

Minutes of the Ordinary Meeting of Council



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

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MINUTES

The Meeting opened at 7.00pm.

Acknowledgement of the Traditional Custodians

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

Diversity Statement

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

Acknowledgement of Family and Gender-based Violence

Cr Fiona Mitsinikos read a statement raising awareness and acknowledgement of the causes and impacts of family and gender-based violence.

Present

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

Apologies

Cr Tom Melican

Leave of Absence

Nil

Confirmation of Minutes

That the following Minutes be confirmed:

Ordinary Meeting of Council held 12 April 2021

Moved: Cr Mark Di Pasquale

Seconded: Cr Elizabeth Nealy

CARRIED

Disclosure of Interests

Nil

1. URGENT BUSINESS

Nil

Presentation

Nil

2. PETITIONS

2.1 GREENWOOD DRIVE WATSONIA - REQUEST FOR SPEED HUMPS TO REDUCE HOONING BEHAVIOUR

SUMMARY

1. An online petition proposing the addition of speed humps along Greenwood Drive Bundoora and Watsonia with 39 signatures has been received by Council.
2. The petition request is as follows:

Day and night, hoon drivers can be heard speeding up and down Greenwood Drive Bundoora and Watsonia, Vic. With hundreds of metres of straight road, criminal drivers treat it as a drag racing track, with their loud engines thundering loudly down the street like fighter jets almost every night.

With so many family friendly features including Greenwood Reserve, child care centres, local schools and bus stops, Greenwood Drive cannot afford to allow this hooning to continue any longer; the risk they bring to the community is just too great to ignore.

Living on Greenwood Drive for the past seven years I've noticed the steady increase in this hoon activity. My family and other families are no longer feeling safe living on this once quiet street. We fear for our children who should be safe in their bedrooms, but know that accidents from these drivers are a real risk. With the speeds these criminals travel we understand our houses and families are in danger.

This petition is to alert the Banyule City Council to the problem and to propose the addition of speed humps along Greenwood Drive. We believe that lining Greenwood drive with speed humps would not only deter the hoons, but also prevent the speeding criminals from reaching the dangerous speeds they currently achieve.

Without this action, it's only a matter of time before a serious accident will occur and a disaster, that could have been prevented, is brought to the family friendly neighbourhood of Grimshaw Ward.

3. Council's existing position was not to accept online petitions however due to recent restrictions it was considered to table all electronic or online petitions in light of health and safety concerns of obtaining hardcopy signatures.
4. Traffic counts were undertaken over a seven-day period outside 45, 105 and 237 Greenwood Drive in February 2021 with 85%ile speeds recorded of 52.0, 53.6 and 53.5 km/h respectively.
5. Based on the results it is considered that motorist speeds are reasonable and do not warrant the need for additional traffic treatments at this stage.
6. It was noted in the results there were a few vehicles travelling above the speed limit and these results have been referred to the Victoria Police and a request made for enforcement.

Resolution (CO2021/84)

That Council:

1. Receives and notes the online petition.
2. Refer the Petition to the Transport Team for response.
3. Advise the primary petitioner of this resolution via a letter from the Mayor and Ward Councillor.

Moved: Cr Mark Di Pasquale

Seconded: Cr Rick Garotti

CARRIED

3. PEOPLE – COMMUNITY STRENGTHENING AND SUPPORT

Nil

4. PLANET – ENVIRONMENTAL SUSTAINABILITY

Nil

5. PLACE – SUSTAINABLE AMENITY AND BUILT ENVIRONMENT**5.1 APPLICATION FOR PLANNING PERMIT TO ENABLE RESTAURANT AND CAFÉ LIQUOR LICENCE - P166/2021 - 154 UPPER HEIDELBERG ROAD, IVANHOE**

Roger Fyfe spoke on the item and written statements were read on behalf of Kevin Scrimshaw and Walter Johnson.

SUMMARY

1. The planning permit application seeks a planning permit to enable a liquor licence (restaurant and cafe licence) to operate in conjunction with a food and drink premises at Shop 1 Ground Level 154 Upper Heidelberg Road IVANHOE.
2. The following operating hours are proposed:
 - Monday to Saturday: 7am – 11pm
 - Sunday: 10am – 11pm
 - ANZAC Day and Good Friday: 12 noon – 11pm
3. One objection was received during public notification with concerns raised in relation to the impact the proposal will have on the Waterdale Road Pocket Park Project which is yet to commence.
4. A petition with 35 signatures from residents located in Ivanhoe, Eaglemont, Macleod, Yallambie, Box Hill and Doncaster was also received which will be treated as a joint objection for consideration as part of the planning permit application.
5. It is considered appropriate that Council issue a temporary liquor license with opportunity for the applicant to amend the permit once the design and timing of the Waterdale Road Pocket Park Project is resolved.

Resolution A (CO2021/85)

That Council having complied with Section 50 to 62 and 72 to 76 of the *Planning and Environment Act 1987*, resolves to issue a Notice of Decision to Grant a Planning Permit to enable a liquor licence (restaurant and cafe licence) at Shop 1 Ground Floor 154 Upper Heidelberg Road IVANHOE subject to the following conditions:

General plans

1. Before the development permitted by this permit commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and be submitted in an electronic format acceptable to the Responsible Authority. The plans must be substantially in accordance with the advertised plans submitted with the application but modified to show:

- (a) The red line plan for the outdoor area amended in accordance with the Footpath Trading Permit issued by Council's Municipal Laws Department on 24 March 2021.

