or no cost of works.
3. Seeks clarification in relation to the consideration of community views by the Department of Environment, Land, Water & Planning

Moved: Cr Peter Castaldo  
Seconded: Cr Tom Melican

CARRIED



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

Nil

**7. PERFORMANCE - USE OUR RESOURCES WISELY****7.1 MEETING PROCEDURES CODE (2015) - AMENDMENT****EXECUTIVE SUMMARY**

Council's Meeting Procedure Code (Code) governs the conduct of Council meetings including the rules of behaviour for those participating in or present at Council Meetings. The Code is incorporated in Banyule City Council Governance Local Law No.2 (2015).

The Governance Local Law and Meeting Procedures Code were made in April 2015.

The new *Local Government Act 2020* (LGA 2020) is now law and will be implemented in four stages. Stage one provisions came into effect on 6 April, the second stage which impacts Council's Meeting Procedures Code comes into effect on the 1 May.

The provision allowing for the calling of Special Council meetings in the *Local Government Act 1989* will be repealed on 1 May 2020 and is not covered in the new 2020 Act.

As part of the new Act, Council will be required to make Governance Rules, these rules are due by 1 September 2020. The Governance Rules will cover many elements of council meeting requirements.

In the interim to ensure Council has the ability to call Special Council Meetings, should they be required, the Meeting Procedure Code needs to be amended to include the provision for Special Council meetings.

This report outlines the proposed amendment and recommends adoption of the revised Code.

**Resolution (CO2020/76)**

That

1. Council adopts the reviewed Banyule Meeting Procedures Code which has been amended to allow for the calling of Special Council Meetings; and
2. A notice be published in the Victorian Government Gazette advising of the amendments to Council's Meeting Procedures Code, which is incorporated in Banyule City Council Governance Local Law No.2 (2015).

Moved: Cr Tom Melican  
Seconded: Cr Craig Langdon

CARRIED

## 7.2 COUNCIL'S POWERS OF DELEGATION - LOCAL GOVERNMENT ACT 2020 EXECUTIVE SUMMARY

The new *Local Government Act 2020* (the 2020 Act) is now law and will be implemented in four stages. Stage one provisions came into effect on 6 April, the second stage which impacts Council's Powers of Delegation came into effect on the 1 May.

Section 11(1)(b) of the 2020 Act provides for Council to delegate its powers, duties and functions to the Chief Executive Officer (CEO) or a Delegated Committee; and no longer provides for Council to delegate directly to members of Council staff.

The *Local Government Act 1989* (the 1989 Act) allowed Councils to delegate to Council staff certain powers by instrument of delegation. Under the 2020 Act this will occur by sub-delegation from the CEO under section 47(1).

There are numerous statutes which confer a responsibility on councils to take action or determine matters, it is not practical for the Council or the CEO alone to exercise the many statutory powers bestowed on Council.

A delegation of a council power enables a member of Council staff to act on behalf of Council and allows for the effective day to day functioning of Council. A delegated decision, once made, is for all legal purposes a decision of the Council.

The CEO Instrument of Delegation has been updated in-line with the changes to the 2020 Act.

All existing Council to Members of Staff Delegations remain in force until 1 September 2020 unless revoked sooner.

### Resolution (CO2020/77)

- A. In the exercise of the powers conferred by section 11(1)(b) of the *Local Government Act 2020* and the other legislation referred to in the attached Instrument of Delegation for the Chief Executive Officer, Council resolves that-
1. There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation*, subject to the conditions and limitations specified below:

*The delegate must not determine the issue, take the action or do the act or thing*

    1. *if the issue, action, act or thing is an issue, action, act or thing which involves*
      - 1.1 *awarding a contract exceeding the value of \$500,000;*
      - 1.2 *making any expenditure that exceeds \$500,000 (unless it is expenditure made under a contract already entered into or is expenditure which Council is, by or under legislation, required to make)*
      - 1.3 *appointing an Acting Chief Executive Officer for a period exceeding 28 days;*
      - 1.4 *electing a Mayor or Deputy Mayor;*
      - 1.5 *granting of a reasonable request for leave under section 35 of the Act;*
      - 1.6 *making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;*

