

# Agenda



**Monday, 22 March 2021 7.00pm**

## Ordinary Meeting of Council

Olympia, Hawdon & Ibbott Rooms

Level 4, 1 Flintoff Street, Greensborough

## **Acknowledgement of the Traditional Custodians**

*“Our meeting is being held on the Traditional Land of the Wurundjeri Woi-wurrung people and, on behalf of Banyule City Council, I wish to acknowledge them as the Traditional Custodians. I would also like to pay my respects to the Wurundjeri Woi-wurrung Elders, past, present and emerging, and to acknowledge other Aboriginal and Torres Strait Elders joining us today.”*

## **Diversity Statement**

*“Banyule is a diverse community, made up of people from different cultures, beliefs, abilities, bodies, ages, sexualities, genders and identities. Council is committed to inclusion, access and equity for everyone. These principles foster cohesiveness, empower people and improve the wellbeing of the Banyule Community.”*

## **Apologies and Leave of Absence**

## **Confirmation of Minutes**

*Ordinary Meeting of Council held 1 March 2021*

## **Disclosure of Interests**

### **1. Urgent Business**

#### **REPORTS:**

### **2. Petitions**

Nil

### **3. People – Community Strengthening and Support**

Nil

### **4. Planet – Environmental Sustainability**

Nil

### **5. Place – Sustainable Amenity and Built Environment**

- |     |   |    |
|-----|---|----|
| 5.1 | 93 Watsonia Road WATSONIA - Packaged Liquor License (P1550/2020).....           | 5  |
| 5.2 | Minor Corrections to Amendment C120 - Postcode 3081 Urban Design Framework..... | 14 |

### **6. Participation – Community Involvement in Community Life**

- |     |  |    |
|-----|--|----|
| 6.1 | Banyule 2041 Shaping Our Future - Stage 1 Community Engagement Findings..... | 17 |
| 6.2 | Yarra Plenty Regional Library Board & Audit Committee Vacancy .....          | 24 |

### **7. Performance - Use Our Resources Wisely**

- |     |  |    |
|-----|--|----|
| 7.1 | Proposed Leases - Skye Children's Cooperative Ltd and Children's Protection Society Inc t/as Kids First Australia (Fairy Hills Preschool)..... | 27 |
| 7.2 | Procurement of Energy through Power Purchase Agreements ...  | 31 |
| 7.3 | Award of Contract No. 1089-2020 - Managed Tyre Service for Council Fleet.....  | 34 |

7.4	Award of Contract No. 1070-2020 - Automotive Smash Repairers, Vehicle Detailing and Towing Services .....	39
7.5	Award of Contract No. 1084-2020 - Provision of Hire of Plant and Operator .....	45
7.6	Award of Contract No. MAV NPN 2.15-2 - Provision of Heavy Plant Machinery and Equipment .....	50
7.7	Extension of Contract No. 0999-2020 - The Centre Ivanhoe - Venue Management, Catering and Hospitality Services.....	55
7.8	Highlights Report - New Council Term .....	58
7.9	Record of Councillor Meetings .....	67

**8. Sealing of Documents**

Nil

**9. Notices of Motion**

Nil

**10. General Business**

**Matters Discussed in Camera**

That all confidential matters and reports related to the above items remain confidential unless otherwise specified.

**Closure of Meeting**

***Live Streaming of Council Meeting***

*Please note that the Council Meeting will be livestreamed to ensure compliance with the Government's COVID -19 restrictions.*

*The livestream will be available on Council's Facebook and website*

*[www.banyule.vic.gov.au](http://www.banyule.vic.gov.au)*

*The next Ordinary Meeting of Council will be held on Monday, 12 April 2021.*

## **5.1 93 WATSONIA ROAD WATSONIA - PACKAGED LIQUOR LICENSE (P1550/2020)**

Author: Walla Idris - Development Planner, City Development

Ward: Bakewell

---

### **SUMMARY**

1. A planning permit was received by Council. The application seeks approval for a packaged liquor license from the site at 93 Watsonia Road, Watsonia. Planning permission for a liquor licence is required in accordance with Clause 52.27 - Licensed Premises.
2. The following operating hours are proposed:  
  
Monday – Saturday: 9am - 11pm  
Sunday: 10am - 11pm  
ANZAC Day: 12 noon - 11pm  
Good Friday and Christmas Day: No trade
3. A total of 15 objections have been received during public notification. Amenity concerns regarding intensification of use as a function centre, noise, overflow car parking and disorderly behaviour were predominantly raised in the objections.
4. Subject to the conditions requiring reduced trading hours, it is considered that the proposal should be supported.

### **RECOMMENDATION**

That Council having complied with Section 52, 58, 60, 61 and 62 of the Planning and Environment Act 1987, resolve to issue a **Notice of Decision** to Grant a Planning Permit in respect of Application No. P1550/2020 to allow the sale of packaged liquor at 93 Watsonia Road WATSONIA subject to the following conditions:

#### **General plans**

1. The red line area as shown on the endorsed plans or described in the endorsed documents must not be altered or modified except with the written consent of the Responsible Authority.

#### **ONGOING REQUIREMENTS OF THIS PERMIT**

##### **Hours of Operation (Liquor License)**

2. The Packaged Liquor Licence must only operate between the following hours unless with the further written consent of the Responsible Authority:

**93 WATSONIA ROAD WATSONIA - PACKAGED LIQUOR LICENSE (P1550/2020)**  
cont'd

Monday – Saturday: 9:00am – 10:00pm

Sunday: 10:00am – 9:00pm

**Permit Expiry**

3. In accordance with section 68 of the Planning and Environment Act 1987, this permit will expire if one of the following circumstances applies:
- The use is not commenced within two years of the date of this permit; or
  - The use is discontinued for a period of two years.

**PERMIT NOTES**

**N1 Expiry of Permit**

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

- (a) Before the permit expires, or
- (b) Within six months afterwards, or
- (c) Within 12 months afterwards if the development started lawfully before the permit expired.

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

**N3 Health Approval Required**

Prior to the commencement of the development or use you may be required to obtain the necessary Council Health Department approvals.

**N5 Noise Levels**

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

**N6 No Additional Signage**

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

**93 WATSONIA ROAD WATSONIA - PACKAGED LIQUOR LICENSE (P1550/2020)**  
cont'd

**N7 Banyule Liquor Industry Accord**

The owner/applicant of the subject site should join and comply with the Banyule Liquor Industry Accord, which requires the member to serve liquor in a responsible manner. For further information contact the Banyule District Inspector on 9450 8150.

<b>Planning Permit Application:</b>	P1550/2020
<b>Development Planner:</b>	Ms Walla Idris
<b>Address:</b>	93 Watsonia Road WATSONIA
<b>Proposal:</b>	Change of use to allow sale of packaged liquor
<b>Existing Use/Development:</b>	Vacant
<b>Applicant:</b>	Mr Bruce Lowe
<b>Notification (Advertising):</b>	Sign on site Notices to surrounding properties
<b>Objections Received:</b>	15
<b>External Referrals:</b>	No
<b>Ward:</b>	Bakewell

**PROPOSAL**

- The planning permit application seeks approval for a packaged liquor licence.
- Proposed hours of operation:

Monday - Saturday	9am - 11pm
Sunday:	10am - 11pm
ANZAC Day	12 noon - 11pm
Good Friday and Christmas Day	No trade

- The 'red line' area is located over the entire floor area.
- Buildings and works are not proposed as part of the application.
- The proposal does not seek approval for dispensation of car parking requirements or installation of any new signs.

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

- The *Local Government Act 2020* (the Act) requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

**93 WATSONIA ROAD WATSONIA - PACKAGED LIQUOR LICENSE (P1550/2020)  
cont'd**

- Council officers involved in the preparation of this report have no conflict of interest in this matter.

**BACKGROUND**

- The site was previously occupied by a Newsagency that has since vacated. The use of the land as a Bottle Shop is “as of right” in accordance with the Commercial 1 Zone and does not require a planning permit.
- Planning Permit application P1550/2020 was received by Council on 11 December 2020. The application seeks approval for the sale of packaged liquor.
- There are no previous planning permits on the site.

**SUBJECT SITE AND SURROUNDING AREA**



**Figure 1: Locality Plan**

- The subject site is located on the west side of Watsonia Road. The site consists of a single storey built form with a large awning that is almost two-storeys in height on the front façade.
- The site is located in a commercial strip referred to as the Watsonia Shopping Centre. Adjacent commercial use is Andres IGA Supermarket which includes the sale of packaged liquor to the north. Other licensed venues in the vicinity include Liquorland (240m south) and Watsonia RSL (90m west).
- The east side of Watsonia Road is defined by single storey residential brick dwellings with some examples of recent multi-dwelling developments at 90 Watsonia Road.

**93 WATSONIA ROAD WATSONIA - PACKAGED LIQUOR LICENSE (P1550/2020)  
cont'd**

- The following Figure 1 and 2 describe the operating hours of nearby packaged liquor venues:

<b><i>IGA Supermarket - 97 Watsonia Road</i></b>		
	VCGLR trading hours	Online advertised hours
Monday - Saturday	9am - 11pm	8am - 8pm
Sunday:	10am - 11pm	9am - 7pm
ANZAC Day	12 noon - 11pm	-
Good Friday and Christmas Day	No trading	-

**Figure 2: IGA Supermarket packaged liquor trading hours**

<b><i>LiquorLand - 35 Watsonia Road</i></b>		
	VCGLR trading hours	Online advertised hours
Monday - Saturday	9am - 11pm	9am - 9pm ( <i>and 10pm close on Saturday</i> )
Sunday:	10am - 11pm	10am - 9pm
ANZAC Day	12 noon - 11pm	-
Good Friday and Christmas Day	No trading	-

**Figure 3: LiquorLand packaged liquor trading hours**

- It is noted both Liquorland and IGA maintain reduced trading hours compared to those advertised online.



**93 WATSONIA ROAD WATSONIA - PACKAGED LIQUOR LICENSE (P1550/2020)  
cont'd**

**PUBLIC NOTIFICATION**

- Public notification was undertaken in accordance with Section 52 of the Act. One sign was erected on the site and notices posted to the owners and occupiers of surrounding properties. To date 15 objections have been received. Grounds of objection are summarised as follows:
  - Potential anti-social behaviour
  - Increased crime
  - Inappropriate location
  - Proximity to residential area
  - Excessive concentration of bottle shops
  - Competing adjacent uses

**REFERRAL COMMENTS**

**Victorian Commission for Gambling and Liquor (VCGLR)**

- As the application (under Clause 52.27) is not in association with a hotel, tavern or nightclub that is to operate after 1am, no referral to the Victorian Commission for Gambling and Liquor Regulation Authority is required.

**Environmental Health**

- The application was referred to Council's Environmental Health Department who had no objection to the application. The proposal is for the sale of packaged low risk food (class 4 business), which includes liquor.

**Economic Development**

- Informal comment provided from the Eco-Dev did not raise any objection to the proposal. It is noted the new bottle shop will result in increased commercial competition and consumer choice at the Watsonia Shopping strip and will activate a shop which is currently vacant.

**PLANNING CONTROLS**

- The proposed planning application is to be considered in context of the current planning controls applying to the land which are outlined in the table below.

<b>Zone</b>	Commercial 1 Zone (C1Z)
<b>Overlays</b>	Development Contributions Plan Overlay – Schedule 1 (DCPO1)
<b>Particular Provisions</b>	52.27 Licensed Premises
<b>SPPF, LPPF &amp; MSS</b>	<ul style="list-style-type: none"><li>• Clause 11 Settlement;</li><li>• Clause 15 Built Environment and Heritage</li><li>• Clause 17 Economic Development</li><li>• Municipal Strategic Statement</li></ul>

**93 WATSONIA ROAD WATSONIA - PACKAGED LIQUOR LICENSE (P1550/2020)  
cont'd**

**TECHNICAL CONSIDERATION**

**RESPONSE TO POLICY FRAMEWORK**

- The proposed use is generally consistent State and Local Planning Policies seeking to encourage and support economic development.
- The proposal accords with the strategic framework objectives and strategies which seek to support a diversity of retail uses and developments in activity and neighbourhood centres throughout the Municipality.
- The use of the land as a bottle shop is an as of right use within the zone. The proposal responds appropriately to the planning policy framework by providing a new business within the Commercially Zoned land.

**LAND USE**

- The subject site is located in the Commercial 1 Zone (C1Z). A Bottle Shop is classified as a retail premise and is a Section 1 Use in the zone. Therefore, a planning permit is not required for the use.
- No internal or external buildings and works are proposed that requires a planning permit pursuant to the C1Z.

**AMENITY IMPACTS**

- A planning permit is required under Clause 52.27 – Licensed premises to sell packaged liquor.