Layout Not To Be Altered

2. The area to be licensed as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority

Restrictions on Use

3. The Liquor Licence must only operate between the following hours unless further written consent of the Responsible Authority is obtained:

Monday to Saturday: 7am – 11pm

Sunday: 10am – 11pm

ANZAC Day and Good Friday: 12 noon – 11pm

No External Sound System or Amplified Equipment

4. Without the prior written consent of the Responsible Authority no form of public address system or sound amplification equipment shall be used on the premises so as to be audible outside the premises.

No Entertainment

5. No live entertainment shall be provided in the subject premises except with the written consent of the Responsible Authority.

Background Music

6. Entertainment only in the form of pre-taped background music may be provided for the benefit of patrons of the premises. Highly amplified music must not be played.

Amenity

7. The use permitted by this permit must not adversely affect the amenity of the locality to the satisfaction of the Responsible Authority.

Comply with State Noise Policy No N-2

8. The use of the site must not cause nuisance or be detrimental to the amenity of the neighbourhood by the emission of noise. Noise emission from any indoor venue such as must comply with State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 and/or Environment Protection (Residential Noise) Regulations 2008, whichever is deemed to be appropriate by the Responsible Authority.

Garbage Receptables

9. No receptables for any form of rubbish or refuse (other than public waste bins) may be placed or allowed to remain in view from a public road or thoroughfare, and odour must not be emitted from any such receptables(s) so as to cause offence to any person(s) outside the land.

Permit Expiry

10. In accordance with section 68 of the Planning and Environment Act 1987, this permit will expire if one of the following circumstances applies:
- The liquor license is not commenced within two years of the date of this permit; or
 - At the commencement of the works associated with the Waterdale Road Pocket Park Project or at the renewal date of the associated footpath trading permit being 31 October 2021 (whichever is first), unless otherwise agreed in writing prior by the Responsible Authority.
 - The liquor license 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.

N2 Health Approval Required

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

N3 Building Regulations

This planning permit does not vary any provisions of Part 5 of the Building Regulations 2018.

N4 Noise Levels

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

N5 No Additional Signage

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

N6 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.

Resolution B

That Council write to the permit holder stating that there is a proposed pocket park project. If the pocket park is implemented, there should not be an expectation of outdoor dining in the final design.

Moved: Cr Alida McKern

Seconded: Cr Peter Castaldo

CARRIED

5.2 YARRA STRATEGIC PLAN ENDORSEMENT

SUMMARY

1. The purpose of this report is to seek Council's endorsement of the final Yarra Strategic Plan (the Plan).
2. There is no further opportunity to influence or change the Plan. The endorsement of the Plan is a procedural step required under the *Yarra River Protection (Wilip-gjin Birrarung murron) Act 2017* (the Act) to allow the State Government to release it for public exhibition.
3. The preparation of a strategic plan for the Yarra River is a requirement of the Act, as is to be endorsed by all fifteen (15) responsible public entities (8 Councils and 7 State Government bodies) that have a statutory role in managing the Yarra River and Yarra River land.
4. The Plan, prepared by Melbourne Water, delivers the first Victorian integrated river corridor strategy.
5. Melbourne Water released the draft Plan for the purpose of public consultation between January and March 2020. On 16 March 2020, Council resolved to note the content of the draft Plan and provide conditional support for it, subject to satisfactory resolution of a number of issues or questions about the administration, potential cost implications, planning scheme changes and a requirement for a significant edit of the document to improve its legibility.
6. The final Plan has now been prepared following the findings and recommendations of the independent Panel that considered submissions in May 2020.
7. The Plan was prepared with the input from the Yarra Collaboration Committee (YCC), which is made up of 15 responsible public entities. In its capacity as a public entity, Council representatives provided input into the Plan's preparation throughout. All consultation was undertaken by Melbourne Water.
8. It is the first plan with bi-cultural aspirations to protect the Yarra River and its corridor. It identifies immediate actions for the river, enables long-term collaborative management between agencies and Traditional Owners, and guides local planning.
9. If all public entities endorse the Plan, it will then be approved by the Minister for Water for public release and implementation.

Resolution (CO2021/86)

That Council:

1. Endorse the Yarra Strategic Plan (the Plan) under the requirements of Section 36 of the *Yarra River Protection Act 2017* for the purpose of enabling the Minister for Water to approve it and release it publicly under the following conditions:
 - a. Endorsement of the Plan is provided to Melbourne Water on the clear acknowledgement that it is a Plan written by Melbourne Water with input from Banyule City Council representatives as a Responsible Public Entity.
 - b. Note that Council does not have ownership of the Plan but is a contributor to its preparation.
 - c. Writes to Melbourne Water to confirm its endorsement of the Plan subject to items 1 a) and 1 b) above.