- 1.7 *approving or amending the Council Plan;*
  - 1.8 *adopting or amending any policy that Council is required to adopt under the Act;*
  - 1.9 *adopting or amending the Governance Rules;*
  - 1.10 *appointing the chair or the members to a delegated committee;*
  - 1.11 *making, amending or revoking a local law;*
  - 1.12 *approving the Budget or Revised Budget;*
  - 1.13 *borrowing money;*
  - 1.14 *subject to section 181H(1)(b) of the Local Government Act 1989, declaring general rates, municipal charges, service rates and charges and specified rates and charges; or*
2. *if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;*
  3. *if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;*
  4. *if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a*
    - 4.1 *policy; or*
    - 4.2 *strategy**adopted by Council; or*
  5. *if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 11(2)(a)-(n) (inclusive) of the Act or otherwise; or*
  6. *the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.*
2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.
  3. On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
  4. The powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
- B. That Council review the Chief Executive Officer's Delegation within six months after the General election.

Moved: Cr Tom Melican  
Seconded: Cr Craig Langdon

CARRIED

**7.3 AUDIT & RISK ADVISORY COMMITTEE MINUTES - 13 MARCH 2020**

*A statement was read on behalf of Kevan Hill.*

**EXECUTIVE SUMMARY**

The Audit & Risk Advisory Committee is an Advisory Committee and its role is determined by the *Local Government Act 1989*. The responsibilities and terms of reference of the Audit & Risk Advisory Committee are defined in the Committee's Charter.

With the introduction of the new *Local Government Act 2020* (Act) new provisions have been legislated for Audit & Risk Committees which take effect on 1 September 2020. These changes include the requirement for a new committee charter, and changes to the membership compilation of these committees. The changes will be reported to Council later in the year.

The Minutes of the meeting of the Audit & Risk Advisory Committee are required to be reported to a Council Meeting.

Consequently, the Minutes of the meeting held on the 13 March 2020 are being circulated for noting by Council, though they are subject to confirmation by the Audit & Risk Advisory Committee at its meeting being held in 19 June 2020.

**Resolution (CO2020/78)**

That Council note the Minutes of the Audit & Risk Advisory Committee meeting held on the 13 March 2020.

Moved: Cr Craig Langdon

Seconded: Cr Mark Di Pasquale

CARRIED

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**7.4 CONTRACT NO 1038-2020 KALPARRIN EARLY CHILDHOOD INTERVENTION CENTRE REDEVELOPMENT****EXECUTIVE SUMMARY**

This report is to consider the awarding of Contract No 1038-2020 for Kalparrin Early Childhood Intervention Centre redevelopment, the project is located at 1 Kalparrin Avenue, Greensborough”.

Public tenders were advertised for Kalparrin Early Childhood Intervention Centre redevelopment, Greensborough in The Age newspaper on Saturday, 15 February 2020, as well as on the Banyule website.

Tender applications closed on 18<sup>th</sup> March 2020, and submissions were received from ten (10) contractors, one (1) contractor has been select to deliver the services to Council under this contract.

**Resolution (CO2020/79)**

That:

1. Contract No. 1038 - 2020 for Kalparrin Early Childhood Intervention Centre redevelopment, 1 Kalparrin Avenue, Greensborough be awarded to Alchemy Construct Pty Ltd for a lump sum of \$676,023.00 (excluding GST).
2. The Director of Assets & City Services be authorised to sign the contract and any other associated documents.

Moved: Cr Mark Di Pasquale

Seconded: Cr Tom Melican

CARRIED

**7.5 CONTRACT NO 1031-2020 ASPHALT RE-SURFACING PROGRAMME**

*A statement was read on behalf of Jenny Mulholland.*

**EXECUTIVE SUMMARY**

This report is to consider the awarding of Contract 1031-2020 Asphalt Re-Surfacing Programme for the period ending 30 June 2021, including the option to extend the contract to 30 June 2024 based on satisfactory performance and meeting Council objectives.

Council sought Tenders from experienced contractors to appoint a contractor for asphalt re-sheets, major patching of road pavements and large bitumen projects such as roundabouts, car parks and right of ways.

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

- Council's proposed 2020 to 2024 residential street program for re-sheets, rehabilitations and Roads to Recovery works (Schedule of Rates)
- Asphaltting and roto milling works at single locations such as roundabouts, car parks and right of ways throughout the Municipality (Schedule of Rates).

Tenders were received from nine (9) companies and one (1) company has been chosen to deliver the services to Council under this contract.

**Resolution (CO2020/80)**

That:

1. The Contract 1031-2020 Asphalt Re-surfacing programme, for the initial period of 1 year commencing on 1 July 2020 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 be awarded to Asphaltech based on their submitted schedule of rates
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.

