

Minutes of the Ordinary Meeting of Council



Held on the 9 August 2021

Conducted virtually and streamed online

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MINUTES

The Meeting opened at 7.02pm.

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.

Present

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

Apologies

Nil

Leave of Absence

Nil

Confirmation of Minutes

That the following Minutes be confirmed:

Ordinary Meeting of Council held 19 July 2021

Moved: Cr Tom Melican

Seconded: Cr Elizabeth Nealy

CARRIED

Disclosure of Interests

Cr McKern declared a General Conflict of Interest for Item 5.6 – Mother Of God Church, East Ivanhoe – Interim Heritage Overlay Request.

Presentations

Nil

1. URGENT BUSINESS

Nil

2. PETITIONS

Nil

3. PEOPLE – COMMUNITY STRENGTHENING AND SUPPORT

3.1 BANYULE SCOUTS GRANTS PROGRAM- YEAR 1 REPORT

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

SUMMARY

At the Ordinary Council Meeting of the 17th August 2020, Council approved the establishment of the Banyule Scouts Grants Program which allocated \$100,000 per annum for capital works projects over the next 4 years.

1. In 2020/21, the first year of the program, the grant round occurred between December 2020 and May 2021.
2. Through a coordinated approach with Scouts Victoria and the Banyule District Scouts Groups, 3 grant applications totalling \$100,000 were prioritised and submitted for approval.
3. Grants were approved and distributed to Watsonia Scout Group, 1st/2nd Greensborough Scout Group and Heidelberg Scout Group.
4. Evaluation of the first year's program has identified opportunities for improvement in future years. Accordingly, three options have been developed for years 2 to 4 of the Program for Council considerations.

Resolution (CO2021/145)

That Council:

1. Notes the scout grant allocation for 2020/2021 financial year to:
 - Watsonia Scout Group \$50 000;
 - 1st/2nd Greensborough Scout Group \$15 000;
 - Heidelberg Scout Group \$35 000
2. Notes the collaborative and coordinating role the District Commissioner (DC) for Banyule scouts has taken in supporting the grant program.
3. Offer the Banyule Scouts Grants Program of \$100 000 per annum on the basis of clear evidence of seeking matched funding by key stakeholders such as State or Federal Governments or Scouts Victoria (or a combination of funding sources).
4. Offer matched funding through the Banyule Scouts Grants Program noticing fundraising efforts of Scout groups are valid funding sources and can be matched by these grants.
5. Facilitate a collaborative process with the DC, local scout groups and Scouts Victoria to finalise an annual schedule of works.
6. Notes a program evaluation of the 4 year program will be undertaken and the findings presented to Council on an annual basis during the budget process.

Moved: Cr Mark Di Pasquale
Seconded: Cr Alison Champion

CARRIED

4. PLANET – ENVIRONMENTAL SUSTAINABILITY

Nil

5. PLACE – SUSTAINABLE AMENITY AND BUILT ENVIRONMENT**5.2 NORTHERN REGION TRANSPORT STRATEGY - FINAL REPORT****SUMMARY**

1. This report has been prepared to present Council with the final report titled: The *Northern Region Transport Strategy* (Transport Strategy) prepared by GTA Consultants on behalf of the Northern Councils Alliance (NCA) and funded by the Department of Jobs, Precincts and Regions via the Northern Metropolitan Partnership.
2. The purpose of the Transport Strategy (*Attachment 1*) is to provide a regional perspective and understanding of how the transport network is operating and identify cross regional desire lines.
3. Whilst each Council within the Northern Councils Alliance has existing transport strategies, the Transport Strategy was designed to not reinvent these, but to consider them across the region and establish a high-level regional view that will assist in ongoing prioritisation and advocacy.
4. The Transport Strategy has identified priority actions across the seven municipalities of the Northern Councils Alliance - Cities of Banyule, Darebin, Moreland, Nillumbik, Hume, Whittlesea and Mitchell Shire - at a Federal and State level and it may be used to support regional advocacy efforts. These priority actions relate to:
 - Supporting growth while managing impacts
 - Creating a network of strategic places
 - Enabling travel choice to jobs and activity
5. Among many items the report discussed the challenges of:
 - population growth and the need to access jobs;
 - high car use;
 - the limitations of the current public transport system;
 - difficulty of access to services particularly people living in the rural and suburban areas to centres and hubs; and
 - the lag of infrastructure and services to many housing and industrial developments.
 - creating a network of strategic places
6. The report is presented for Council consideration and endorsement.

Resolution (CO2021/146)

That Council:

1. Endorses the Northern Council Alliance Northern Region Transport Strategy (2021) final report.
2. Supports the further development of the projects listed on page 13 of the Northern Region Transport Strategy with associated advocacy plan.
3. Notes the report will be utilised for regional advocacy purposes by the Northern Councils Alliance.