Moved: Cr Alida McKern
Seconded: Cr Peter Castaldo

CARRIED

6. PARTICIPATION – COMMUNITY INVOLVEMENT IN COMMUNITY LIFE

Nil

7. PERFORMANCE - USE OUR RESOURCES WISELY**7.1 BELLFIELD PROJECT - NOTICE OF INTENTION TO SELL - CLARIFICATION OF EASTERN EDGE OF SITE****SUMMARY**

1. Council is undertaking a redevelopment project to deliver an integrated housing redevelopment which includes both market and social housing. These two redevelopment components, along with the delivery of a new Community Hub and relocated Community Garden, make up the Bellfield Project.
2. The project underwent extensive consultation during 2018 and was supported by Council in February 2019. There was further consultation in late 2019 for the changes to the Banyule Planning Scheme to support the project.
3. In late 2020, following a competitive public process, Council resolved to sell the land located at 96, 98, 98A and 100 Oriel Road and 232 Banksia Street, Bellfield to a residential developer for the construction of market housing.
4. The eastern boundary of 232 Banksia Street, Bellfield is now being realigned so it accords with the North-South Road currently under construction. The road separates the market housing from public use zoned land on which the new Bellfield Community Hub and relocated Community Garden will be situated. This has resulted in an additional area of approximately 1,820m² being added to the land for residential development.
5. Public Notice of Council's intention to realign the title boundary and sell the additional land to the chosen residential developer was given in the "*Herald Sun*" on 19 March 2021, with written submissions on the proposal invited in accordance with section 223 of the *Local Government Act 1989*. It should be noted that the new *Local Government Act 2020* sale provisions (section 114) do not come into effect until 1 July 2021 hence the former *Act* has been relied upon.
6. The statutory submission period of 28 days was increased to 34 days due to the Easter holiday period and closed on 22 April 2021.
7. As part of the realignment of the eastern site boundary, part of the land to be sold to the developer sits on the original title granted to Council upon purchase of the former school site (i.e. 230 Banksia Street, Bellfield). The title has a condition regarding use solely for public use purposes. The majority of that title is being used for that purpose, except for a small section to be sold to the developer (which is zoned Residential Growth Zone). An application will be made to the Governor in Council to have the condition removed for this small portion of the land.
8. As at the closing date no submissions have been received. Council must now determine whether or not to proceed further with the proposed sale of the additional land parcel.

Resolution (CO2021/87)

That Council:

1. Notes that no submissions pursuant to sections 189 and 223 of the *Local Government Act 1989* have been received in respect of Council's intention to sell the Council owned

land which has been created through realignment of the site boundary of 232 Banksia Street, Bellfield in accordance with the new North-South Road.

2. Makes an application to remove the condition regarding 'public land use purpose only' on the small portion of land being sold to the developer, and zoned Residential Growth Zone, as part of the boundary realignment.
3. Having complied with sections 189 and 223 of the *Local Government Act 1989* by giving public notice in the Herald Sun on 19 March 2021 to sell the additional land, agrees that the additional land be sold to the chosen developer who has already been selected for the purchase of land situated at 96, 98, 98A and 100 Oriel Road and 232 Banksia Street, Bellfield, to enable an integrated market housing development on the land.

Moved: Cr Peter Dimarelos

Seconded: Cr Alison Champion

CARRIED

7.2 AWARD OF CONTRACT NO. 1103-2021 - PANEL OF CONTINUOUS IMPROVEMENT CONSULTANCY SERVICES

SUMMARY

- This report is to consider the awarding of Contract No. 1103-2021 Panel of Continuous Improvement Consultancy Services (the Contract).
- The Tender Evaluation Panel (TEP) has recommended awarding the Contract to five tenderers in accordance with the tender and conditions as determined by Council
 - Terra Firma Pty Ltd;
 - IN2 Project Management Pty Ltd;
 - 4P Consulting;
 - Vative;
 - Frazer Tremble Executive Pty Ltd.
- Tenders were received from twelve companies.
- The contract will commence 10 May 2021. The Initial Contract Term shall be for a maximum initial period of three (3) years with the option to extend for further periods of any duration up to a maximum extension period of two (2) years based on satisfactory performance and meeting Council objectives.

Resolution (CO2021/88)

That Council:

1. Award Contract No. 1103- 2021 - Panel of Continuous Improvement Consultancy Services (the Contract) for a period of 3 years with the option to extend for further periods of any duration up to a maximum extension period of two (2) years to:
 - Terra Firma Pty Ltd,
 - IN2 Project Management Pty Ltd,
 - 4P Consulting,
 - Vative,
 - Frazer Tremble Executive Pty Ltd.
2. Authorise the Director of Corporate Services to sign the Contract and any other associated documents.
3. Authorise the Director of Corporate Services to award extensions of this Contract, subject to review of the Contractor's performance and Council's business needs, at the conclusion of the initial 3-year contract term and extension periods.

Moved: Cr Elizabeth Nealy

Seconded: Cr Mark Di Pasquale

CARRIED

7.3 AWARD OF CONTRACT NO. 1095-2020 - PROVISION OF DISTRIBUTION OF PRINTED MATERIAL & PRODUCTION OF CORPORATE DOCUMENTATION & STATIONARY

SUMMARY

- This report is to consider the awarding of Contract No.1095-2020 Provision of Distribution of Printed Material & Production of Corporate Documentation & Stationery.
- The Tender Evaluation Panel (TEP) has recommended awarding the contract to a total of 6 contractors across 2 categories (Printing and Distribution) in accordance with the tender and conditions as determined by Council;
 1. Blue Star Print (Printing and Distribution)
 2. Melbourne Mailing Pty Ltd ((Printing and Distribution)
 3. Finsbury Green Pty Ltd (Printing and Distribution)
 4. Kosdown Printing Co Pty Ltd (Printing and Distribution)
 5. OC Connections Enterprises (Distribution)
 6. M&M Printworks PTY Ltd (Printing)
- Tenders were received from 18 companies.
- The contract will commence 10 May 2021. The Initial Contract Term shall be for a maximum initial period of 3 year(s) with the option to extend for further periods of any duration up to a maximum extension period of 2 years based on satisfactory performance and meeting Council objectives.