Moved: Cr Peter Castaldo  
Seconded: Cr Craig Langdon

CARRIED

**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**

<b>1</b>	<b>Date of Assembly:</b>	27 April 2020, 6.33pm
	<b>Type of Meeting:</b>	Councillor Briefing
	<b>Matters Considered:</b>	
	Items on the Council Agenda for the Ordinary Meeting of 27 April 2020 (excluding confidential items) as listed below:	
	3.1 Maternal and Child Health – Sleep Settling Initiative	
	5.1 59 Kelvin Avenue, Montmorency – Development of Three Dwellings (P1002/2019)	
	5.2 New Telstra Payphones and Electronic Signage – Various Locations	
	5.3 Amendment C124 Part 1 – Public Open Space Zoning Corrections	
	5.4 Bellfield Planning Scheme Amendment C153 – Panel Report and Adoption of Amendment	
	7.1 Bellfield – Decision following Notice of Intention to Sell Land for Residential Development and Notice of Intention to Lease Land for Social Housing	
	<b>Councillors Present:</b>	
	Peter Castaldo	
	Alison Champion	
	Mark Di Pasquale	
	Rick Garotti	
	Craig Langdon	
	Tom Melican	
	Wayne Philips	
	<b>Staff Present:</b>	
	Allison Beckwith - <i>Chief Executive Officer</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 Ferlino – <i>Governance Coordinator</i>	
	Emily Outlaw – <i>Council Business Team Leader</i>	

<b>Others Present:</b>	
Nil	
<b>Conflict of Interest:</b>	Nil

<b>2</b>	<b>Date of Assembly:</b>	4 May 2020, 6.37pm
	<b>Type of Meeting:</b>	Councillor Briefing
	<b>Matters Considered:</b>	
	Items on the Council Agenda for the Special Meeting of 4 May 2020 (excluding confidential items) as listed below:	
	6.1 Council Plan 2017-2021 (Year 4) – For Public Exhibition	
	6.2 Proposed Budget 2020/2021 – For Public Exhibition	
	<b>Councillors Present:</b>	
Peter Castaldo Alison Champion Mark Di Pasquale Rick Garotti Craig Langdon Tom Melican		
<b>Staff Present:</b>		
Allison Beckwith - <i>Chief Executive Officer</i> Marc Giglio – <i>Director Corporate Services</i> Kath Brackett – <i>Director Community Programs</i> Gina Burden – <i>Manager Governance &amp; Communication</i> Tania O'Reilly – <i>Manager Finance &amp; Procurement</i> Emily Outlaw – <i>Council Business Team Leader</i>		
<b>Others Present:</b>		
Nil		
<b>Conflict of Interest:</b>	Nil	

**Resolution (CO2020/81)**

That the Assembly of Councillors report be received.

Moved: Cr Craig Langdon  
Seconded: Cr Peter Castaldo

CARRIED

**Councillor Castaldo left the Chamber at 8:37 pm.**



**8. SEALING OF DOCUMENTS**

**8.1 SEALING OF DOCUMENTS**

**Resolution (CO2020/82)**

That the Common Seal of the Banyule City Council be affixed to:

1. Deed of Consent to Sublease between Banyule City Council, Australian Unity Investment Management Administration Pty Ltd and Idameneo.
2. The Deed of Renewal of Lease between Banyule City Council and Visy Paper Pty Ltd for the renewal of the lease for the Materials Recovery Facility located on part of the Council owned land known as 325 Waterdale Road, Ivanhoe for the term of three years commencing on 1 July 2020 and ending 30 June 2023.

Moved: Cr Mark Di Pasquale

Seconded: Cr Tom Melican

CARRIED

***Councillor Castaldo returned to the Chamber at 8:39 pm.***

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## 9. NOTICES OF MOTION

### 9.1 GAMBLING HARM AND COVID-19

*Statements were read on behalf of Ted Smart, David Mulholland and Rosamund Krivanek.*