4. Seeks support from the other Councils in the Northern Councils Alliance to advocate to the State Government to produce a Victorian Transport Plan to align and integrate current strategies and plans including the Northern Region Transport Strategy.
5. Reviews and considers any changes required to the Strategic Cycling Corridors in Banyule as part of the Banyule Bicycle Strategy.
6. Writes to other Northern Councils, the Department of Transport and all Local State Members of Parliament:
 - Requesting the implementation of the Strategic Cycling Corridors, as a priority, to meet the state objectives of this program.
 - Raising concerns with the lack of integrated transport planning and community consultation with major transport projects being developed in Banyule.
 - Request a meeting with all 3 State members to discuss Council's concerns with transport related issues within State Government organisations.

Moved: Cr Tom Melican

Seconded: Cr Mark Di Pasquale

CARRIED

5.3 PLANNING AND BUILDING ACTIVITIES REPORT JANUARY - JUNE 2021

EXECUTIVE SUMMARY

- This report presents and provides commentary on the January to June 2021 activities of Development Planning and Building with key highlights from the review period.

Development Planning

- The number of planning applications and requests received increased by 5.5% in the 2020-21 financial year as compared to the previous financial year.
- The average number of 'Live' (current) planning applications and requests increased by 33 per month as compared to the previous review period.
- The percentage of applications determined within the statutory timeframes reached a high in June with 81% of planning application determined in 60 days. In January, 100% of VicSmart applications were determined within 10 business days.
- Applications for multi dwelling development increased in the six-month review period by 29% from 121 in the previous review period to 156. This is the highest number of multi dwelling applications received in a six-month review period since the July to December 2016 period. Typically, the first half to the calendar year sees less than the latter.
- There has been a decrease in the number of Council decisions overturned by the Victorian Civil and Administrative Tribunal throughout the review period with 35% of applications for review set aside by the Tribunal. This is an improvement compared to 50% overturned in the previous six months.
- One 'out of time' appeal was received in the review period.

Building Services and Banyule BPI

- The financial position for Banyule BPI for the 20/21 financial year is a net return of \$371,014 (excluding corporate overheads), a 37% increase on the last full financial year result.
- There were 475 permits issued between Jan and Jun 21, compared to 537 in the same period in 2020 (decrease of 11%).
- The number of active investigations was consistent over the 6-month period with a slight decrease to 157 total in the period.
- A total of 4,104 residents with properties containing swimming pools or spas have registered with Council to date – including 113 between January and June 21.
- Council was successful in obtaining a State Government grant through the *Women in Building Surveying* program. This will provide for a two year cadetship.
- Council continues to work closely with Cladding Safety Victoria to reduce the number of buildings identified as containing combustible cladding. Council closed out 10 of the 26 outstanding building orders administered by Banyule with the Victorian Building Authority taking on a further 13 high risk sites from Banyule.

Resolution (CO2021/147)

That Council note the Development Planning and Building Activities Report for the period January to June 2021.

Moved: Cr Tom Melican
Seconded: Cr Peter Castaldo

CARRIED

5.4 COVID-19 RESPONSE - BUSINESS SUPPORT PACKAGE AND ECONOMIC DEVELOPMENT AND RECOVERY PLAN 2022-2025**SUMMARY**

1. On 16 March 2020, a State of Emergency was declared in Victoria in relation to the COVID-19 pandemic. In response, Council confirmed Banyule's Economic Support Package of \$10.5m to support rate payers, local businesses and community groups to complement both the Federal and Victorian Government's support packages.
2. Council has provided significant assistance to business since the beginning of the COVID-19 Pandemic including committing \$2.6m to support business recovery.
3. This report provides an update in relation to the outputs achieved to date, to assist businesses in Banyule to respond and emerge from the global pandemic.

Resolution (CO2021/148)

That Council:

1. Note the extensive efforts undertaken to support local economy, businesses and jobs in response to the economic impacts of COVID-19.
2. Notes the direct provision of grants, rate relief, waived fees and reduced lease costs to support businesses over the 2020 and 2021 years.
3. Commence the development and delivery of the Economic Development Strategy and Recovery Plan 2022 to 2025 that responds to the opportunities and needs of the business community and identifies actions to aid business recovery from the COVID-19 pandemic.
4. Notes the current situation and requests a further report to the next Council meeting on additional support options.