**Amenity of the surrounding area.**

- The proposed liquor license is considered to have minimal impact on the amenity of the surrounding area. The subject site is located within the Commercial 1 Zone where a bottle shop use does not require a permit. The sale of packaged liquor is therefore considered to be appropriately located. Further, the subject site is located within the Watsonia Shopping Centre and is surrounded by commercial uses.
- The surrounding area to the subject site includes other retail uses along Watsonia Road such as cafes and restaurants, a local supermarket, bottle shop and other speciality stores. The nearest residential dwellings are located to the east of the site of Watsonia Road. The dwellings are approximately 20m from the pedestrian entrance to the site. As the site does not propose the consumption of liquor on site or associated footpath trading the amenity impacts are considered to be minimal for the residential setting.

**Hours of operation**

- The proposed operating hours, particularly the closing times of 11pm 7 days a week is inconsistent with current pre-existing liquor licenses in the local area.
- The applicant has indicated that it is unlikely that trade will occur up to 11 pm and a condition could be included to reduce operating hours to 9am - 10pm on Monday to Saturday, and 10am – 9pm on Sunday. Operating hours would then be consistent with bottle shops in the centre.

**93 WATSONIA ROAD WATSONIA - PACKAGED LIQUOR LICENSE (P1550/2020)  
cont'd**

**Cumulative impact of any existing licensed premises**

- The proposed packaged liquor licence is not considered to result in negative cumulative impacts of licensed premises on the surrounding area.
- There are three existing licensed premises along Watsonia Shopping Centre (400m strip) including IGA, Watsonia RSL and Liquorland. Only two of these premises have packaged liquor licenses. As such, it is considered that a packaged liquor license for the subject site would not result in an excessive amount of liquor sales in the area or result in traffic, amenity and safety concerns. The site is also located in an area designated as the 'Watsonia Alcohol Free Zone' therefore the consumption of alcohol is prohibited around the site.
- There is also considered to be ample parking available during the primary operating hours of the store with parking along Watsonia Road and overflow rooftop parking at the corner of Watsonia and Tennyson Street.

**OBJECTORS CONCERNS**

- The majority of objectors' concerns have been addressed above, however the following require further discussion:

**Potential anti-social behaviour**

- The proposed liquor licence is considered unlikely to result in anti-social behaviour and negatively impact upon the amenity of the local area as the permit does not permit the consumption of alcohol in or around the premises (on-street). The broader social impacts of alcohol consumption are not able to be considered under the planning permit process.

**Increased crime**

- The proposed liquor licence is not considered to result in increased crime in the local area. It is considered unlikely that patrons of the bottle shop will cause physical damage to neighbouring properties.

**Inappropriate location**

- The subject site is located within the Commercial 1 Zone and is thus considered to be appropriately located. There are a small number of existing licensed premises along the commercial strip.

**Competing uses**

- The commercial viability of new bottle shop use in the immediate vicinity of existing bottle shop is not a planning consideration. The cumulative impacts of licensed premises are discussed in the Amenity Impacts section above.

**CONCLUSION**

- The application has been assessed to be in general accordance with the State and Local Planning Policy Frameworks and the planning controls relevant to the land and the application. It is considered that with the appropriate planning permit conditions in place the application will not cause unacceptable detriment to surrounding landowners or the character of the neighbourhood and it will support

**93 WATSONIA ROAD WATSONIA - PACKAGED LIQUOR LICENSE (P1550/2020)  
cont'd**

the economic viability of the Watsonia Activity Centre. For these reasons the application should be supported.

**ATTACHMENTS**

<b>No</b>	<b>Title</b>	<b>Page</b>
.		
<a href="#">1</a>	93 Watsonia Road WATSONIA - Advertised Plans - P1550/2020	
<a href="#">2</a>	93 Watsonia Road WATSONIA - Advertised Documents - P1550/2020	

## **5.2 MINOR CORRECTIONS TO AMENDMENT C120 - POSTCODE 3081 URBAN DESIGN FRAMEWORK**

Author: Klover Apostola - Strategic Planner, City Development

### **Previous Items**

Council on 16 Sep 2019 7.00pm (Item 5.1 - Amendment C120 - Postcode 3081 - Panel Report)

---

### **SUMMARY**

1. Banyule Planning Scheme Amendment C120 (C120) implemented the built form and landscape guidance of the Postcode 3081 Urban Design Framework (UDF) in the Banyule Planning Scheme.
2. C120 was exhibited in 2018 before being referred to a Planning Panel for review. The Panel recommended changes to the amendment, which were adopted by Council.
3. The updated amendment was then sent to the Minister for Planning for approval. Further refinements were made during this approval process, which has resulted in some technical errors.
4. C120 was approved by the Minister and included in the Banyule Planning Scheme on 15 October 2020. The technical errors have since been identified.
5. Council can request that the Minister correct these errors through a streamlined amendment process known as a 'prescribed amendment'.
6. The corrections to be included will ensure that the controls in the Banyule Planning Scheme align with the controls that were supported by the Planning Panel and adopted by Council at its meeting on Monday 16 September 2019.

### **RECOMMENDATION**

That Council request the Minister for Planning prepare a prescribed amendment to correct the technical errors made during the approval of Planning Scheme Amendment C120.

### **COUNCIL PLAN**

- This report is in line with Banyule's Council Plan key direction to "Preserve and improve Banyule as a great place to live, work and play".

**MINOR CORRECTIONS TO AMENDMENT C120 - POSTCODE 3081 URBAN DESIGN FRAMEWORK cont'd**

**BACKGROUND**

- Banyule Planning Scheme Amendment C120 – Postcode 3081 Urban Design Framework (C120) implements the built form and landscape guidance of the Postcode 3081 Urban Design Framework (UDF) in the Banyule Planning Scheme to assist in guiding housing change and the preferred character in Heidelberg West, Bellfield and Heidelberg Heights.
- It was exhibited in 2018 and a number of submissions were received. It was then referred to a Planning Panel for review. The Panel recommended changes to the amendment, which were adopted by Council on 16 September 2018.
- The updated amendment was then sent to the Minister for Planning for approval. It was approved by the Minister for Planning and included in the Banyule Planning Scheme on 15 October 2020.
- Council did not see the final version of the approved amendment until it was included in the Planning Scheme.

**KEY ISSUES**

- Refinements were made to C120 during the State Government's approval process, which has resulted in some technical errors. These can be corrected through a streamlined amendment process known as a 'prescribed amendment', which can be progressed under section 20A of the *Planning and Environment Act 1979*.
- This will include corrections to place names, wording, formatting and setback requirements in schedules 15, 16 and 17 of the Design and Development Overlay (DDO15, DDO16 and DDO17).
- A request for the preparation of a prescribed amendment must be sent to the Minister for Planning. It will then follow a streamlined process to approval and inclusion in the Banyule Planning Scheme.
- The corrections to be included will ensure that the DDO15, DDO16 and DDO17 align with the changes that were supported by the Planning Panel and adopted by Council at its meeting on Monday 16 September 2019.
- Most of the corrections will have minimal impact and will simply improve the readability and operation of the controls. The corrections to DDO16 and DDO17 will increase the preferred minimum rear setback from 2 metres (or 3 metres where lots are being consolidated) to 6 metres. It appears the current rear setback has been incorrectly carried across from DDO15.

**SUPPORTING REPORT DETAILS**

**Legal Consideration**

- Section 20A of the *Planning and Environment Act 1979* (the Act) enables the Minister for Planning to prepare prescribed amendments, which are exempt from the exhibition and notice requirements of sections 17, 18 and 19 of the Act.
- The *Planning and Environment Regulations 2015* (the Regulations) prescribe a class or classes of amendment to a planning scheme for the purposes of section 20A of the Act.

**MINOR CORRECTIONS TO AMENDMENT C120 - POSTCODE 3081 URBAN DESIGN FRAMEWORK cont'd**

- Regulation 8(1)(a) of the Regulations states that:
  - (1) *For the purposes of section 20A(1) of the Act, the prescribed classes of amendment are—*
    - (a) *an amendment to correct an obvious or technical error in the Victoria Planning Provisions or a planning scheme*

**Human Rights Charter**

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.

**Sustainable Procurement Outcomes**

- There are no sustainable procurement activities arising from the recommendation contained in this report.

**Financial Implications**

- There are no financial implication arising from the recommendation contained in this report.

**Key Considerations**

- The existing controls that were included in the Banyule Planning Scheme as part of C120 create confusion as they do not align with the UDF, the Planning Panel recommendations, or the Council resolution from 16 September 2019.
- The technical errors should be corrected through a relatively straight forward and quick process to ensure that the community, developers and council officers have certainty about the applicable controls.

**Officer Declaration of Conflict of Interest**

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

**ATTACHMENTS**

Nil

## **6.1 BANYULE 2041 SHAPING OUR FUTURE - STAGE 1 COMMUNITY ENGAGEMENT FINDINGS**

Author: Kamal Singh - Integrated Planning Project Manager, Corporate Services

---

### **SUMMARY**

1. The *Local Government Act 2020* (the Act) requires councils to undertake deliberative engagement to inform the development of the Community Vision, Council Plan, long-term Financial Plan and Asset Plan.
2. To fulfil the requirements of the Act and to continue Banyule's long and strong history of working collaboratively with the community, Banyule 2041 Shaping Our Future Project was endorsed on 7 September 2020.
3. Banyule 2041 Shaping Our Future - Stage 1 community engagement was delivered as planned from 30 November 2020 to 31 January 2021. Throughout this period, the Banyule community and stakeholders actively engaged with the Project through a range of tools and forums including online workshops, face to face focus groups, and online surveys.
4. The engagement response and participation to Banyule 2041 Stage 1 has been very positive, and consistent feedback has been received from the community and stakeholders. A brief summary of key findings includes:
  - The community values Open space, natural environment, strong sense of community, easy to get around location, facilities, service and Council's genuine commitment to their community were highly.
  - The Banyule community aspires for a sustainable future, and a community that is diverse, inclusive, active, healthy and engaged. A strong local economy, support for youth employment and diverse housing choices were also shared views for the future of Banyule.
  - In the coming years, the community expects Council to maintain focus on environmental sustainability, health and wellbeing of community, local jobs and economy, youth employment, provision of accessible and diverse housing choices, and good governance, advocacy and leadership.
  - Support for increasing revenue through increased fees for developments, increased spending in sustainability initiatives, waste management, health and wellbeing, local business was clearly articulated.
  - Maintaining current assets opposed to building new, borrowing funds to build infrastructure, and spending more on parks and open space were some of the consistent themes for capital works allocation in coming years
5. The Stage 1 engagement findings will now be shared with the participants and the wider community through Shaping Banyule and Council's Website.



**BANYULE 2041 SHAPING OUR FUTURE - STAGE 1 COMMUNITY ENGAGEMENT FINDINGS cont'd**

**RECOMMENDATION**

That Council:

1. Endorse the Banyule 2041 Shaping Our Future – Stage 1 Key Findings.
2. Share the key findings with Stage 1 participants and the wider Community through Shaping Banyule and Council's Website.

**COUNCIL PLAN**

- This report is in line with Banyule's Council Plan key direction to "Engage meaningfully with our community and encourage participation".

**BACKGROUND**

**Banyule 2041 – Shaping Our Future Project**

**Project Background**

- Banyule 2041- Shaping Our Future Project is being undertaken to strengthen Banyule's approach to integrated planning and to fulfil strategic and financial planning requirements specified within the Act.
- There are numerous stages of engagement activity that span an 11-month period. This approach is designed to maintain a continual conversation with the community, not just a conversation at the start and end of the project.

**Banyule 2041 - Stage 1 Engagement Update**

- Stage 1 engagement of the Banyule 2041 project started on 30 November 2020 with the launch of an online survey and ended with a Somali youth workshop. A range of engagement opportunities such as workshops, online survey, written survey, and telephone surveys were offered throughout the period.
- Overall more than 1,200 community and wider stakeholders were engaged during this period.
- Banyule 2041 project was promoted through various channels, resulting in a very wide reach of over 100,000 people. Several channels were utilised to promote and engage the community in the lead up to, and during, the engagement period.
- For full details of stage 1 engagement activities, participation, and project promotion, refer to Attachment 1 – Banyule 2041 Shaping Our Future Stage 1 Key Findings Report and Attachment 2 – Banyule 2041 Shaping Our Future Key Findings Summary.