**Cr Langdon submitted a notice of motion.**

#### **Resolution (CO2020/83)**

That Council

1. Write to the Victorian Government to:
  - a) Ensure that any financial assistance offered to businesses with gambling interests as part of a COVID-19 recovery package, is conditional on permanently reducing gambling harm such as reducing, surrendering and extinguishing EGM entitlements/licenses. and;
  - b) Enact a moratorium on VCGLR applications on Gaming licences until the social and economic impacts of COVID-19 can be determined, or at least until outbreaks of the pandemic are over, the economy has fully recovered and unemployment levels are significantly reduced.
2. Write to the Federal Government requesting that they:
  - a) Empower and sufficiently resource Australian Communications and Media Authority (ACMA) to block illegal gambling websites and promote community education around the harms and risks;
  - b) Implement a temporary moratorium, with consideration to making it permanent on online wagering advertisements given the increased vulnerability of Australians to gambling harm during this crisis and absence of professional sport leading to increasingly risky markets and;
  - c) Implement stronger safeguards to protect users of simulated gambling products such as online poker machine apps including restricting access to children, issuing consumer warnings and consider blocking such apps.
3. Write to:
  - a) The Federal Opposition and the Local Member for Jagajaga and all State Senators seeking their support for this resolution;
  - b) The State Opposition and all State Members of Parliament who represent the City of Banyule also seeking their support for this resolution;
4. That a further report be presented to Council on the response to this resolution.

Moved: Cr Craig Langdon  
Seconded: Cr Peter Castaldo

CARRIED

**10. GENERAL BUSINESS**

Nil

**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 and adjourn for five minutes to allow the public to leave the Chamber prior to considering confidential item 11.1.

*The Meeting was adjourned at 8.57pm.*

*The Meeting was closed to the public at 8.57pm.*

**Closure of Meeting**

The Meeting was closed at 9.21pm.

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

.....  
MAYOR

*The next Ordinary Meeting of Council will be held on Monday, 15 June 2020.*

## PUBLIC QUESTION TIME

<b>1</b>	<p><b>Name &amp; Suburb</b></p> <p>Carole Alt - Ivanhoe</p>
	<p><b>Question:</b></p> <p>How are you financially supporting staff that have been stood down from Council facilities that are closed due to COVID-19, for example leisure facility staff?</p>
	<p><b>Response:</b></p> <p>As a result of the government directions of Leisure centres have been required to close. To support those employees impacted by this direction Council continued to pay employees for their rostered shifts for a further 2 week period once the centre was closed.</p> <p>Unfortunately Council is not eligible for the JobKeeper program as outlined by the Federal Government. However, following this initial 2 week period employees have been provided the option to utilise any paid leave entitlements such as annual or long service leave they had available before going onto unpaid leave.</p> <p>We have also offered a number of redeployment options to staff to take up alternate duties on a temporary basis while the centres remain closed.</p> <p>This has allowed for a number of staff to return to work in some capacity if they wished and retain hours similar to their usual working hours at the leisure centre.</p> <p>In addition we have also arranged for a number of corporate training modules to be made available online for employees to undertake from home, for which they will be paid for their time completing these modules.</p> <p><i>Marc Giglio – Director Corporate Services</i></p>
<b>2</b>	<p><b>Name &amp; Suburb</b></p> <p>Kevan Hill - Ivanhoe</p>
	<p><b>Question:</b></p> <p>What is Council's latest estimate of the total cost of the Ivanhoe Library and Cultural Hub project, including all budget allocations, total labour capitalization, and any other to-date or planned expenditures on services, equipment or consultants that is thus far, or will be related to the project at completion?</p>
	<p><b>Response:</b></p> <p>The contract sum to the Buxton for the construction of the library, demolition of the old library, associated carpark repairs and landscape works is \$29.34M. When other associated costs are considered, the forecast spend for the full project is approximately \$34.5M. The project is currently about 60% complete and it is expected that the final cost will be below the budgeted amount for the project.</p> <p><i>Geoff Glynn – Director Assets &amp; City Services</i></p>