Resolution (CO2021/89)

That Council:

1. Award Contract No. 1095-2020 Provision of Distribution of Printed Material & Production of Corporate Documentation & Stationery for a period of 3 years with the option to extend for further periods and any duration up to a maximum extension period of 2 years to a panel of 6 contractors:
 - Blue Star Print (Printing and Distribution)
 - Melbourne Mailing Pty Ltd ((Printing and Distribution)
 - Finsbury Green Pty Ltd (Printing and Distribution)
 - Kosdown Printing Co Pty Ltd (Printing and Distribution)
 - OC Connections Enterprises (Distribution)
 - M&M Printworks PTY Ltd (Printing)
2. Authorise the Director of Corporate Services to sign the contract and any other associated documents.
3. Authorise the Director of Corporate Services to award extensions of this Contract, subject to review of the Contractor's performance and Council's business needs, at the conclusion of the initial 3-year contract term and extension periods.

Moved: Cr Fiona Mitsinikos
Seconded: Cr Peter Dimarelos

CARRIED

7.4 AUDIT & RISK COMMITTEE MINUTES - MEETING 12 MARCH 2021**SUMMARY**

1. The Audit & Risk Committee is an Advisory Committee and its role is determined by the *Local Government Act 2020*. The responsibilities and terms of reference of the Audit & Risk Committee are defined in the Committee's Charter.
2. The *Audit & Risk Committee Charter* states the minutes of each meeting of the Audit & Risk Committee are required to be reported to a Council Meeting.
3. Consequently, the Minutes of the meeting held on the 12 March 2021 are being circulated for noting by Council, though they are subject to confirmation by the Audit & Risk Committee at its meeting being held on 18 June 2021.

Resolution (CO2021/90)

That Council note:

1. The unconfirmed Minutes of the Audit & Risk Committee meeting held on the 12 March 2021.
2. The unconfirmed minutes will be amended at the next Audit & Risk Committee meeting scheduled for 18 June 2021 to include an action which arose from the in-camera section of the meeting for Councillors and Senior Management to conduct a strategic risk workshop and report back on the outcomes of this workshop to the Audit & Risk Committee.
3. That the workshop has been conducted and was successful in clarifying the key Strategic Risks for Council.

Moved: Cr Mark Di Pasquale
Seconded: Cr Alison Champion

CARRIED

7.5 COUNCILLOR GIFT POLICY

SUMMARY

1. This report was deferred from the 12 April 2021 Council meeting.
2. The *Local Government Act 2020* (Act) requires a Council to adopt a Councillor Gifts Policy within six months of when the section comes into operation, which was 24 October 2020. A Staff Gifts Policy will also be required and is due by 1 January 2022.
3. Whilst the new Act now stipulates that a Council must adopt a Councillor Gift Policy and one for Staff. Banyule's Gifts Policy has been in place for many years and applies to both Councillors and staff.
4. The draft Councillor Gifts Policy outlines Council's commitment to ensuring that Councillors act with integrity and honesty when performing their duties or while attending functions as Council representatives.
5. The acceptance of gifts, benefits and hospitality can create perceptions that a Councillor, staff member or contractor's integrity has been compromised.
6. This Policy states Banyule's position on:
 - Responding to offers of gifts, benefits and hospitality, and
 - Providing gifts, benefits and hospitality.
7. This policy is intended to support Councillors in avoiding conflicts of interest and maintain high levels of integrity and public trust.
8. The Policy must make provision for the maintenance of a gifts register and any matters in the Regulations including setting a minimum value for gifts that must be disclosed. Councils must also ensure their Policy complies with the Public Transparency Principles.
9. The Policy is aligned with the Victorian Public Sector Commission (VPSC) and DELWP (Department Environment, Land, Water and Planning Department) model Gifts Policies, and takes into consideration good practice recommendations from the Independent Broad-based Anti-Corruption Commission's (IBAC) Local Government Integrity Frameworks Review in 2019.
10. The draft Policy was considered by Council's Audit & Risk Committee at its meeting in December 2020 and is now presented for Council adoption.
11. The Councillor Gifts Policy and Gift Declaration Register will be available on Council's website in accordance with the Banyule Transparency Policy.

Resolution (CO2021/91)

That in accordance with S138 of the Local Government Act 2020, Council adopt the Banyule Councillor Gift Policy with the following amendments:

1. Arrange the definitions in alphabetical order of terms.
2. In the definition of hospitality delete the following words:

“Hospitality that does not exceed common courtesy and is therefore not a gift includes:

 - *Sandwiches and pastries over a lunchtime meeting*
 - *A cup of coffee at another organisation’s premises*
 - *A cup of coffee at a café (unless there is a conflict of interest)”*
3. The gifts threshold be raised to \$50 in line with the Victorian Public Sector Commission Gifts (VPSC), Benefits and Hospitality Guide. The link to the policy is: [pdf-download.php \(vpsc.vic.gov.au\)](https://www.vpsc.vic.gov.au/download.php).
4. A footnote be inserted in the policy to reference the VPSC Policy.
5. In Section 8, update the sub-heading from ‘Gifts under \$20’ to “Gifts and Hospitality under \$50 as defined in this policy” and “Gifts over \$20” to “Gifts and Hospitality over \$50 as defined in this policy”
6. Other amendments as required to ensure consistency with these changes.