**BANYULE 2041 SHAPING OUR FUTURE - STAGE 1 COMMUNITY ENGAGEMENT FINDINGS cont'd**

**Banyule 2041 Stage 1 – Key findings**

- The engagement response and participation to Banyule 2041 Stage 1 has been very positive, and consistent feedback has been received from the community and stakeholders. A comprehensive analysis of Stage 1 data has been undertaken and forms the basis of the Stage 1 Key Findings Report. A brief summary of key findings includes:
  - **Banyule Community Values:**
    - Banyule's open space and natural environment
    - Banyule's location – it is easy to go everywhere you need to
    - Strong sense of community and family friendly nature
    - Highly value facilities, services and infrastructure that are accessible to diverse user groups
    - Council's genuine commitment to their community
  - **Community Aspirations are:**
    - A sustainable future –that has resilience to the effects of
    - climate change and protects Banyule's natural environment
    - A diverse and inclusive community – everyone is welcomed and diversity is embraced
    - An engaged community - where everyone has a say in decision making
    - An active community – that chooses active transport and is connected to public transport
    - A healthy community – with a strong connection that focus on well-being.
    - A strong local economy – that embraces innovation and supports local business and supports young people to find employment
    - Accessible and diverse housing choices – to match the population of Banyule.
  - **Focus Areas for Council and Community:**
    - Environmental sustainability
    - Health and wellbeing where everyone is included and feels safe
    - Accessible and diverse housing choices that support the growth whilst protecting natural environment, open space and liveability
    - Good governance, accountability and leadership
    - Local jobs and local economy with a focus on education and pathways for youth employment

**BANYULE 2041 SHAPING OUR FUTURE - STAGE 1 COMMUNITY ENGAGEMENT FINDINGS cont'd**

**Financial Sustainability**

- **Council Revenue:**
  - Increasing charges for developers to raise additional revenue
  - Environment and sustainability reflected by increasing some charges and retrofitting Council buildings
  - Council should seek an increase in grants to support the local business and community
  - Council should consider partnership opportunities where possible
  - Changes to revenue sources should not have any impact on current community services and facilities nor impact local business
- There were mixed views as to whether Council revenue should be increased through an increase in rates
  
- **Council Expenditure:**
  - Increase in Council spending for sustainability initiatives and waste management areas
  - Health and wellbeing initiatives require an increase in Council spending and investment
  - More funding made available to support local businesses and encourage local employment opportunities
- There were mixed views about how much Council spending should be allocated to capital works.
  
- **Capital Works:**
  - Spend more on parks and gardens
  - Maintain current spending on plant & equipment, drainage assets, arts collection etc.
  - Spend less on buildings
  - Spend more on fixing existing infrastructure rather than building new
  - Least preferred to borrow funds to build infrastructure
  - Find efficiencies to reduce costs and increase asset utilisation.
  
- For the full details of the key findings report refer to Attachment 1 – Banyule 2041 Shaping Our Future Stage 1 Key Findings Report.

**BANYULE 2041 SHAPING OUR FUTURE - STAGE 1 COMMUNITY ENGAGEMENT FINDINGS cont'd**

**SUPPORTING REPORT DETAILS**

**Legal Consideration**

- The Local Government Act 2020, *Part 4 Planning and Strategic Management, Division 1. Strategic Planning and Division 2. Budget Process*, specifies that Council's must prepare and adopt the following six documents within the specified timeframes and engagement requirements:

<b>Document</b>	<b>Span</b>	<b>Effect</b>	<b>Due</b>	<b>Engagement</b>
Community Vision	10 years (2021-2031)	1 July 2021	31 Oct 2021	Deliberative
Council Plan	4 years (2021-2025)	1 July 2021	31 Oct 2021	Deliberative
Financial Plan	10 years (2021-2031)	1 July 2021	31 Oct 2021	Deliberative
Budget	4 years (2021-2025)	1 July 2021	30 June 2021	Non-specific
Revenue and Rating Plan	4 years (2021-2025)	1 July 2021	30 June 2021	No provision
Asset Plan	10 years (2022-2026)	1 July 2022	30 June 2022	Deliberative

- **Part 2 - Councils**  
**Division 3 - The Mayor and Deputy Mayor**  
S18(c) Mayor must lead engagement with the municipal community on the development of the Council Plan.
- **Part 3 - Council decision making**  
**Division 1 - Community accountability**  
S55. Community engagement policy – requires Council to adopt and maintain a Community Engagement Policy.
- S56. Community engagement principles – describes the Community Engagement Principles and requires that a council must have regard to the community engagement principles. In particular, it states that the municipal community is to be engaged in strategic planning and decision making.

**Human Rights Charter**

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.
- The proposed engagement approach seeks to provide meaningful and accessible engagement opportunities and enable the rights of people to participate in public life and decision making that affects them.
- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.

## BANYULE 2041 SHAPING OUR FUTURE - STAGE 1 COMMUNITY ENGAGEMENT FINDINGS cont'd

### Sustainable Procurement Outcomes

- There are no sustainable procurement activities arising from the recommendation contained in this report.

### Community Engagement

- Banyule 2041 Stage 1 has now been completed. During this stage of engagement over 1,200 people actively participated in the Project.
- Detailed breakdown of Stage 1 engagement activities undertaken is outlined in Attachment 1 - Banyule 2041 Shaping Our Future Stage 1 Findings Report.
- Stage 1 engagement findings report will be shared with participants and with wider community through Council's website and Shaping Banyule.
- Next steps for community engagement includes:

Stage	Timeline	Engagement Focus
Stage 1 Our Future Together – wider community engagement – Completed	30 Nov – 31 Jan 2021	Thinking big picture for the future and the plan to get there
Stage 2A – Community working group	15 March – 7 June 2021	Formation and delivery of Community Working Group to develop community vision.
Stage 2B - checking back in with wider community	June - July 2021	Sharing what you told us and exploring any gaps
Stage 3 – Public exhibition of Budget and Revenue and Rating Plan	14 April – 11 May 2021	Public Exhibition of draft Budget and Revenue and Rating Plan.
Stage 4 – Public Exhibition and adoption	Sept 2021	Public Exhibition of draft Community Vision, Council Plan and Long-Term Financial Plan

### Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

### ATTACHMENTS

N	Title	Page
0	.	
1	Banyule 2041 Shaping Our Future - Stage 1 Key Findings Report <a href="#">⇒</a>	
2	Banyule 2041 Shaping Our Future - Key Findings Summary <a href="#">⇒</a>	

## **6.2 YARRA PLENTY REGIONAL LIBRARY BOARD & AUDIT COMMITTEE VACANCY**

Author: Sam Moore - Council Business Officer, Corporate Services

---

### **SUMMARY**

1. Annually Council appoints Councillor delegates to the Banyule Advisory Committees and other external committees where it is valuable for Banyule to have Council input.
2. In November 2020, Council resolved to appoint Cr Tom Melican and Cr Alison Champion as the delegates and; Cr Elizabeth Nealy substitute delegate for the Yarra Plenty Regional Library (YPRL) Board and the YPRL Audit Committee.
3. Cr Tom Melican has resigned from the position of delegate and therefore this position is vacant.
4. Council's appointment of a new delegate to the YPRL Board and the YPRL Audit Committee is required.

### **RECOMMENDATION**

That Council:

1. Call for nominations to appoint a delegate to the Yarra Plenty Regional Library Board and;
2. Call for nominations to appoint a delegate to the Yarra Plenty Regional Library Audit Committee.

### **COUNCIL PLAN**

- This report is in line with Banyule's Council Plan key direction to "Deliver best value services and facilities".

### **BACKGROUND**

- The Yarra Plenty Regional Library (YPRL) is one of Australia's largest library systems. Originally founded in the mid-1960s.
- Banyule City Council as the then City of Heidelberg was an original member council of the regional library service, Heidelberg Regional Library in 1965. Council has continued to be a member when the corporation changed its name to the Yarra Plenty Regional Library Corporation in 1995. A new agreement was entered into by Banyule City Council, City of Whittlesea and Nillumbik Shire in 2005.
- YPRL delivers library services for Banyule through the three Branch Libraries at Ivanhoe, Rosanna and Watsonia.
- The Mobile Library delivers services to West Heidelberg and the Outreach Service also delivers services to retirement villages within the municipality.

**YARRA PLENTY REGIONAL LIBRARY BOARD & AUDIT COMMITTEE  
VACANCY cont'd**

**Committee Appointments**

- Each year, at the Mayoral Election, Council appoints Councillor delegates to its Advisory Committees and other external committees where it is valuable for Banyule to have Council input.
- Each Councillor has the opportunity to nominate as delegate or substitute for each committee.
- In November 2020, Councillors Tom Melican and Alison Champion were appointed delegates for the YPRL Board and the YPRL Audit Committee and Cr Elizabeth Nealy as substitute.
- At the YPRL Ordinary Board meeting on 25 February 2021, Cr Tom Melican resigned as delegate from both the YPRL Board and the YPRL Audit Committee resulting in a vacancy for both.

**KEY ISSUES**

- The Yarra Plenty Regional Library Agreement consists of three member Councils:
  - Banyule City Council
  - City of Whittlesea
  - Nillumbik Shire Council
- The YPRL Board consists of two representatives of the three municipalities that constitute the service. Its role is to set policy and direction for the regional library service.
- The YPRL Audit Committee is a sub-committee of the YPRL Board which advises on financial and risk management issues.
- The committees currently meet every 2 months.
- The two vacancies (Board and Audit positions) created by Cr Melican's resignation are offered to Councillors whom are interested in representing Banyule on the committees.

**SUPPORTING REPORT DETAILS**

**Legal Consideration**

- There are no direct legal implications arising from the recommendation contained in this report.

**Human Rights Charter**

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.

**Sustainable Procurement Outcomes**

- There are no sustainable procurement activities arising from the recommendation contained in this report.

**YARRA PLENTY REGIONAL LIBRARY BOARD & AUDIT COMMITTEE  
VACANCY cont'd**

**Financial Implications**

- There are no financial implication arising from the recommendation contained in this report.

**Officer Declaration of Conflict of Interest**

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

**ATTACHMENTS**

Nil



## **7.1 PROPOSED LEASES - SKYE CHILDREN'S COOPERATIVE LTD AND CHILDREN'S PROTECTION SOCIETY INC T/AS KIDS FIRST AUSTRALIA (FAIRY HILLS PRESCHOOL)**

Author: Andrea Turville - Property Officer, City Development

### **Previous Items**

Councillor Briefing on 10 December 2020 (Item 2020/240 - Proposed Lease of Fairy Hills Preschool at 7 Thyer Road Ivanhoe)

Councillor Briefing on 12 November 2020 (Item 2015/234 - 9-11 Skye Street, Macleod - Proposed Lease to Skye Children's Cooperative Ltd)

Council on 17 August 2020 (Item 7.10 - Proposed Leases - Preschools)

---

### **SUMMARY**

1. Council owns and leases the land and improvements at 9-11 Skye Street, Macleod (Skye Children's Cooperative Ltd ["Skye"] and 7 Thyer Road, Ivanhoe (Fairy Hills Preschool).
2. The lease for 9-11 Skye Street, Macleod expired on 31 December 2020.
3. 7 Thyer Road, Ivanhoe (Fairy Hills Preschool) is currently under an interim 12-month lease with Children's Protection Society Inc trading as Kids First Australia ["CPS"] which is due to expire on 27 August 2021.
4. Neither lease provided an option for a further term.
5. The interim 12-month lease for CPS is due to expire on the 27 August 2021.
6. It is proposed that Council enter into new leases with both Skye and CPS.
7. Under section 190 of the Local Government Act 1989 ('the Act') Council is required to give notice of its intention to lease where the lease is to be for 1 year or more and where the current market rental value of the land is \$50,000 or more a year. The statutory procedures under sections 190 and 223 of the Act by giving notice of Council's intention to enter a lease with Skye and CPS have been completed.
8. Public notice was given in the Herald Sun newspaper on Wednesday 6 January 2021. At the close of the submissions period on 11 February 2021 no submissions had been received.

**PROPOSED LEASES - SKYE CHILDREN'S COOPERATIVE LTD AND CHILDREN'S PROTECTION SOCIETY INC T/AS KIDS FIRST AUSTRALIA (FAIRY HILLS PRESCHOOL) cont'd**

9. This report seeks Council's consideration on the granting of leases for the following terms:

Entity	Council owned Land	Lease Term	Commencing Rent
Skye Children's Cooperative Ltd	9-11 Skye Street, Macleod	5 years commencing 1 January 2021	\$2,004.08 per annum plus GST (with 2% annual increments)
Children's Protection Society Inc t/as Kids First Australia (CPS)	7 Thyer Road, Ivanhoe (Fairy Hills Preschool)	3 years, 8 months, 2 days commencing 28 August 2020 and ending 30 April 2025 (end date to coincide with other Preschool Leases)	\$1,857.00 per annum plus GST (with 2% annual increments)

Both proposed leases have been prepared in accordance with Council's Lease and Licence Framework 2018.