Moved: Cr Elizabeth Nealy

Seconded: Cr Rick Garotti

CARRIED

5.5 PROPOSED DECLARATION OF A SPECIAL CHARGE - HEIDELBERG CENTRAL SHOPPING PRECINCT

SUMMARY

1. Following the Ordinary Council Meeting held on 12 April 2021, and in accordance with the statutory process under the *Local Government Act 1989* (“**Act**”) for the declaration of a Special Charge (“Special Charge” and “Scheme” and “Proposed Declaration”), a statutory public notice of Council’s intention to declare the Special Charge for Heidelberg Central Shopping Precinct was advertised in the “*The Herald Sun*” newspaper on 20 April 2021, and placed on Council’s website.
2. Separate letters, advising of Council’s intention to declare the Special Charge were mailed by ordinary post, on 22 April 2021 to all owners and occupiers of the properties included in the proposed Scheme, with a copy of the public notice.
3. The public notice advised that any person may make a written submission under sections 163A and 223 of the Act. The public notice further advised that any person who would be required to pay the Special Charge (whether an owner or an occupier of a property included in the Scheme) had a right to object to the Proposed Declaration and could make a written objection to the Council under section 163B of the Act.
4. The closing date for submissions and objections was 21 May 2021. Council received by this date a total of nine written submissions in support of the proposed Scheme and two objections, representing 14 rateable properties, opposing the proposed Scheme.
5. Council formally considered the written submissions at its ordinary meeting held on 28 June 2021, and heard two speakers in support of the scheme and resolved to proceed to make a final decision in relation to the Scheme at its ordinary meeting to be held on 9 August 2021.

Resolution (CO2021/149)

That Council:

1. Council, having considered all submissions received under section 223 of the *Local Government Act 1989* (“**Act**”) and having complied with the requirements of sections 163A, 163B and 223 of the Act, and otherwise according to law, hereby declares a Special Charge under section 163(1) of the Act for the purposes of defraying expenses to be incurred by Council in providing funds to the Heidelberg Central Traders Association (“**Traders Association**”), for the purposes of:
 - (a) Collective marketing and promotion of the precinct as a whole, which will assist in raising the profile of the area, including what it has to offer to the community and its customers,
 - (b) A resourced and supported Traders Association that coordinates the daily management of activities and drives the overall strategic direction of the precinct with the support of Council, and
 - (c) Enhanced property values and improved use, enjoyment and occupation of properties and overall business goodwill within the Shopping Precinct.
2. The period for which the Special Charge is declared and will remain in force is a period of 5 years commencing on 1 July 2021 and ending on 30 June 2026.
3. Based on the 262 rateable assessments included in the Scheme, an amount of \$97,856 per annum will be raised for a period of five years. This amount will be supplemented by Council’s contribution of a further \$88,797 per annum to provide a total annual budget to \$186,653.

4. The area for which the Special Charge is declared is the land referred to as The Heidelberg Central Shopping Precinct, as identified in **Attachment 1**.
5. The land in relation to which the Special Charge is declared is all that rateable land described in the listing of rateable properties set out in **Attachment 2**.
6. The Special Charge will be levied by Council sending a notice of levy ("Notice") in the prescribed form annually to the person who is liable to pay the Special Charge, which will require that the Special Charge be paid in the following manner –
 - o by one annual payment to be paid in full by the due date fixed by Council in the notice, which will be a date not less than 30 days after the date of issue of the notice; or
 - o by four instalments, to be paid by the dates which are fixed by Council in the Notice.
7. Council will consider cases of financial and other hardship, and it may reconsider other payment options for the Special Charge. No incentives will be given for payment of the Special Charge before the due date for payment in the Notice.
8. Subject to paragraph 9 of this proposed Declaration, the Traders' Association be authorised on behalf of the Council, administratively only and subject always to the supervision, direction and control of the Council, to administer the proceeds of the Special Charge on the express condition that the Traders' Association first enter into a funding agreement with the Council for the period of the Special Charge (**Funding Agreement**)."
9. The Funding Agreement must be approved by the Chief Executive Officer of Council, and without limitation, it must contain a condition which replaces Condition 6 of the funding agreement previously entered into between the Council and the Traders' Association for the previous Special Charge (**New Condition 6**).

The New Condition 6 must –

- (a) give the Council the legal right, in its absolute and unfettered discretion (and without first requiring any recourse to the Traders' Association), to unconditionally terminate the Funding Agreement for any reason which the Council considers to be relevant and appropriate by way of the Council first giving the Traders' Association 7 days' written notice of the Council's decision to terminate the Funding Agreement; and
 - (b) following such termination, allow the Council, by utilising the Council's own staff or any contracted third party, to assume ongoing responsibility for the administration of the Special Charge."
10. Notice be given to all owners and occupiers of properties included in the Scheme and all persons who have lodged a written submission of the decision of Council to declare and levy the Special Charge commencing on 1 July 2021, and the reasons for the decision.
 11. The Traders' Association be notified of the matters specified in paragraphs 1 and 10 of this resolution.

Moved: Cr Peter Castaldo
Seconded: Cr Rick Garotti

CARRIED

Cr Alida McKern declared a General Conflict of Interest in Item 5.6 – Mother of God Church, Ivanhoe East – Interim Heritage Overlay Request as she currently attends the church and is a volunteer.