Moved: Cr Mark Di Pasquale

Seconded: Cr Rick Garotti

CARRIED

7.6 RECORD OF COUNCILLOR MEETINGS**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

1	Date of Meeting:	12 April 2021 – 5.30pm
	Type of Meeting:	Council Meeting Pre-briefing
	Matters Considered:	
<p>Items listed on the agenda for Council Meeting 12 April 2021 as below:</p> <p>2.1 Petition - Safe Pedestrian Access over Railway Line - Odenwald Road, Eaglemont</p> <p>3.1 Yarra Plenty Regional Library Service Agreement 2020-2025</p> <p>3.2 Homes Victoria Ten-Year Social and Affordable Housing Strategy</p> <p>5.1 James Reserve Master Plan</p> <p>5.2 Heidelberg Structure Plan - Key Directions</p> <p>5.3 Road Management Plan</p> <p>5.4 Rosanna Library and Turnham Avenue redevelopment</p> <p>5.5 Proposed Declaration of Public Highway - 1017 Heidelberg Road, Ivanhoe</p> <p>5.6 Council owned properties - 35-37 Bardia Street and 158-160 Liberty Parade, Heidelberg West</p> <p>5.7 Notice of Intention to Declare a Special Charge - Heidelberg Central Shopping Precinct</p> <p>5.8 Warringal Hospital Redevelopment - P1297/2020 - 210-216 Burgundy Street & 81-83 Darebin Street, Heidelberg</p> <p>7.1 Proposed Budget 2021-2025 - Public Exhibition</p> <p>7.2 Proposed Revenue and Rating Plan 2021-2025 - Public Exhibition</p> <p>7.3 Councillor Gift Policy</p> <p>7.4 Setting of Mayoral and Councillor Allowances for 2020-2024 Term</p> <p>7.5 Award of Contract No. 1105-2021 - Construction of Darebin Creek Trail Upgrade Stage 2, 3 & 5</p> <p>7.6 Record of Councillor Meetings</p>		
Councillors Present:		
<p>Peter Castaldo Alison Champion Peter Dimarelos Mark Di Pasquale Rick Garotti Alida McKern Tom Melican Fiona Mitsinikos Elizabeth Nealy</p>		

Staff Present:	
Allison Beckwith - <i>Chief Executive Officer</i> Russell Darling – <i>Acting Director Assets & 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 & Communication</i> Vivien Ferlaino – <i>Governance Coordinator</i> Emily Outlaw – <i>Council Business Team Leader</i> David Pascolo – <i>Technical Analyst</i> Duncan Stephen – <i>JETS Sound Engineer / Program Assistant</i> Jay Mifsud – <i>Youth Program Officer</i>	
Others Present:	
Nil	
Conflict of Interest:	Nil

2	Date of Meeting:	19 April 2021 – 5.30pm
	Type of Meeting:	Councillor Briefing Session
	Matters Considered:	
	<ul style="list-style-type: none"> Councillor CRM Statistics 	
	Councillors Present:	
	Peter Castaldo Peter Dimarelos Mark Di Pasquale Rick Garotti Alida McKern – <i>arrived 5.50pm</i> Tom Melican Fiona Mitsinikos Elizabeth Nealy	
	Staff Present:	
Allison Beckwith - <i>Chief Executive Officer</i> Russell Darling – <i>Acting Director Assets & City Services</i> Marc Giglio – <i>Director Corporate Services</i> Scott Walker – <i>Director City Development</i> Kath Brackett – <i>Director Community Programs</i> Vivien Ferlaino – <i>Governance Coordinator</i> Fang Stevenson – <i>IT Applications & Digital Coordinator</i> Fletcher Coburn – <i>Executive Customer Support Officer</i>		
Others Present:		
Nil		
Conflict of Interest:	Nil	

3	Date of Meeting:	19 April 2021 – 6.30pm
	Type of Meeting:	Councillor Workshop/Training
	Matters Considered:	
	<ul style="list-style-type: none"> • Councillor Workshop – Code of Conduct 	
	Councillors Present:	
	Peter Castaldo Alison Champion Peter Dimarelos Mark Di Pasquale Rick Garotti Alida McKern Tom Melican Fiona Mitsinikos Elizabeth Nealy	
Staff Present:		
Allison Beckwith - <i>Chief Executive Officer</i> Russell Darling – <i>Acting Director Assets & City Services</i> Marc Giglio – <i>Director Corporate Services</i> Scott Walker – <i>Director City Development</i> Kath Brackett – <i>Director Community Programs</i>		
Others Present:		
Michael Peacock – Performance Architects		
Conflict of Interest:	Nil	

Resolution (CO2021/92)

That the Record of Councillor meetings report be received.

Moved: Cr Alison Champion
 Seconded: Cr Elizabeth Nealy

CARRIED

8. SEALING OF DOCUMENTS

Nil

9. NOTICES OF MOTION

Nil

10. GENERAL BUSINESS

10.1 OPEN HOUSE 50TH ANNIVERSARY

Cr Peter Dimarelos raised an item of General Business relating to the 50th Anniversary of Openhouse.

The wonderful community organisation Open House celebrate their 50th anniversary in the Great Hall in Ivanhoe last Friday night. Councillors Rick Garotti, Peter Dimarelos and Tom Melican all attended the wonderful event along with 240 very special people.