**RECOMMENDATION**

That:

1. Having complied with sections 190 and 223 of the *Local Government Act 1989*:
  - a. by giving public notice in the "*Herald Sun*" on Wednesday 6 January 2021;
  - b. by providing an opportunity to those who have requested to be heard at Council's Ordinary Meeting of 22 March 2021 to be heard at that meeting; and
  - c. by recording that no submissions were received;
    - o Council grants to Skye Children's Cooperative Ltd a lease of 9-11 Skye Street, Macleod for a term of five (5) years, commencing 1 January 2021 at the commencing rent of \$2,004.08 per annum plus GST; and
    - o Council grants to Children's Protection Society Inc t/as Kids First Australia, a lease of 7 Thyer Road, Ivanhoe (Fairy Hills Preschool) for a term of 3 years, 8 months and 2 days, commencing 28 August 2021, at the commencing rent of \$1,857.00 per annum plus GST.
2. Council authorises the Director Community Programs to execute the Lease deeds on behalf of the Council.

**PROPOSED LEASES - SKYE CHILDREN'S COOPERATIVE LTD AND CHILDREN'S PROTECTION SOCIETY INC T/AS KIDS FIRST AUSTRALIA (FAIRY HILLS PRESCHOOL) cont'd**

**COUNCIL PLAN**

- This report is in line with Banyule's Council Plan key direction to "Preserve and improve Banyule as a great place to live, work and play".

**BACKGROUND**

- The permitted use under the existing leases allows for the operation of an education and care service, managed and administered by a non-profit community-based organisation, primarily for the benefit of the residents and ratepayers of the City of Banyule, including those who are socially and/or financially disadvantaged and people with special needs.
- Both entities are non-profit organisations offering an education and care service from the respective Council owned Land. Skye has offered the service to the community for many years, with CPS taking over the running of Fairy Hills Preschool on 28 August 2020, following the resignation of the Fairy Hills Preschool Association Inc committee on 24 July 2020.

**KEY ISSUES**

- At the Council Meeting on 17 August 2020, Council was advised of negotiations seeking a new entity for the management of the Fairy Hills Preschool, following the resignation of the Fairy Hills Preschool Association Inc committee on 24 July 2020.
- CPS have taken over the running of Fairy Hills Preschool on 28 August 2020, and entered into an interim lease for the period 28 August 2020 to 27 August, 2021.
- Following the expiration of the interim lease and the completion of the required statutory process, a longer-term lease has been negotiated, with the expiry date to coincide with all other Preschools in the municipality.

**SUPPORTING REPORT DETAILS**

**Legal Consideration**

- The proposal triggered the need to give public notice under sections 190 of the *Local Government Act 1989* (the Act).
- Public notice of the proposal was given in the "Herald Sun" on Wednesday 6 January 2021, with the public invited to make submissions on the proposal in accordance with section 223 of the Act. The submission period closed at 5pm on 11 February 2021, with no submissions being received.

**Human Rights Charter**

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.

**Sustainable Procurement Outcomes**

- There are no sustainable procurement activities arising from the recommendation contained in this report.

**PROPOSED LEASES - SKYE CHILDREN'S COOPERATIVE LTD AND CHILDREN'S PROTECTION SOCIETY INC T/AS KIDS FIRST AUSTRALIA (FAIRY HILLS PRESCHOOL) cont'd**

**Financial Implications**

- There are no financial implication arising from the recommendation contained in this report.

**Key Considerations**

- Council has acted in accordance with its Lease and Licence Framework 2018 in dealing with both proposed leases, together with its legislative obligations under the Act.

**Officer Declaration of Conflict of Interest**

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

**ATTACHMENTS**

Nil

## **7.2 PROCUREMENT OF ENERGY THROUGH POWER PURCHASE AGREEMENTS**

Author: Louise Lovell - Senior Energy Officer, City Development

### **Previous Items**

Council on 24 Jun 2019 7.00pm (Item 4.1 - Power Purchase Agreement - Renewable Energy and Large-scale Generation Certificates)

---

### **SUMMARY**

1. Council has decided to procure 100% of electricity through power purchase agreements for renewably sourced electricity.
2. The turnaround times to confirm Council's acceptance of the contract offer for the Local Government Power Purchase Agreement (LG PPA) is compacted and does not allow time for a Council Report.
3. This report seeks Council's approval to delegate the contract authority to the CEO to enter into Contract to procure power under the LG PPA and to execute the agreement upon the successful completion of the tender process.

### **RECOMMENDATION**

That Council authorise the CEO to sign the Local Government Power Purchasing Agreement, final Renewable Energy Sales Agreement and all other documents associated with the nominated Energy Retailer for the provision of renewable energy for the following: large sites electricity, small sites electricity and unmetered street lighting.

### **COUNCIL PLAN**

- This report is in line with Banyule's Council Plan key direction to "Provide responsible financial management and business planning".

### **BACKGROUND**

- Banyule has established a target of carbon neutrality by 2028 without the purchase of carbon offsets. To achieve this goal, renewable energy must be generated, or procured, to meet Council's electricity consumption.
- Participation in Power Purchase Agreements (PPA) are one way that Council can do this. PPA's are an agreement between an independent power generator and a buyer for the sale of energy.
- Council has resolved (CO2019/155) to procure 100% of all Council-purchased electricity via two Power Purchase Agreements (PPA). This will mean from 1 July 2021 to 30 June 2030, 100% of Council's electricity will be sourced by renewable energy.

## **PROCUREMENT OF ENERGY THROUGH POWER PURCHASE AGREEMENTS cont'd**

- The two PPAs are:
  - The Procurement Australia (PA) PPA. This contract was signed by the then CEO on the 5 May 2019 and will provide 5% of Council's electricity after 1 July 2021 until 30 June 2030.
  - The Local Government (LG PPA) PPA for 95% of Council's electricity from 1 July 2021 until 30 June 2030. The LG PPA has been a joint Council collaboration between 47 councils, initially led by the Municipal Association of Victoria and subsequently by Darebin City Council. The procurement process for the LG PPA now means that final offers are pending.

### **KEY ISSUES**

- Timelines in the procurement process for the LG PPA are compacted. The turnaround time to confirm Council's acceptance of the LG PPA offer will be 7 days.
- To ensure Council can meet the contract signing deadlines it is recommended that Council delegate approval to the CEO to execute the agreement.

### **SUPPORTING REPORT DETAILS**

#### **Legal Consideration**

- Council's Procurement Policy is made under Section 186A of the *Local Government Act 1989*. Delegations limits mean that Council approval is required to authorise expenditure on the LG PPA.

#### **Human Rights Charter**

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.

#### **Sustainable Procurement Outcomes**

- The procurement of renewable energy through the power purchasing agreements are expected to reduce Council greenhouse gas emissions by 54%.

#### **Financial Implications**

- Council has allocated funding in the annual operating budget for the purchase of electricity.
- The LG PPA price may initially be slightly higher than current grid electricity prices. The LG PPA prices are fixed until 2030 while grid electricity prices in the broader market are predicted to rise over time which will mean that there will be considerable savings achieved by entering in to the PPA.
- Historical purchasing of Green Power and carbon offsets will cease this FY, which is currently purchased at approximately \$36,000 and \$11,000 respectively (ex-GST) per year.

**PROCUREMENT OF ENERGY THROUGH POWER PURCHASE AGREEMENTS  
cont'd**

**Officer Declaration of Conflict of Interest**

- Council officers involved in the preparation of this report have no conflict of interest in this matter.

**ATTACHMENTS**

Nil

### **7.3 AWARD OF CONTRACT NO. 1089-2020 - MANAGED TYRE SERVICE FOR COUNCIL FLEET**

Author: David Walczak - Fleet Co-ordinator, Assets & City Services

---

#### **SUMMARY**

1. This report is to consider the awarding of Contract No. 1089-2020 – Managed Tyre Service for Council Fleet.
2. Tenders were received from five companies.
3. The Tender Evaluation Panel (TEP) has recommended awarding the contract to Goodyear & Dunlop Tyres (Australia) Pty Ltd in accordance with the tender and conditions as determined by Council.
4. The contract will commence 1 April 2021. The initial contract term shall be for a maximum initial contract term of one year with the option to extend for further periods of any duration up to a maximum extension period of four years based on satisfactory performance and meeting Council objectives.

#### **RECOMMENDATION**

That Council:

1. Award Contract No. 1089–2020 - Managed Tyre Service for Council Fleet to Goodyear & Dunlop Tyres (Australia) Pty Ltd on a schedule of rates basis for an initial contract term of one year with an option to extend for further periods of any duration up to a maximum extension period of four years.
2. Authorise the Director of Assets and City Services to sign the contract and any other associated documents.
3. Authorise the Director of Assets and City 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 one (1) year contract term and extension periods.

#### **COUNCIL PLAN**

- This report is in line with Banyule’s Council Plan key direction to “*plan and manage the systems and assets that support Council’s service delivery*”.



**AWARD OF CONTRACT NO. 1089-2020 - MANAGED TYRE SERVICE FOR COUNCIL FLEET cont'd**

**TENDER DETAILS**

Contract Period	Initial contract term of one (1) year with the option to extend for further periods of any duration up to a maximum extension period of four (4) years
Contract Type	Service
Advertising Period	12 December 2020 in the Age
Tenders Closed	20 January 2021
Works/Project	This contract is to support Councils fleet with the repair, supply and fitment of tyres to plant and vehicles as well as regular inspections of fleet vehicles.
No. of tender documents downloaded	12 companies downloaded tender documents.
Tender Evaluation Panel	Acting Manager Operations, Fleet Management Coordinator, Fleet Workshop Team Leader and the Procurement Unit.
Tender Evaluation Criteria	<ul style="list-style-type: none"><li>• Tendered price;</li><li>• Capacity of Tenderer to undertake the services including demonstrated previous experience, appropriate plant and equipment and resources;</li><li>• Capability of Tenderer to undertake the services including qualifications, reliability and responsiveness;</li><li>• Demonstration of Local and Social sustainability;</li><li>• Existence of Accredited Management Systems and procedures Quality, OH &amp; S &amp; and Environmental; and</li><li>• Any other factor considered relevant by Council.</li></ul>

**TENDER/QUOTATION EVALUATION**

- Prior to receiving the tenders, the tender evaluation panel convened to set the weightings for each of the evaluation criteria and establish how the tenders would be evaluated using the weighted evaluation matrix. A tender evaluation plan was developed and signed by all panel members.
- The tender submission includes a requirement for the contractor to complete a questionnaire which seeks clarifications on how they have included/considered sustainable procurement aspects of the contract which covers, Environmental, Economic and Social Sustainability. The TEP assesses this information as part of the weighted score for each tenderer and this forms part of the overall evaluation and recommendation for awarding of the contract.
- The TEP individually scored the tenders and then a tender evaluation panel meeting was held to agree on the consensus scores.
- Several clarifications were needed regarding tendered tyres, pricing and company structures. As a result, one of the tenderers withdrew their tender.
- The Evaluation Team carried out a further evaluation, using the weighted evaluation matrix with two tenderers being short listed based on lowest pricing and weighted scores. Council undertook reference checks on the contractors.

**AWARD OF CONTRACT NO. 1089-2020 - MANAGED TYRE SERVICE FOR COUNCIL FLEET cont'd**

- The TEP agreed that one (1) Contractor would be sufficient to supply the tyre management services required by Council for its fleet and selected the tenderer with the highest weighted score and the lowest total contract cost.
- Following are the final weighted scores for the tenders received:

<b>Table 1 – Tenders received and weighted scores</b>	
<b>Contractor</b>	<b>Weighted Score</b>
Tenderer A	84.32
Goodyear and Dunlop Tyres (Australia) P L	91.67
Tenderer C	83.97
Tenderer D	Withdrew Tender
Tenderer E	66.29

- Tenderer D's submission was deemed to be non-conforming. As such, Tenderer D withdrew their tender submission.
- It is evident from the above weighted scores that Goodyear and Dunlop Tyres (Australia) Pty Ltd. has obtained the highest score and will deliver best value for money to Council.

**SUPPORTING REPORT DETAILS**

**Legal Consideration**

- Section 186 of the *Local Government Act 1989* requires councils to undertake a competitive process to test the market by giving public notice and invite tenders before entering into a contract when the value of the contract is equal to or greater than \$150,000 (including GST) for contracts for the purchases of goods or services; or \$200,000 (including GST) for contracts for the carrying of works.
- The awarding of this contract complies with the tendering provisions of Section 186 of the *Local Government Act 1989* (this section will be repealed with the new 2020 Act provisions taking effect on 1 July 2020).

**Human Rights Charter**

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.

**Sustainable Procurement Outcomes**

**Environmental Sustainability**

- All of Goodyear's global operations are certified to the ISO 14001 environmental management system.

**AWARD OF CONTRACT NO. 1089-2020 - MANAGED TYRE SERVICE FOR COUNCIL FLEET cont'd**

- Goodyear and Dunlop Tyres Australia (GDTA) uses premium retreading for truck tyres that reduce the ecological footprint.
- Goodyear monitors greenhouse gas emissions (GHG) at all of their manufacturing facilities and have committed to 25% GHG emissions reduction by 2023.