3	<p><b>Name &amp; Suburb</b></p> <p>David Mulholland - Heidelberg Heights</p> <p><b>Question:</b></p> <p>Could Council please confirm what the total cost of the Climate Change/Carbon Neutral spend in the budget, including all budget allocations from capital works, initiatives and total labour capitalisation?</p> <p><b>Response:</b></p> <p>The total proposed 2020/2021 budget for Climate Change and Carbon Neutral expenditure is \$3,189,498. This includes items that were already budgeted in operating and a portion of the \$5m Climate Action Package introduced last financial year.</p> <p>The breakdown includes, \$136,498 in operating; \$2,307,000 in capital works (which includes \$106,000 in Labour capitalisation), \$746,000 in initiatives and \$480,000 of carry forward works from 2019/2020.</p> <p><i>Scott Walker – Director City Development</i></p>
4	<p><b>Name &amp; Suburb</b></p> <p>Jenny Mulholland OAM - Ivanhoe</p> <p><b>Question:</b></p> <p>Given that Banyule is one of the highest municipalities for COVID-19 cases in Victoria what additional cleaning, sanitising and disinfecting of high touch points such as traffic signal buttons, street seats, litter bins and other street furniture are Council undertaking in all shopping centres and other public places in Banyule to protect the health and safety of its citizens?</p> <p><b>Response:</b></p> <p>A Community Cleaning Blitz around Banyule started last Thursday and will be running 7 days a week for the next four weeks. This is an initiative under the Working for Victoria program to create jobs and provide a service to the community. It will involve cleansing our local shopping areas from Ivanhoe to Greensborough by cleaning and disinfecting high touch surfaces including street furniture, hand rails, traffic light buttons and front door handles of buildings. This will complement our existing cleaning activities undertaken by our staff.</p> <p>However, cleaning of common touch areas does not replace the need for the public to continue to wash and/or sanitising their hands after touching common touch public surfaces and avoid touching their face.</p> <p><i>Geoff Glynn – Director Assets &amp; City Services</i></p>

<b>5</b>	<p><b>Name &amp; Suburb</b></p> <p>Emma Samuel - Ivanhoe</p>
	<p><b>Question:</b></p> <p>I am concerned part of Darebin Parklands near Curzon Street Ivanhoe has been rezoned and sold by Council to a private citizen? How and why has this been allowed to occur?</p>
	<p><b>Response:</b></p> <p>The land in question is a small section of land at the rear of 7a Curzon Street, Ivanhoe. It has an area of 38m2 and is part of a larger parcel of Council owned land at 1 Liberty Parade, Ivanhoe (Darebin Creek Reserve). The section of land is currently occupied by and licenced to the neighbouring property.</p> <p>Council is yet to consider and make a decision on the potential sale of land. What has been progressed, but not yet completed, is a process to rezone the land.</p> <p>The proposed rezoning has followed a public process that commenced in 2017. The land was originally included in Amendment C124 to the Banyule Planning Scheme and is now the subject of its own sub-process, referred to now as 'Amendment C124 - Part 2', which is just considering the land in question. The Minister for Planning will make the final decision on it and not until Council has considered whether to sell the land. (as outlined further below).</p> <p>The rezoning has been the subject of three Council Reports enabling decisions to be made in a transparent, public and explicit manner:</p> <ul style="list-style-type: none"> <li>• 11 December 2017 – report to seek authorisation to commence Amendment C124 – including public exhibition.</li> <li>• 24 June 2019 – report on the exhibition of C124 and resolution to split amendment into 2 parts, included a detailed discussion of the land at the rear of 7a Curzon Street.</li> <li>• 18 November 2019 – six-page report focussed solely on the land at rear of 7a Curzon Street, outlining the next steps in the process to facilitate the rezoning and potential sale of land.</li> </ul> <p>The potential sale of the land will be subject to further Council reports and public notice in accordance with the Local Government Act 1989. This includes public notice of intention to sell, consideration of submissions and decision on whether or not to sell the land.</p> <p>All decisions have been made as appropriate at Council Meetings and are a matter of public record. The community has also been well informed through the public exhibition of Amendment C124 which ran for 6 weeks and included an A1 sign at the front of 7a Curzon Street, approximately 4,100 letters to adjoining properties of all 155 properties in the amendment, and a page on the Shaping Banyule website, where the land is clearly identified for proposed rezoning to facilitate the potential sale of the land.</p> <p><i>Scott Walker – Director City Development</i></p>

<b>6</b>	<p><b>Name &amp; Suburb</b></p> <p>Kevin Biaggini - Ivanhoe</p> <hr/> <p><b>Question:</b></p> <p>Are Council traffic officers issuing parking infringement notices to hospital workers for parking in streets near the Austin Hospital during the COVID-19 crisis?</p> <hr/> <p><b>Response:</b></p> <p>The current focus of parking enforcement is on restrictions that ensure roads are kept safe and that prioritise access to services.</p> <p>This has meant that longer term timed parking around the hospitals are not currently being enforced. As such parking infringement notices are not being issued to hospital workers parking in these timed parking areas near the Austin.</p> <p>However, our expectation is that all motorists comply with all parking restrictions where possible. We also note that the Austin has a process for their staff to park in their carparks.</p> <p>It is expected that there will be a return to regular enforcement in line with the return to school and reopening of businesses.</p> <p><i>Scott Walker – Director City Development</i></p>
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