The team at Open House is deeply and proudly committed to a friendship based model, with outreach to old, young, disadvantaged, disabled and lonely people left behind, unwanted, unloved, or forgotten by society. For all these people Open House is "A place to belong," For many participants in their programs, they are their family.

Much of Open House work is with disadvantaged youth from low socio-economic circumstances. Open House early involvement in their lives helps them re-engage and stay on the straight and narrow. Open House help prevent them, through our offers of friendship, one on one mentoring, and role modelling, from taking troublesome paths that might otherwise lead to detention, suicide, violence, unemployment, teen pregnancy, drug dependency, or other serious consequences.

Open House Chairman Dr George Giuliani spoke of the history, and it was great that the Open House founders George and Muriel Farrington AO, were in attendance, along with original members David and Pam Wood. AO.

Open House has transformed and improved the lives of countless people in the last 50 years, and we are very lucky to have such great organization, supported by many volunteers, within Banyule.

10.2 COMMUNITY CLEAN UP - BEALE WARD

Cr Elizabeth Nealy raised an item of General Business relating to the Community Clean-up day.

On Sunday 2nd of May I met residents at Greensborough Park to take part in a Beale Ward clean-up. We collected the visible rubbish near the oval as well as the rubbish hidden in the brush along the Plenty River.

Unfortunately we found larger items dumped along the river, some of which we couldn't retrieve. To balance this disappointment, it was heartening to hear from local students who really care about recycling and waste disposal. Some of the residents helping out shared their stories about their experiences along the river, particularly about when it was safe to swim in, and the changes to the area over the past 40 years.

It's clear from talking to these residents, and seeing it myself yesterday, that the Plenty River and surrounds needs some TLC. Amongst the challenges are the many weeds sloping down to the water. I am keen to look at how Council and other agencies can continue to work alongside our local residents to improve the area for our community, the local flora and the local fauna too.

Thank you to all of the local residents who came along to assist with the clean up, it was wonderful to meet many of you for the first time. Just two of the things I love most about living in Banyule is the strong sense of community, and the love for our local environment. Both of these were on display yesterday.

Thank you to Emma and Rachael from the Bushland Management Team here at Council for being there to lend their expertise and support. We're lucky to have such committed staff here at Banyule.

And thanks to Vicki Ward MP, Member for Eltham, for coming along too to help out with the clean up.

10.3 WATERDALE ROAD - COMMUNITY CONSULTATION

Cr Alida McKern raised an item of General Business relating to community consultation regarding Waterdale Road Pocket Park

I attended the last of 2 community engagement pop-up sessions for the proposed Waterdale Road Pocket parks and shared road zone on Saturday. Locals had the opportunity to talk to Council staff and Councillors -staff realised from the first pop-up session held nearly 2 weeks ago, that while some people wanted to comment, didn't have the time to stop for a chat-a poster was set up where residents could place a dot in the column of against, neutral or support for the park. I must say there was an overwhelming show of dots in the support column—which is encouraging.

Thank you to all the parks, open space planning and transport staff who attended the sessions, and to Councillor Melican and Councillor Castaldo who attended the first session—a marvellous opportunity not only to gauge our communities opinions, but to have a real life presence in our community which is a nub of meaningful engagement. Council will receive public comments until 5th May—please go to Council's web page at Shaping Banyule for how you can contribute.

10.4 RAMADAN - COUNCIL PARTICIPATION

Cr Alida McKern raised an item of General Business relating to Ramadan and Council's participation.

It's Ramadan month—which is a special time for our Muslim community. This year, Ramadan started on 12 April, and will continue for 30 days until 12 May.

Council has been active in its participation which has included sharing in Ramadan Iftar dinners. Most Councillors have respectfully participated in at least one of the Iftar dinners held to break the days fast. We are grateful for the opportunity to be involved--As a proud and diverse multicultural community, Banyule's multi-cultural plan identifies a goal for celebration and awareness raising of diverse communities At this time of Ramadan we wish our Muslim community "Assalamu 'alaikum" ("peace be upon you").

10.5 LXRP - HURSTBRIDGE LINE STAGE 2

Cr Alison Champion raised an item of General Business relating to the Hurstbridge Line Project.

The Sherbourne community has repeatedly been asking for authentic, effective engagement with LXRP during the design process of Montmorency Train Station as part of the Hurstbridge Rail Duplication project for the past 6 months.

While LXRP has created online meetings and information sessions since October 2020, this community believes it has not been involved in any decision-making or been invited to share their skills and knowledge as engineers, urban designers, rail specialists,

environmentalists and specialists in the functionality of the Montmorency Train Station precinct. This community continues to attempt to connect with LXP, state representatives, and ministers to be heard in their requests for meaningful conversation allowing for expert input to leave a legacy which is both functional as a safe public transport location, and retains the village feel of the suburb.

On behalf of the Sherbourne Community, I will work with the Mayor and Chief Executive Officer to seek a meeting with the Minister for Transport, the Hon. Jacinta Allen MP to meet with the Mayor, the ward councillor, state member, the CEO and specific community specialists to ensure LXP meets and communicates effectively in the design process and outcomes which will lead to both a practical, safe and aesthetic Montmorency Train Station precinct for the next 100 years.

Closure of Meeting

The Meeting was closed at 7.50pm.

DATED: DAY OF 2021

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MAYOR

The next Ordinary Meeting of Council will be held on Monday, 24 May 2021.