**Economic and Social Sustainability**

- GDTA supports local employment in Banyule through their Beaurepares stores which located in Greensborough and Rosanna.
- Additionally, GDTA has an active traineeship program in partnership with MEGT, Melbourne Eastern Training Group, which offers trainees a 12-month traineeship, with a Certificate 2 in automotive Management upon completion.

**Financial Implications**

- Council has funding in the Capital Works budget for the purchase/supply of Tyre Management Services.

**Additional information**

- Attachment 1, as circulated in the confidential section of the agenda attachments. The information is designated as Confidential Information in accordance with Section 77(2)(c) of the *Local Government Act 1989* and Section 66(2)(a) of the *Local Government Act 2020* (as amended); as it contains confidential information relating to private commercial information being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.
- This item has been included in the public agenda to facilitate transparency and accountability in Council's decision making.

**Banyule Procurement Policy**

- Council's Procurement Policy is made under Section 186A of the *Local Government Act 1989*. *Local Government Act 1989* and the Procurement Policy of Council are the primary reference points for how all procurement should be performed.
- The Policy specifies the principles, processes and procedures applying in respect of the purchase of goods and services by the Council
- The process for inviting quotations and evaluation was undertaken in accordance with the Policy.

**Officer Declaration of Conflict of Interest**

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

**AWARD OF CONTRACT NO. 1089-2020 - MANAGED TYRE SERVICE FOR COUNCIL FLEET cont'd**

- In undertaking the assessment, all members of the TEP completed and signed the Conflict of Interest and confidentiality declaration, and no conflicts were declared.

**ATTACHMENTS**

<b>N</b>	<b>Title</b>	<b>Page</b>
o		
.		
1	1089-2020 - Provision of Managed Tyre Services - Tender Evaluation Matrix Summary - <b>CONFIDENTIAL</b>	

## **7.4 AWARD OF CONTRACT NO. 1070-2020 - AUTOMOTIVE SMASH REPAIRERS, VEHICLE DETAILING AND TOWING SERVICES**

Author: David Walczak - Fleet Co-ordinator, Assets & City Services

---

### **SUMMARY**

1. This report is to consider the awarding of Contract No. 1070-2020 – Automotive Smash Repairers, Vehicle Detailing and Towing Services.
2. Tenders were received from 19 companies.
3. The Tender Evaluation Panel (TEP) has recommended awarding the contract in accordance with the tender and conditions as determined by Council to Bundoora Motor Panels, Rosanna Car Care & Watsmith Group for Passenger Vehicle Smash Repairs, Detailing & Towing Services; Modern Truck & Trailer Repairs for Heavy Haulage Trucks - Smash Repairs; and Modern Towing & Salvage (Aust) Pty Ltd for Heavy Haulage Trucks - Towing Services.
4. The contract will commence 1 April 2021, with an initial contract term of one (1) year with the option to extend for further periods of any duration up to a maximum extension period of four (4) years at Councils discretion.

### **RECOMMENDATION**

That Council:

1. Award Contract No. 1070-2020 – Automotive Smash Repairers, Vehicle Detailing and Towing Services for an initial contract term of one (1) year with the option to extend for further periods of any duration up to a maximum extension period of four (4) years, to:
  - a. Category 1: Passenger Vehicle Smash Repairs, Detailing & Towing Services
    - Bundoora Motor Panels
    - Rosanna Car Care
    - Watsmith Group
  - b. Category 2: Heavy Haulage Trucks - Smash Repairs
    - Modern Truck & Trailer Repairs
  - c. Category 3: Heavy Haulage Trucks - Towing Services
    - Modern Towing & Salvage (Aust) Pty Ltd.

**AWARD OF CONTRACT NO. 1070-2020 - AUTOMOTIVE SMASH REPAIRERS, VEHICLE DETAILING AND TOWING SERVICES cont'd**

2. Authorise the Director of Assets and City Services to sign the contract and any other associated documents.
3. Authorise the Director of Assets and City 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 one (1) year contract term and extension periods.

**COUNCIL PLAN**

This report is in line with Banyule's Council Plan key direction to *"plan and manage the systems and assets that support Council's service delivery"*.

**TENDER DETAILS**

Contract Period	Initial period of one (1) year with the option to extend for further periods of any duration up to a maximum extension period of four (4) years
Contract Type	Service
Advertising Period	26 September 2020 in the Age
Tenders Closed	21 October 2020
Works/Project	This contract is to support Councils fleet – the repair of accident damaged fleet as well as preparation for sale and towing services.
No. of tender documents downloaded	19 companies downloaded tender documents
Tender Evaluation Panel	Acting Manager Operations, Fleet Management Coordinator, Fleet Workshop Team Leader and the Procurement Unit.
Tender Evaluation Criteria	<ul style="list-style-type: none"><li>• Tendered price;</li><li>• Capacity of Tenderer to undertake the services including demonstrated industry experience, appropriate plant and equipment and resources;</li><li>• Capability of Tenderer to undertake the services including qualifications, reliability and responsiveness;</li><li>• Demonstration of Local and Social sustainability;</li><li>• Existence of Accredited Management Systems and procedures Quality, OH &amp; S &amp; and Environmental; and</li><li>• Any other factor considered relevant by Council</li></ul>

**TENDER/QUOTATION EVALUATION**

- Prior to receiving the tenders, the tender evaluation panel convened to set the weightings for each of the evaluation criteria and establish how the tenders would be evaluated using the weighted evaluation matrix. A tender evaluation plan was developed and signed by all panel members.

**AWARD OF CONTRACT NO. 1070-2020 - AUTOMOTIVE SMASH REPAIRERS,  
VEHICLE DETAILING AND TOWING SERVICES cont'd**

- The tender submission includes a requirement for the contractor to complete a questionnaire which seeks clarifications on how they have included/considered sustainable procurement aspects of the contract which covers, Environmental, Economic and Social Sustainability. The TEP assesses this information as part of the weighted score for each tenderer and this forms part of the overall evaluation and recommendation for awarding of the contract.
- Tenderers were initially scored individually for Automotive Smash Repairs, Detailing Services and Towing Services.
- The TEP individually scored the tenders and then a tender evaluation panel meeting was held to agree on the consensus scores. Several clarifications were needed regarding hourly rates, ability to repair certain types of vehicles, towing capacity and workshop size from the prospective suppliers after which the Evaluation Team carried out a further evaluation, using the weighted evaluation matrix. Council also undertook independent financial and reference checks on the contractors.
- The TEP agreed that five (5) Contractors would be sufficient to undertake the volume of automotive repairs, detailing and towing services for Council's vehicle fleet. The TEP decided the best way forward was to add the scores across the three (3) categories for smash repairs, detailing and towing as these services are generally provided by each Contractor as a complete end to end service.

**AWARD OF CONTRACT NO. 1070-2020 - AUTOMOTIVE SMASH REPAIRERS, VEHICLE DETAILING AND TOWING SERVICES cont'd**

- Following is a summary of the final score of the preferred contractors by category:

<b>Category 1: Passenger Vehicle Smash Repairs, Detailing &amp; Towing Services</b>		
<b>Tenderer</b>	<b>Weighted Score</b>	<b>Recommended</b>
Bundoora Motor Panels	<b>72.59%</b>	<b>YES</b>
Tenderer B	<b>61.61%</b>	<b>No</b>
Tenderer C	<b>61.79%</b>	<b>No</b>
Tenderer F	<b>55.39%</b>	<b>No</b>
Tenderer G	<b>57.87%</b>	<b>No</b>
Rosanna Car Care	<b>67.60%</b>	<b>YES</b>
Tenderer I	<b>55.39%</b>	<b>No</b>
Watsmith Group	<b>80.42%</b>	<b>YES</b>
Tenderer K	<b>55.48%</b>	<b>No</b>
<b>Category 2: Heavy Haulage Trucks - Smash Repairs</b>		
<b>Tenderer</b>	<b>Weighted Score</b>	<b>Recommended</b>
Modern Truck & Trailer Repairs	<b>84.67%</b>	<b>YES</b>
<b>Category 3: Heavy Haulage Trucks - Towing Services</b>		
<b>Tenderer</b>	<b>Weighted Score</b>	<b>Recommended</b>
Bundoora Motor Panels	<b>84.83%</b>	<b>YES</b>
Modern Towing & Salvage (Aust) Pty Ltd	<b>72.76%</b>	<b>YES</b>
Tenderer J	<b>66.10%</b>	<b>No</b>

- It is evident from the above weighted scores that Bundoora Motor Panels, Rosanna Car Care, Watsmith Group, Modern Truck & Trailer Repairs and Modern Towing & Salvage (Aust) Pty have obtained the highest score and will deliver best value for money to Council.

**SUPPORTING REPORT DETAILS**

**Legal Consideration**

- Section 186 of the *Local Government Act 1989* requires councils to undertake a competitive process to test the market by giving public notice and invite tenders before entering into a contract when the value of the contract is equal to or greater than \$150,000 (including GST) for contracts for the purchases of goods or services; or \$200,000 (including GST) for contracts for the carrying of works.
- The awarding of this contract complies with the tendering provisions of Section 186 of the *Local Government Act 1989* (this section will be repealed with the new 2020 Act provisions taking effect on 1 July 2020).



**AWARD OF CONTRACT NO. 1070-2020 - AUTOMOTIVE SMASH REPAIRERS,  
VEHICLE DETAILING AND TOWING SERVICES cont'd**

**Human Rights Charter**

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of*
- It is considered that the subject matter does not raise any human rights issues.

**Sustainable Procurement Outcomes**

**Economic Sustainability**

- Three of the recommended contractors are located within the Banyule municipality in West Heidelberg and Bundoora.
- All recommended contractors support Industry Apprenticeship schemes.

**Financial Implications**

- Vehicle accidents and damage are not budgeted for by Council as costs over and above the excess amount of \$7,000 is managed by Councils' appointed insurance company. The initial excess of \$7,000 of any Council insurance claim is charged back to the Business Unit of the driver of the vehicle and absorbed from their overall allocated budget.

**Additional information**

- Attachment 1, as circulated in the confidential section of the agenda attachments. The information is designated as Confidential Information in accordance with Section 77(2)(c) of the *Local Government Act 1989* and Section 66(2)(a) of the *Local Government Act 2020* (as amended); as it contains confidential information relating to private commercial information being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.
- This item has been included in the public agenda to facilitate transparency and accountability in Council's decision making.

**Banyule Procurement Policy**

- Council's Procurement Policy is made under Section 186A of the *Local Government Act 1989*. *Local Government Act 1989* and the Procurement Policy of Council are the primary reference points for how all procurement should be performed.
- The Policy specifies the principles, processes and procedures applying in respect of the purchase of goods and services by the Council
- The process for inviting quotations and evaluation was undertaken in accordance with the Policy.

**Officer Declaration of Conflict of Interest**

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

**AWARD OF CONTRACT NO. 1070-2020 - AUTOMOTIVE SMASH REPAIRERS,  
VEHICLE DETAILING AND TOWING SERVICES cont'd**

- Council officers involved in the preparation of this report have no conflict of interest in this matter.
- In undertaking the assessment, all members of the TEP completed and signed the Conflict of Interest and confidentiality declaration, and no conflicts were declared.

**ATTACHMENTS**

<b>N</b>	<b>Title</b>	<b>Page</b>
o	.	
1	1070-2020 - Panel of Automotive Smash Repairers - Tender Evaluation Summary - <b>CONFIDENTIAL</b>	

## **7.5 AWARD OF CONTRACT NO. 1084-2020 - PROVISION OF HIRE OF PLANT AND OPERATOR**

Author: Andrew Croft - Waste Management Coordinator, Assets & City Services

---

### **SUMMARY**

1. This report is to consider the awarding of Contract No. 2020/1084 – Provision of Hire of Plant and Operator.
2. Council sought tenders from experienced contractors to create a panel of service providers.
3. Tenders were received from six companies.
4. The Tender Evaluation Panel (TEP) has recommended awarding the contract to Jubilee Trial Pty Ltd and MJG Excavations Pty Ltd in accordance with the tender and conditions as determined by Council.
5. The contract will commence 1 April 2021. The Initial Contract Term shall be for a maximum initial period of 2 year(s) with the option to extend for 2 further periods of 2 years each based on satisfactory performance and meeting Council objectives.

### **RECOMMENDATION**

That Council:

1. Award Contract No. 1084-2020 - Provision of Hire of Plant and Operator to Jubilee Trial Pty Ltd and MJG Excavations Pty Ltd for an initial period of 2-years.
2. Authorise the Director Assets & City Services to sign the contract and any other associated documents.
3. Authorise the Director Assets & City 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 two-year contract term and each extension period.

### **COUNCIL PLAN**

- This report is in line with Banyule's Council Plan key direction to "*plan and manage the systems and assets that support Council's service delivery*".

**AWARD OF CONTRACT NO. 1084-2020 - PROVISION OF HIRE OF PLANT AND OPERATOR cont'd**

**BACKGROUND**

- The services include but are not limited to, the following:
  - general earth moving for our Parks and Open Spaces Team;
  - the loading and transport of waste from the Banyule Waste Recovery Centre to landfill, nominated waste services provider; and/or
  - other activities as required within the capabilities of the machine and operator to provide.
- The contract is primarily required used to facilitate the transport of rubble and waste products from the Banyule Waste Recovery Centre to landfill, or processor. These are products which the prime movers and trailers are not designed to carry.
- The amount of work undertaken for the Banyule Waste Recovery Centre is determined by the level of customer demand, and varies week to week, and throughout the year.
- The Parks and Open Spaces Team requires the services of backhoe operators to undertake occasional earthworks projects.
- The contract has been designed to allow engagement of the contractor for unplanned reactive works within Banyule.

**AWARD OF CONTRACT NO. 1084-2020 - PROVISION OF HIRE OF PLANT AND OPERATOR cont'd**

**TENDER DETAILS**

Contract Period	2 Years, with option to extend 2 x 2-years
Contract Type	Contract
Tender Opened	14 November 2020
Tenders Closed	9 December 2020
Tenders Received	6
Works/Project	Waste Management / Parks
Tender Evaluation Panel	Tenders were evaluated by the Tender Evaluation Panel (TEP) comprising officers from Waste Management, Parks and Open Space and Procurement Unit.
Tender Evaluation Criteria	<ul style="list-style-type: none"><li>• Tendered price;</li><li>• Qualifications and experience of Tenderer to provide the Goods and/or Services and/or Works;</li><li>• Previous experience in the provision of similar Goods and/or Services and/or Works, including referee feedback;</li><li>• Capacity and capability of the Tenderer to provide the Goods and/or Services and/or Works;</li><li>• Previous performance, experience and reliability in the provision of similar types of projects, and previous performance in delivery of contracts or purchase orders directly with Banyule City Council (if applicable);</li><li>• Existence of an accredited management system and procedures covering Quality and OH&amp;S;</li><li>• Demonstration of Social, Environmental and Economic Sustainability; and</li><li>• Any other factor considered relevant by Council.</li></ul>

**TENDER/QUOTATION EVALUATION**

- Prior to receiving the tenders, the tender evaluation panel convened to set the weightings for each of the evaluation criteria and establish how the tenders would be evaluated using the weighted evaluation matrix. A tender evaluation plan was developed and signed by all panel members.
- The tender submission includes a requirement for the contractor to complete a questionnaire which seeks clarifications on how they have included/considered sustainable procurement aspects of the contract which covers, Environmental, Economic and Social Sustainability. The TEP assesses this information as part of the weighted score for each tenderer and this forms part of the overall evaluation and recommendation for awarding of the contract.
- The TEP individually scored the tenders and then a tender evaluation panel meeting was held to agree on the consensus scores.

**AWARD OF CONTRACT NO. 1084-2020 - PROVISION OF HIRE OF PLANT AND OPERATOR cont'd**

**EVALUATION**

- Following an initial evaluation, the TEP shortlisted the following tenderers for further price clarification:
  - Jubilee Trial Pty Ltd
  - MJG Excavations Pty Ltd
  - Tenderer F
- 3 contractors were subsequently requested for pricing on 3 items of machinery and operation of same for a full day (8 hours).
- Council also undertook independent financial and reference checks on the contractors after which the Evaluation Team carried out a further evaluation, using the weighted evaluation matrix.
- The final weighted score for the tender was:

<b>Table 1 - Tenders received and weighted scores</b>	
<b>Contractor</b>	<b>Weighted Score</b>
Jubilee Trial Pty Ltd	<b>86.33%</b>
MJG Excavations Pty Ltd	<b>81.59%</b>
Tenderer F	<b>62.42%</b>
Tenderer B	<b>61.98%</b>
Tenderer C	<b>55.77%</b>
Tenderer A (non-compliant)	<b>N/A</b>

**NON-CONFORMING TENDER**

- Tenderer A was deemed to be non-conforming because they only provided prices for drain cleaning services.

**SUPPORTING REPORT DETAILS**

**Legal Consideration**

- Section 186 of the *Local Government Act 1989* requires councils to undertake a competitive process to test the market by giving public notice and invite tenders before entering into a contract when the value of the contract is equal to or greater than \$150,000 (including GST) for contracts for the purchases of goods or services; or \$200,000 (including GST) for contracts for the carrying of works.
- The awarding of this contract complies with the tendering provisions of Section 186 of the *Local Government Act 1989* (this section will be repealed with the new *Local Government Act 2020* provisions taking effect on 1 July 2020).

## AWARD OF CONTRACT NO. 1084-2020 - PROVISION OF HIRE OF PLANT AND OPERATOR cont'd

### Human Rights Charter

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the Charter of Human Rights and Responsibilities Act 2006.
- It is considered that the subject matter does not raise any human rights issues.

### Sustainable Procurement Outcomes

- The work tendered encompasses a very small scope of operations using plant and equipment which is not yet commonly available as zero emissions vehicles (truck and excavator). Council will have the opportunity at two-year intervals to review whether zero emission alternatives are now available.
- Social factors such as employment local to Banyule were considered as part of the tender evaluation.

### Financial Implications

- Council has allocated funding in the Operations annual operating budget for the hire of plant with operator.
- Works required by the Parks and Open Space team will be funded by either the annual operating budget or an approved capital project budget.

### Banyule Procurement Policy

- Council's Procurement Policy is made under Section 186A of the *Local Government Act 1989*. *Local Government Act 1989* and the Procurement Policy of Council are the primary reference points for how all procurement should be performed.
- The Policy specifies the principles, processes and procedures applying in respect of the purchase of goods and services by the Council
- The process for inviting quotations and evaluation was undertaken in accordance with the Policy.

### Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

### ATTACHMENTS

N	Title	Page
o	.	
1	Tender Assessment Information - <b>CONFIDENTIAL</b>	

## **7.6 AWARD OF CONTRACT NO. MAV NPN 2.15-2 - PROVISION OF HEAVY PLANT MACHINERY AND EQUIPMENT**

Author: David Walczak - Fleet Co-ordinator, Assets & City Services

---

### **SUMMARY**

1. This report is to consider the awarding of Contract No. MAV NPN 2.15-2 Provision of Heavy Plant Machinery and Equipment.
2. Council previously approved the use of Municipal Association of Victoria (MAV) Procurement, National Procurement (NPN) contracts, Procurement Australia (PA) and State Government Contracts. These contracts provide benefits of collective purchasing and to improve efficiency in the procurement process of Council's fleet.
3. In accordance with Section 186 of the *Local Government Act 1989*, Council opted into contract NPN 2.15 Provision of Heavy Plant Machinery Equipment via MAV, which expired in September 2020.
4. These services have now been renewed through a new public tender process undertaken by Local Buy Pty Ltd (LGA Queensland) and MAV to establish a Panel of Prequalified Suppliers under a Standing Offer Deed.
5. This Panel of Prequalified Suppliers will provide Council with the ability to purchase plant and fleet items, at the most cost-effective price ensuring that Council's operational expenses are minimised.
6. This Standing Offer Deed has been established for a period of 5 years commencing 1 November 2020 and ending 30 September 2022, with optional extension periods of 36 months in total.

### **RECOMMENDATION**

That Council:

1. Approves the use of the MAV NPN 2.15-2 Provision of Heavy Plant Machinery and Equipment Panel of Prequalified Suppliers to purchase Council's Truck and Truck Bodies for an initial contract term of 18 months ending 30 September 2022 with optional extension periods of 36 months in total.
2. Authorise the Director of Assets and City Services to sign the contract and any other associated documents.
3. Authorise the Director of Assets and City 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 18-month contract term and extension periods.



**AWARD OF CONTRACT NO. MAV NPN 2.15-2 - PROVISION OF HEAVY PLANT MACHINERY AND EQUIPMENT cont'd**

**COUNCIL PLAN**

- This report is in line with Banyule's Council Plan key direction to *"plan and manage the systems and assets that support Council's service delivery"*.

**TENDER DETAILS**

Contract Period	Initial contract term of 22 months ending 30 September 2022 with optional extension periods of 36 months in total.
Contract Type	Goods (Heavy Plant, Machinery & Equipment)
Advertising Period	Friday 29 May 2020 in the Age
Tenders Closed	Thursday 12 July 2020
No. of tender documents downloaded	35 Tenders received
MAV/NPN Tender Evaluation Panel	Category & Relationship manager – Fleet Local Buy – Qld Senior Contracts Manager – MAV Procurement – Vic Manager Commercial Management – WALGA – W.A.
Tender Evaluation Criteria	<ul style="list-style-type: none"> <li>• Mandatory Requirements;</li> <li>• Managerial Capabilities;</li> <li>• Service Locations;</li> <li>• Technical Capabilities; and</li> <li>• Price.</li> </ul>
Other Background	<ul style="list-style-type: none"> <li>• Local Buy Pty Ltd acting on behalf of the Local Governments of Queensland, Victoria, Tasmania, Western Australia and Northern Territory and other defined purchasers, issued a Request for Tender (RFT) for the Supply of Heavy Plant and Equipment</li> <li>• The ability to purchase plant and fleet items and at the most cost-effective price and process is critical in ensuring that Council's operational expenses are minimised.</li> <li>• Council will utilise this contract to purchase Heavy Plant, Machinery and Equipment to keep its fleet running to support Council functions across the municipality.</li> <li>• The Panel of Prequalified Suppliers are accessible by Council via the MAV Vendor Panel Portal.</li> <li>• Purchases of plant will be made via the issue of requests for quote (RFQs) to the Panel of Prequalified Suppliers through the vendor Panel Portal</li> </ul>

**AWARD OF CONTRACT NO. MAV NPN 2.15-2 - PROVISION OF HEAVY PLANT MACHINERY AND EQUIPMENT cont'd**

**TENDER/QUOTATION EVALUATION**

- The MAV/NPN undertook the following tender evaluation process:
- Conducted a thorough tender evaluation process, including initial compliance check, qualitative assessment, criteria assessment and pricing assessment to determine an overall value proposition.
- Post the evaluation of the tenders, the MAV/NPN Tender Evaluation Panel recommended that the following thirty four (34) tenders be accepted and be issued with a Standing Offer Deed for execution:
  - ADT Western Australia Pty Ltd
  - AFGRI Equipment Australia Pty Ltd
  - BT Equipment Pty Ltd
  - C J D Equipment Pty Ltd
  - C.E.G. Distributions Pty Ltd
  - C.F.C. Holdings Pty Ltd
  - Clark Equipment Sales Pty Ltd
  - CNH Industrial Australia Pty Limited
  - Conplant Pty Ltd
  - Eagle Lodge Developments Pty. Ltd.
  - Earthmoving Equipment Australia Pty Limited
  - Earthmoving Industry Engineering Pty Ltd
  - GCM Enviro Pty Ltd
  - Hastings Deering (Australia) Limited
  - Hitachi Construction Machinery (Australia) Pty Ltd
  - HSR Southern Cross Pty Ltd
  - Kobelco Construction Machinery Australia Pty Limited
  - Komatsu Australia Pty Ltd
  - Kubota Australia Pty Ltd
  - Liebherr-Australia Pty. Ltd.
  - Mcintosh Holdings Pty Ltd
  - Pacific Materials Handling Pty. Ltd.
  - Philden Trade Pty Ltd
  - Porter Equipment Australia Pty Ltd
  - RDO Australia Group Pty Ltd
  - Semco Pty. Limited
  - The Trustee For GCM Agencies Unit Trust
  - The Trustee for Onetrak Unit Trust

**AWARD OF CONTRACT NO. MAV NPN 2.15-2 - PROVISION OF HEAVY PLANT MACHINERY AND EQUIPMENT cont'd**

- The trustee for R & D TRUST
- The trustee for Ronco Group Unit Trust
- United Equipment Pty Limited
- Westrac Pty Ltd
- William Adams Pty. Ltd.
- Wirtgen Australia Pty Ltd

**NON-CONFORMING TENDER**

- A non-conforming Tender was received from an unsuccessful tenderer. The tenderer's product range was confirmed to be non-compliant at the Price Schedule evaluation stage, as they tendered for the wrong arrangement.

**SUPPORTING REPORT DETAILS**

**Legal Consideration**

- Section 186 of the *Local Government Act 1989* requires councils to undertake a competitive process to test the market by giving public notice and invite tenders before entering into a contract when the value of the contract is equal to or greater than \$150,000 (including GST) for contracts for the purchases of goods or services; or \$200,000 (including GST) for contracts for the carrying of works.
- The awarding of this contract complies with the tendering provisions of Section 186 of the *Local Government Act 1989* (this section will be repealed with the new 2020 Act provisions taking effect on 1 July 2020).

**Human Rights Charter**

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.