PUBLIC QUESTION TIME

1	<p>Name & Suburb</p> <p>Julie Fechner – Montmorency</p>
	<p>Question:</p> <p>Given that Banyule City Council has declared a climate emergency and claim "We are making sure our natural environment is healthy, green and actively cared for", what does Council actually do to "make sure our natural environment is healthy, green and actively cared for" as trees are being killed by lack of care.</p>
	<p>Response:</p> <p>Council adopts a multifaceted approach to management and protection of our natural environment.</p> <p>Our Bushland Management Unit (BMU) plays an integral role in the protection of our environment and biodiversity in the municipality. The main threats to the environmental health have been identified as:</p> <ul style="list-style-type: none"> • Competition from weeds • Habitat fragmentation through urbanisation • Human created waste and rubbish; • Predation by and competition from pest animals; • Climate change. <p>The BMU mitigates threats by controlling and removing weeds, planting locally indigenous vegetation, removing litter, and dumped waste from bushland areas, and monitoring and controlling pest fauna populations. These actions help to increase biodiversity, which enhances the ability of ecosystems to adapt to climate change.</p> <p>It is important to also note that we offer the community programs that connect people to local bushlands, parks, and reserves, improving us conserve these natural habitats. Additionally, through the planning application process, residents are informed of the benefits of trees and their retention including measures to ensure trees remain viable and healthy. This includes educating residents of the importance of ongoing care and maintenance of trees including pruning, watering, and mulching. Further, where there are complaints about unlawful car parking on naturestrips and there are clear negative impacts on vegetation and Council assets appropriate enforcement action is taken.</p> <p>If community members observe damage to any Council Assets (including trees) they can contact Council with specific information and the location so that an inspection can be arranged.</p> <p><i>Scott Walker – Director City Development</i></p>

2	<p>Name & Suburb</p> <p>Margaret Fyfe - Ivanhoe</p>
	<p>Question:</p> <p>Council's current consultation regarding Waterdale Road Ivanhoe "Pocket Parks" included a letter drop in the immediate vicinity. These letters were not personally addressed, simply folded brochures. How many were distributed to residents living West of Upper Heidelberg Road Ivanhoe, given that the temporary closure of the one way section of Waterdale Road at Upper Heidelberg Road has had a disproportionate effect on those residents?</p>
	<p>Response:</p> <p>The letter drop was distributed to properties within a 400 metre radius of the subject site (i.e. walking distance of approximately five minutes).</p> <ul style="list-style-type: none"> • In total 1,250 letters were circulated. • The letters were hand delivered and therefore did not require an address. • The letter drop occurred on Wednesday 7th April in the morning. • The distribution extended to Green Street to the north, Lower Heidelberg Road to the south, Marshall Street to the east and Wallace Street to the west. • Approximately half of the letters were distributed to the residents/properties on the west of Upper Heidelberg Road, Ivanhoe. <p>In addition to the letter drop, a number of forms of communication have been used to date to advertise the project including signs, social media posts, Shaping Banyule and postcards.</p> <p><i>Geoff Glynn – Director Assets & City Services</i></p>
3	<p>Name & Suburb</p> <p>Megan Burke - Rosanna</p>
	<p>Question:</p> <p>I am curious to know what Council intends to do about the community backlash on the 'upgrades' to Rosanna Shops?</p>
	<p>Response:</p> <p>Council is currently working through rectifying defects with the contractor to ensure all works are complete in accordance with the specification. A comprehensive review of the project is also being undertaken with all key stakeholders to understand areas of improvement that need to be considered for future projects.</p> <p><i>Scott Walker – Director City Development</i></p>

4	Name & Suburb
	Anonymous
	<p>Question:</p> <p>As Councillor’s Facebook pages range from the non-existent to the casually updated to the “official”, does Council have a plan to standardise the practices of Councillors to both create and post on Facebook or other social media platforms?</p>
	<p>Response:</p> <p>Councillors have individual choice and responsibility when it comes to the use of Social Media. The Councillor Code of Conduct governs the appropriate use of Social Media including advice on what can and can’t be shared. The Code does not require Councillors to use social media. The official Banyule City Council Social Media accounts are managed by Council’s Communications Team and Councillors are encouraged to ‘share’ content from those accounts.</p> <p><i>Marc Giglio – Director Corporate Services</i></p>

5	Name & Suburb
	Anonymous
	<p>Question:</p> <p>Would Council please provide a table of the demographics of the 45 participants of the Banyule 2041 (Round 2) Community Working Group (incl. suburb, age, gender, diversity etc.)?</p>
	<p>Response:</p> <p>Council used the following demographic information from the Australian Bureau of Statistics 2016 Census to form the mix of Community Working Group (CWG) participants.</p> <p>Demographic split based on:</p> <ol style="list-style-type: none"> 1. Suburb – based on %age population of each suburb, target number for CWG were developed. E.g. For suburb of Bundoora target of 4 community members in CWG, 5 for Ivanhoe due to their population %age. 2. Gender – 50% split 3. Life stage – from 12 to 85+ 4. Hard to reach communities/residents e.g. Aboriginal or Torres Strait Islander (ASTI), speak a language other than English at home, a person with a disability, members of LGBTIQ+ community.