**Sustainable Procurement Outcomes**

- There are no sustainable procurement activities arising from the recommendation contained in this report.

**Financial Implications**

- The purchase of plant and machinery will be funded through Councils Fleet Capital and Operating Budgets

**Additional information**

- Attachment 1, as circulated in the confidential section of the agenda attachments. The information is designated as Confidential Information in accordance with Section 66(2)(a) of the *Local Government Act 2020* (as amended); as it contains confidential information relating to private commercial information being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

**AWARD OF CONTRACT NO. MAV NPN 2.15-2 - PROVISION OF HEAVY PLANT MACHINERY AND EQUIPMENT cont'd**

- This item has been included in the public agenda to facilitate transparency and accountability in Council's decision making.

**Banyule Procurement Policy**

- Council's Procurement Policy is made under Section 186A of the *Local Government Act 1989*. *Local Government Act 1989* and the Procurement Policy of Council are the primary reference points for how all procurement should be performed.
- The Policy specifies the principles, processes and procedures applying in respect of the purchase of goods and services by the Council
- The process for inviting quotations and evaluation was undertaken in accordance with the Policy.

**Officer Declaration of Conflict of Interest**

- Council officers involved in the preparation of this report have no conflict of interest in this matter.
- In undertaking the assessment, all members of the TEP completed and signed the Conflict of Interest and confidentiality declaration, and no conflicts were declared.

**ATTACHMENTS**

<b>N</b>	<b>Title</b>	<b>Page</b>
o		
.		
1	Evaluation Report NPN 2.15-2 - Provision of Heavy Plant Machinery and Equipment - <b>CONFIDENTIAL</b>	

## **7.7 EXTENSION OF CONTRACT NO. 0999-2020 - THE CENTRE IVANHOE - VENUE MANAGEMENT, CATERING AND HOSPITALITY SERVICES**

Author: Nicole Maslin - Manager Leisure, Recreation and Culture Services, Community Programs

---

### **SUMMARY**

1. On the 16 December 2019 Council resolved to award Contract No. 0999-2020 - The Centre Ivanhoe - Venue Management, Catering & Hospitality Services to the Peter Rowland Group commencing on 1 January 2020 for an initial term of three (3) years to 31 December 2022 with the options for Council to extend the contract for a further period of two (2) x three (3) year terms
2. The commencement of this contract has been significantly delayed due to COVID-19 pandemic and the consequent negative impacts on business and the scheduled completion of the Ivanhoe Library and Cultural Hub
3. Peter Rowland Group have recently written to Council requesting an official extension of the initial term of contract for a period of one (1) year due so that the initial three (3) year term can commence from 1 January 2021 to make up for the lost year.
4. There is no financial impost to either party as a result of this extension request.

### **RECOMMENDATION**

That Council:

1. Approve an extension of the initial term of contract for a period of one (1) year so that the initial three (3) year term commences from 1 January 2021
2. A deed of variation is executed and issued to Peter Rowland Group (PRG) reflecting this change
3. Authorise the Director Community Programs to extend the contract for further periods of 2 x 3 years subject to satisfactory performance and the meeting of Council objectives and approve any variations.
4. Receive a further report in October 2021 on the negotiated Key Performance Indicators.
5. Receive a further report on the Contract Performance after the first term (3 years).

### **COUNCIL PLAN**

- This report is in line with Banyule's Council Plan key direction to "Deliver best value services and facilities".

**EXTENSION OF CONTRACT NO. 0999-2020 - THE CENTRE IVANHOE - VENUE MANAGEMENT, CATERING AND HOSPITALITY SERVICES cont'd**

**BACKGROUND**

- The contract for the Venue Management, Catering and Hospitality Services for the Centre Ivanhoe was awarded to Peter Rowland at a special meeting of Council on the 16 December 2020 for a period of up to nine years (3+3+3 years) and an annual sixteen percent (16%) return to Council based upon total profit (ex. G.S.T)
- Peter Rowland are a progressive and reputable hospitality company with over 50 years industry experience. They were selected for their ability to offer best value for money, and ability to value add services such as, innovative approach to marketing and sales, environmentally and socially conscious, strong customer focus and flexible price point approach

**KEY ISSUES**

- Peter Rowland were not able to commence the contract and trade at the Centre Ivanhoe due to:
  - COVID-19 and government restrictions around events and gatherings. The hospitality industry has been one of the hardest hit industries, with the longest shutdowns and periods of inactivity and no trade.
  - Components of the Centre Ivanhoe to be redeveloped with the construction of ILCH were also impacted. For example, the replaced Great Hall kitchen handover was delayed due to COVID-19 and other project challenges.
- This has resulted in loss of time of the first full year of the contract term and renders the initial term as only a 2-year term than the original 3-year term that was intended.
- Peter Rowland Group have been planning and working with council staff to operate as soon as able and permitted.

**SUPPORTING REPORT DETAILS**

**Legal Consideration**

- A deed of variation will be prepared to formalise the extension and variation
- This report recommends that the Director Community Programs be authorised to extend the contract for further periods of 2 x 3 years subject to satisfactory performance and the meeting of Council objectives and approve variations. This is a standard inclusion for contracts like this.

**Human Rights Charter**

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.

**Sustainable Procurement Outcomes**

- There are no sustainable procurement activities arising from the recommendation contained in this report.

**EXTENSION OF CONTRACT NO. 0999-2020 - THE CENTRE IVANHOE - VENUE MANAGEMENT, CATERING AND HOSPITALITY SERVICES cont'd**

**Financial Implications**

- There is no financial impost to either party as a result of this extension request. The variation is intended to provide the best opportunity for financial return over the initial term of the contract.
- The budget forecasts have been adjusted to reflect the non-operation and loss of trade capacity due to COVID-19.

**Officer Declaration of Conflict of Interest**

- Council officers involved in the preparation of this report have no conflict of interest in this matter.

**ATTACHMENTS**

Nil

## **7.8 HIGHLIGHTS REPORT - NEW COUNCIL TERM**

Author: Allison Beckwith - Chief Executive Officer, Executive

---

### **SUMMARY**

1. The new Council term began after a General Election was held on the 24 October 2020.
2. Councillors were sworn into office on Monday 9 November 2020.
3. Banyule now operates with nine Councillors after an electoral review increased the number of wards and Councillors.
4. Council held its first Council Meeting 18 November 2020, since then a further 4 Council Meetings have been held including the Mayoral election meeting.
5. Six Councillor briefings have occurred to update the new Council on key projects and develop the 2021/2022 Budget.
6. Councillors have undertaken mandatory training which must be completed within six (6) months after a general election.
7. A major piece of engagement work is presently being undertaken - Banyule 2041 – Shaping Our Future. Council heard from many groups and individuals via a number of different ways.
8. Council has made several major decisions during a challenging time of changing in relation to the COVID pandemic.
9. Major decisions, and programs delivered by Council have centered on:
  - Community Strengthening & Support,
  - Support to our Community on the COVID-19 Impacts
  - Major Transport Projects and Advocacy
  - Local Government Act 2020 Implementations
  - Financial Management
  - Community engagement on Banyule 2041 – Shaping Our Future
10. This report provides high level highlights and updates on the projects and works undertaken to date.



## HIGHLIGHTS REPORT - NEW COUNCIL TERM cont'd

### RECOMMENDATION

That Council note the range of significant projects and work undertaken to date in its first 100 days in office, which have included major decisions and programs relating to:

- Community Strengthening & Support,
- Support to our Community on the COVID-19 Impacts
- Major Transport Projects and Advocacy
- Local Government Act 2020 Implementations
- Financial Management
- Community engagement on Banyule 2041 – Shaping Our Future

### COUNCIL PLAN

- This report is in line with Banyule's Council Plan key direction to "Provide good governance and be accountable".

### BACKGROUND

- The following highlights provide an overview of the projects, legislative requirements and work undertaken since the General Election held in October 2020.

### KEY ISSUES

- Since the General Election in October 2020, new requirements applying to Council and Councillors have been implemented including new Mandatory training for Councillors.
- With the additional two wards and four new Councillors, an intensive program to update all Councillors on key projects, development of the 21/22 Budget and Community Vision and new Council Plan has been undertaken.
- Council has continued to review and work within the State Government Coronavirus (COVID-19) directions. There was disruption to some Council services during the recent 5-day lockdown including the closure of the Customer Service centres, libraries, Aquatic facilities, however, on the whole Council has continued to deliver its services and programs.

### Community Strengthening & Support

- Council is working on strengthening opportunities for Community Connection and Reducing Gambling Harm, this includes:
  - endorsing a partnership project including the provision of \$164,000 funding for a Libraries After Dark program at the Watsonia Library and the Watsonia Neighbourhood House.
  - committing to investing in a two-year project commencing in January 2021, to address social isolation, increase community connection and prevent harm from gambling in Watsonia

## **HIGHLIGHTS REPORT - NEW COUNCIL TERM cont'd**

- Banyule's Social Enterprise Partnerships Program continues to work in partnership with the community to create local job outcomes for local people experiencing barriers to employment. Two major highlights include:
  - LG Professionals Australia's National Federation Awards finalist for the Partnerships and Collaboration Award
  - Establishment and launch of 'The Little Social' social enterprise café at Rosanna train station.
- Councils own Inclusive Employment Program has just completed its third round of intake with (nineteen) 19 new jobs being created for those experiencing barriers to employment.

### **Support to our Community the COVID-19 Impacts**

- Council is continuing to provide significant assistance to ratepayers, business and community due to the COVID-19 Pandemic. Council recognises that this is a changing environment and continues to review and adjust support to the community, business and ratepayers. The following are new support measures:
  - Council allocated \$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.
  - Postponed 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)
  - Referred 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.
  - Continued to freeze the non-statutory fees and charges at 2019/20 prices until 30 June 2021.
  - Fees, charges and rent (where applicable for Council tenants) for all local community groups have been waived until 31 March 2021.
  - Allocated \$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.
  - Council allocated \$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.

### **Major projects**

- Capital projects completed since new Council Term include:
  - Olympic Park Program of Projects (Synthetic Pitch, Playground equipment, car park and Olympic Memorial Garden have all been delivered and opened to the public for use)
  - Bundoora Community Hall Upgrade (Refurbishment of toilets, entrance and kitchen)

**HIGHLIGHTS REPORT - NEW COUNCIL TERM cont'd**

- Ivanhoe Library and Cultural Hub
- Macleod Village Green – Playground renewal
- Delta Reserve – Playground renewal
- Woodlands Reserve – Playground renewal
- Shared Path Program - Darebin Creek Trail from Dougherty to Southern Road)
- Glenside Pavilion complete rebuild to include female friendly change rooms
- Eaglemont Tennis Pavilion Access Works Stage 1&2 (Outdoor decking, accessibility works, pathways and landscaping works)
- De Winton Park female friendly & pavilion upgrade
- Warrigal Park Pavilion female friendly rooms
- Willinda Park - female friendly change rooms
- NETS Stadium Redevelopment/Additional Courts
- Kalparrin Early childhood centre– completed refurbishment
- Notable Projects commenced since the start of the Council term include:
  - Bellfield Community Hub - Construction has commenced with earthworks and site establishment to deliver:
    - a new Community Hub and a larger, relocated Community Garden;
    - an integrated housing redevelopment, which includes sale of land for the development of a mix of market housing; and
    - a social housing project on land adjacent to the new Community Hub.
- Council has been successful in obtaining a \$2M grant from the State Government, Department of Education & Training, Building Blocks Grants - Capacity building stream towards the project.

**Major Transport Projects and Advocacy**

- Council continues to advocate and be a strong voice on matters that impact Council.
- Updates on the following projects have been provided:
  - a. North East Link
  - b. Hurstbridge Line Duplication Stage 2
  - c. Fitzsimmons Lane Upgrade
  - d. M80 Ring Road Upgrade
- The development of an advocacy campaign on the North East Link, Hurstbridge Railway Line Upgrade Stage 2 and Fitzsimmons Lane.

## **HIGHLIGHTS REPORT - NEW COUNCIL TERM cont'd**

- In relation to the Level Crossing Removal Project, Council resolved that the Level Crossing Removal Authority 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.

### **Environmental Sustainability**

- Council continues to address Dumped Rubbish issues with continuous improvement of internal practices and trialling of a litter enforcement officer. Further improvements have been submitted to the 2021/22 Budget.
- Council approved the implementation of a Food Organics Garden Organics waste service (which will provide a weekly 120 litre green organics bin service) to be implemented at the start of the 2022/23 financial year.
- Council understand this is a big change for the community, to help support this change a comprehensive education and communications program (including a volunteer champions team) to inform and prepare the Banyule community for the change including identification and communication of localised trial areas will occur.

### **Sustainable Amenity and Built Environment**

- A draft Banyule Bicycle Strategy is out for public exhibition. The strategy gives long-term direction to the development of an action seeking to improve cycling infrastructure and embed a cycling culture within our municipality.
- The strategy also addresses some of the key barriers to safe cycling identified by this draft include significant gaps in the cycling network; minimal road space allocation for cycle lanes and incomplete and inconsistent wayfinding and information.
- Council adopted the Were Street Project Concept Plan and the Were Street Reserve Concept Plan as part of its commitment to invest in activity centres and create great public and open spaces in the 2017-21 Council Plan. Council had identified and budgeted for two place-based improvement projects for the Were Street's Activity Centre – being a streetscape improvement project and new public toilets.

## HIGHLIGHTS REPORT - NEW COUNCIL TERM cont'd

### Local Government Act Implementation

- The new *Local Government Act 2020* mandates several new policies and practices that each Council must implement and adopt.
- Since the election Council has continued to implement all the new provisions by the deadlines required. Council has adopted the:
  - Procurement Policy,
  - Councillor Code of Conduct
  - Banyule Customer Complaints Management Policy
- Councillors have also undertaken mandatory training on:

<p><b>Module 1</b></p> <p>Conducted 16 November 2020</p>	<ul style="list-style-type: none"> <li>• The role of a councillor, a mayor and a deputy mayor</li> <li>• The role of the chief executive officer</li> <li>• practices, protocols or policies in relation to the interaction between council staff and councillors</li> </ul>
<p><b>Module 2</b></p> <p>Conducted 30 November 2020</p>	<ul style="list-style-type: none"> <li>• 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>• Local Government Act 2020 and Overarching governance principles and the supporting principles</li> <li>• Governance rules, including Councillor Expenses</li> <li>• Confidentiality: Closed Meetings and Confidential Information</li> <li>• 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> </ul>
<p><b>Module 3</b></p> <p>To be Conducted 29 March 2020</p>	<ul style="list-style-type: none"> <li>• engagement and reconciliation with the traditional owners of land in the municipal district of the Council</li> <li>• giving effect to gender equality, diversity and inclusiveness</li> </ul>

- Council in adopting the Councillor Code of Conduct have made a commitment to ongoing review of its performance and annually attesting the Oath/Affirmation of Office and further work reviewing the values contained in the Code within 6 months.
- Council committed to undertake training and awareness on sexual harassment prevention twice per Council term.

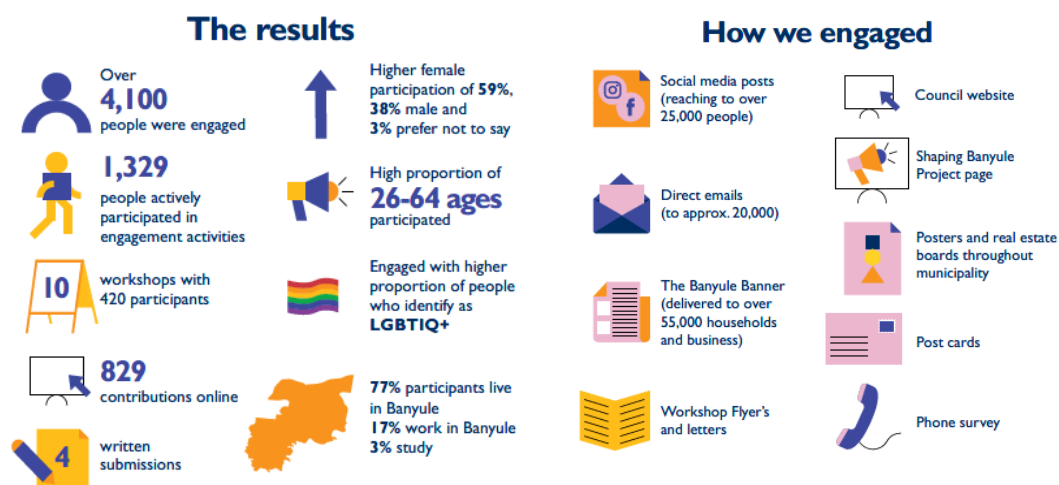
## HIGHLIGHTS REPORT - NEW COUNCIL TERM cont'd

### Financial management

- Council awarded fifteen (15) Contacts after a competitive process was undertaken .
- Council has made funding applications to the state government on the following projects:
  - Olympic Park Masterplan - Stage 3 & 4
  - Darebin Creek Trail – Stage 3 & 5
  - Beverley Road Oval Surface Full Renovation
  - Macleod Park Pavilion Female Friendly
  - Chelsworth Park Lighting
  - Partingtons Flat Female Friendly

### Banyule 2041 – Shaping our future

- Since late November last year, Council have been on an engagement journey with the community to understand what they value and their aspirations for the future.
- A range of activities (workshops, focus groups, online survey, written submissions etc.) were undertaken and more than 1,200 people were actively engaged. From these engagements an overwhelming amount of feedback was received.



### Updates and progress reports

- Council noted progress reports on:
  - Safer Banyule Plan – a to guide its work in continuing to improve and maintain community safety in the City of Banyule.
  - Annual Report on Shop 48, The Harmony Centre - this centre provides a number of services including provide residents with access to information and referrals on a broad range of activities, services and entities. It also includes emergency relief and material aid.

## **HIGHLIGHTS REPORT - NEW COUNCIL TERM cont'd**

- Climate Action – State of Environment Report provides an overview into the work Banyule City Council delivers to make sure our natural environment is healthy, green and actively cared for.

### **Other Meetings Councillors attended**

- One Banyule Cemetery Trust Meeting.
- Two Audit & Risk Committee meetings.

### **Future Council reports**

- Council via Notice of motions requested investigation and reporting back to Council on:
  - Council-Run Community Bus Service - On the feasibility of a Council-run or Council supported community bus service to support residents, particularly older people and those with disabilities, to access local shopping and activity areas;
  - Development of a Community Services and Facilities Infrastructure Plan - development of a community services and facilities infrastructure plan.
  - Additional off-lead dog areas in Banyule - possible establishment of additional off-lead dog areas in Banyule including a dedicated off-lead dog area at Binnak Park, Bundoora

## **SUPPORTING REPORT DETAILS**

### **Legal Consideration**

- There are no direct legal implications arising from the recommendation contained in this report.

### **Human Rights Charter**

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- Some of the updates provided in this report has raised human rights issues which have been addressed at the time the specific report was considered by Council.

### **Sustainable Procurement Outcomes**

- There are no sustainable procurement activities arising from the recommendation contained in this report.
- Many of the projects highlighted have been the subject of sustainable procurement activities and have been highlighted in the respective reports to Council on the specific matter.

## **HIGHLIGHTS REPORT - NEW COUNCIL TERM cont'd**

### **Financial Implications**

- There are no financial implication arising from the recommendation contained in this report.
- Any financial implications of each topic have been highlighted in the in the respective reports to Council on the specific matter.

### **Community Engagement**

- Since the General Election, the following Community Engagement has been undertaken, commenced or finalised:
  - Playground Replacement Program 2020/21
  - Watsonia Village Town Square
  - Banyule 2041 – Shaping our Future
  - Child, Youth & Family Plan 2021-2031
  - Planning Scheme Amendment C107
  - North East link
  - Were Street Montmorency Streetscape Upgrade
  - James Street Masterplan
  - Heidelberg Structure Plan
  - Banyule Heritage Study
  - Bellfield Community Hub and Residential Developments

### **Officer Declaration of Conflict of Interest**

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

### **ATTACHMENTS**

Nil



## 7.9 RECORD OF COUNCILLOR MEETINGS

Author: Sam Moore - Council Business Officer, Corporate Services

### 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>	1 February 2021 – 6.30pm
	<b>Type of Meeting:</b>	Councillor Briefing Session
	<b>Matters Considered:</b>	
<p>Food Organics Garden Organics - Service Implementation                  Waste Service Charge: 'User-Pays' versus 'Service Rate'                  Budget and Capital Works &amp; Initiatives Program Development                  Banyule Bus Shelter Contract - Next Steps                  Update on Transition Process for Council Aged Services provided under the Commonwealth Home Support Program.                  Bellfield Social Housing - Community Engagement Commenced                  Preparation of Draft 2021-2025 Revenue and Rating Plan                  Quarterly Financial Management Report - December 2020</p>		
<b>Councillors Present:</b>		
<p>Peter Castaldo                  Alison Champion                  Peter Dimarelos                  Mark Di Pasquale                  Rick Garotti                  Alida McKern                  Tom Melican                  Fiona Mitsinikos                  Elizabeth Nealy</p>		

**RECORD OF COUNCILLOR MEETINGS cont'd**

<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> Kerryn Woods – <i>Executive and Councillor Team Leader</i> Megan Kemp – <i>Councillor Support and Civic Events</i> Russell Darling – <i>Manager Strategic Waste</i> James Kelly – <i>Manager Delivery &amp; Assets</i> Tania O'Reilly – <i>Manager Finance and Procurement</i>	
<b>Others Present:</b> Nil	
<b>Conflict of Interest:</b>	Nil

<b>2</b>	<b>Date of Meeting:</b>	22 February 2021 – 12pm
	<b>Type of Meeting:</b>	Site Visit – Yarra Flats Park, Ivanhoe East
	<b>Matters Considered:</b> Site visit to Yarra Flats Park, Ivanhoe East, subject site of proposed Banyule Planning Scheme Amendment C107 - Treetop Adventure Park	
	<b>Councillors Present:</b> Peter Castaldo Alison Champion Peter Dimarelos Rick Garotti Alida McKern Elizabeth Nealy	
	<b>Staff Present:</b> Scott Walker – <i>Director City Development</i> Anthony Calthorpe – <i>City Futures Coordinator</i> Nicola Rooks – <i>Strategic Planner</i>	
	<b>Others Present:</b> Rob Black – <i>Parks Victoria</i> Phillip Ross – <i>Parks Victoria</i> Brendan Sullivan – <i>Parks Victoria</i>	
	<b>Conflict of Interest:</b>	Nil

RECORD OF COUNCILLOR MEETINGS cont'd

<b>3</b>	<b>Date of Meeting:</b>	26 February 2021 – 6.30pm
	<b>Type of Meeting:</b>	Submitter Meeting
	<b>Matters Considered:</b>	
	Banyule Planning Scheme Amendment C107 – Treetop Adventure Park in Yarra Flats (Opportunity to speak before Council)	
	<b>Councillors Present:</b>	
	Peter Castaldo Peter Dimarelos Rick Garotti Alida McKern Tom Melican Fiona Mitsinikos	
<b>Staff Present:</b>		
Scott Walker – <i>Director City Development</i> Nicola Rooks – <i>Strategic Planner</i> Laura Anderson – <i>Executive Assistant – Project Officer</i>		
<b>Others Present:</b>		
Sandrine Gaymard Suzanne Lees David Gentle Michelle Giovas John Cary Liz Vagg Janine Rizzetti Andrew Lees		
<b>Conflict of Interest:</b>	Nil	

<b>4</b>	<b>Date of Meeting:</b>	1 March 2021 – 5pm
	<b>Type of Meeting:</b>	Council Meeting – Pre-Briefing
<b>Matters Considered:</b>		
Items on the Council Agenda for the Ordinary Meeting of 1 March 2021 as listed below:		
Community Consultation Proposed Street Works - Buena Vista Drive and Surrounds of Montmorency South Primary School		
Social Enterprise Partnerships Program Update		
Dumped Rubbish and Litter Plan Implementation Progress		
Introduction of a Food Organics Garden Organics Service		
Draft Banyule Bicycle Strategy		
Planning and Building Activities Report (July - December 2020)		
Were Street Project - Streetscape and Reserve Upgrade		
Planning Scheme Amendment C107 - Treetops Adventure Park in Yarra Flats - Exhibition Outcome		
197, 199 & 201-209 Para Road GREENSBOROUGH - Works associated with new Lovitt Technologies site (P805/2020)		

**RECORD OF COUNCILLOR MEETINGS cont'd**

220-224 Waterdale Road, IVANHOE - Liquor Licence for a Bar and associated reduction in car parking (P316/2020) State Government Funding Applications - Sport and Leisure Complaints Handling Policy Quarterly Financial Management Report - For the period ended 31 December 2020 Award of Contract No. MAV ST20092 - Provision of Trucks and Specialised Bodies Award of Contract No. 1062-2020 - Panel of People and Culture Consultancy Services Award of Contract No. 1086-2020 - Tree Planting & Establishment Services Award of Contract No. 1091-2020 - Construction of New Changerooms at Yulong Reserve and Pavilion Upgrade Works Award of Contract No. 1098-2020 - Supply of Advanced Tree Stock Record of Councillor Meetings	
<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> Emily Outlaw – <i>Council Business Team Leader</i>	
<b>Others Present:</b> Nil	
<b>Conflict of Interest:</b>	Nil

**RECOMMENDATION**

That the Record of Councillor meetings report be received.

**ATTACHMENTS**

Nil