Category	Criteria	Representation	Target
Region / Suburb	Briar Hill	3%	1
	Bundoora	8%	4
	Eaglemont	3%	2
	Greensborough	12%	6
	Heidelberg	5%	3
	Heidelberg Heights	5%	3
	Heidelberg West - Bellfield	6%	3
	Ivanhoe	11%	5
	Ivanhoe East	3%	2
	Lower Plenty	3%	2
	Macleod	6%	3
	Montmorency	7%	4
	Rosanna	7%	4
	St Helena - Eltham North - Eltham	4%	2
	Viewbank	6%	3
	Watsonia	4%	2
Watsonia North	3%	2	
Yallambie	3%	2	
Gender	Male	49%	25
	Female	51%	25
Life stage	Secondary schoolers (12 to 17)	8%	4
	Tertiary education and independence (18 to 24)	10%	5
	Young workforce (25 to 34)	15%	8
	Parents and homebuilders (35 to 49)	23%	11
	Older workers and pre-retirees (50 to 59)	15%	7
	Empty nesters and retirees (60 to 69)	13%	6
	Seniors (70 to 84)	11%	6
	Elderly aged (85 and over)	5%	2
Hard to reach	Aboriginal or Torres Strait Islander	1%	2 (1)
	A person with disability	19%	10
	Member of the LGBTIQ+ community	NA (2)	2
	Speak a language other than English at home	22%	11
Did you participate in Stage 1 engagement?	Yes	70%	35
	No	30%	15

	<p>(1) Note, this has manually increased to 2 from 1 to allows for 2 ASTI participants. (2) This is not captured in the census and has been manually set at 2 people.</p> <p><i>Marc Giglio – Director Corporate Services</i></p>
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6	<p>Name & Suburb</p> <p>Roger Marcus Fyfe - Ivanhoe</p>
	<p>Question:</p> <p>What is the net increase in public park area in Were Street, Montmorency as a result of the government's second round funding grant, excluding street footpath enhancements?</p>
	<p>Response:</p> <p>The Were Street pocket of land which is subject to the funding will have no net change to the land size.</p> <p>The intent of the new pocket park design is to improve the surroundings, opening up the pedestrian spaces, changing the way people access and use the space, creating new places to sit and gather plus the links to the streetscape and surrounding areas would mean that the area feels much bigger through “borrowed” space.</p> <p><i>Geoff Glynn – Director Assets & City Services</i></p>

7	<p>Name & Suburb</p> <p>Robyn Roberts - Ivanhoe</p>
	<p>Question:</p> <p>Council has recently announced a public/private partnership with Woolworths to sell land and then build the Rosanna Library in return. How many other public/private partnerships are currently in negotiation in a) Ivanhoe and b) Banyule?</p>
	<p>Response:</p> <p>Council is involved in a range of strategic property projects which are at various stages of consideration. These projects will become public at an appropriate time with the necessary consultation and statutory processes to be undertaken. All property transactions are reported to Council in a regular six monthly report.</p> <p><i>Marc Giglio – Director Corporate Services</i> <i>Scott Walker – Director City Development</i> <i>Kath Brackett – Director Community Programs</i></p>

8	<p>Name & Suburb</p> <p>Alicia Waters - Rosanna</p>
	<p>Question:</p> <p>In 2017 Woolworths was granted a permit for 44 Turnham Ave to develop a supermarket. Will Woolworths be relying on the old permit, or will they be required to apply for a new permit?</p>
	<p>Response:</p> <p>Woolworths is required to obtain planning approval for the proposed supermarket and library development. Woolworths will therefore need to undertake a planning process which at this stage is expected to be an amendment to the existing supermarket permit.</p> <p><i>Scott Walker – Director City Development</i> <i>Kath Brackett – Director Community Programs</i></p>

9	<p>Name & Suburb</p> <p>Susan Martin - Rosanna</p>
	<p>Question:</p> <p>Council's indicative timeline states "Commence sale of land statutory process". Could council detail the normal requirements for sale of public land, and how this process will differ for their partnership with Woolworths.</p>
	<p>Response:</p> <p>Council must complete statutory procedures in accordance with section 114 of the Local Government Act 2020.</p> <p>Before selling the land, council must publish a public notice of its intention to sell the land and provide a 4 week notice period, consider any submission and obtain a valuation of the land. This is the same process as would apply in any sale of the land and is not any different due to the partnership with Woolworths.</p> <p><i>Scott Walker – Director City Development</i> <i>Kath Brackett – Director Community Programs</i></p>

10	<p>Name & Suburb</p> <p>Alicia Curry - Rosanna</p>
	<p>Question:</p> <p>When will the Heads of Agreement with Woolworths become binding and how will this occur?</p>
	<p>Response:</p> <p>Prior to entering into a contract of sale with Woolworths, Council must undertake statutory procedures in accordance with section 114 of the Local Government Act 2020 and decide whether or not to sell the subject land.</p> <p>Council expects the process to occur between July to September this year.</p> <p>Indicative timelines have been published on the Shaping Banyule dedicated project page as well as hard copy FAQ fact sheets available at the library.</p> <p><i>Scott Walker – Director City Development</i> <i>Kath Brackett – Director Community Programs</i></p>

11	<p>Name & Suburb</p> <p>Anonymous</p>
	<p>Question:</p> <p>Please detail any State Government (completed or pending) approvals or contractual obligations in relation to the Woolworths/ Rosanna Library partnership.</p>
	<p>Response:</p> <p>The State Government is not a party, contractually or otherwise in relation to the Woolworths/Rosanna Library partnership.</p> <p><i>Scott Walker – Director City Development</i> <i>Kath Brackett – Director Community Programs</i></p>