Cr McKern left the meeting at 7.52pm. She was not present to participate in the discussion or vote on the matter.

5.6 MOTHER OF GOD CHURCH, IVANHOE EAST - INTERIM HERITAGE OVERLAY REQUEST

A written statement was read on behalf of Fr. Bill Edebohls.

SUMMARY

1. The purpose of this report is to satisfy an administrative requirement requested by the Department of Environment, Land, Water and Planning (DELWP) to support the progression of an interim Heritage Overlay (HO) to the Mother of God Church (Ivanhoe East).
2. On the 7 June 2021, Council considered a report to prevent the potential demolition of the Mother of God Church (Church) at 56 Wilfred Road Ivanhoe East. Council resolved to request an interim HO if the demolition application that had been received was not withdrawn.
3. On the 10 June 2021, Council requested the Minister for Planning to apply an interim HO in the Banyule Planning Scheme to 56 Wilfred Road, Ivanhoe East.
4. DELWP have since advised it cannot progress the request until Council adopts the Statement of Significance (SoS) for the Church and resolves to seek authorisation for an amendment to apply the HO to the site on a permanent basis.
5. The Church is included in Council's current municipal wide heritage study which is nearing completion and is expected to be presented to Council for adoption in September 2021. As DELWP has requested Council to adopt the SoS for the Church by the end of August, the matter needs to be addressed ahead of the heritage study. Permanent controls for the Church can still be included in a broader amendment that captures all heritage properties in September to avoid duplication of process.
6. Adopting the SoS for the Church and resolving to seek an amendment to apply the HO on a permanent basis will meet the administrative requirements of DELWP and allow the request for the interim HO to be progressed without further delay.

Resolution (CO2021/150)

That Council:

1. Adopts the Statement of Significance included in the Heritage Citation for the Mother of God Church, Ivanhoe East provided in Attachment 1.
2. Agrees to pursue permanent controls for the Mother of God Church at 56 Wilfred Road, Ivanhoe East noting that the future planning scheme amendment process will be subject to Council's consideration of the municipal-wide Heritage Study in September 2021.
3. Notes that as part of the Planning Scheme Amendment process the Mother of God Church will be able to lodge a submission for consideration of Council which explains why the church considers that heritage controls are not appropriate for the site.

Moved: Cr Peter Castaldo

Seconded: Cr Tom Melican

CARRIED

Cr McKern returned to the meeting at 8.03pm.

6. PARTICIPATION – COMMUNITY INVOLVEMENT IN COMMUNITY LIFE**6.1 VICTORIAN GOVERNMENT SPORT AND RECREATION FUNDING OUTCOMES SUMMARY**

1. The 2021/2022 Local Sports Infrastructure Fund (LSIF) and World Games Fund are Victorian Government initiatives that provide State Government funding to support high-quality and accessible community sport and recreation facilities.
2. At its meeting 1 March 2021, Council resolved that the following four projects would be submitted as applications to these programs:
 - Beverley Road Oval Surface Full Renovation (LSIF)
 - Macleod Park Pavilion upgrade (LSIF)
 - Partingtons Flat Female Friendly Change rooms (World Games)
 - Chelsworth Park Sport Field lighting (World Games)
3. Council has recently been advised that two of these applications are successful and will receive the following grant contributions:
 - Macleod Park Pavilion upgrade - \$320,000
 - Partingtons Flat Change rooms upgrade - \$250,000
4. These two successful projects will deliver a total \$1,770,000 of community sports asset and infrastructure. Banyule City Councils contribution funded by the existing capital works program will be a total of \$1,200,000 across the two projects. The remaining \$570,000 will be funded by the LSIF grant of \$320,000 and World Games Fund grant of \$250,000.
5. The 2021/2022 budget allocation of \$800,000 for the Macleod Park Pavilion upgrade will be deferred to 2022/2023 to enable an effective redefined scope of works, detailed design, planning permit requirements and construction in consultation with all tenants of the pavilion.

Resolution (CO2021/151)

That Council:

1. Acknowledges the \$320,000 from the Victorian Government Local Sports Infrastructure Fund (LSIF), and \$250,000 from World Games Fund for the delivery of the Macleod Park Pavilion upgrade and Partington Flats Change rooms upgrade.
2. Informs stakeholders regarding the outcome of the funding applications and proceeds with the implementation of both projects.
3. Notes the budget allocation for Macleod Park Pavilion in 2021/2022 is to be deferred to 2022/2023 to enable effective construction and delivery and reduce impacts on tenant clubs.

Moved: Cr Elizabeth Nealy
Seconded: Cr Tom Melican

CARRIED

6.2 BANYULE 2041 STAGE 3 - PUBLIC EXHIBITION OF COUNCIL PLAN 2021-2025 AND FINANCIAL PLAN 2021- 2031**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 (the Project) was endorsed on 7 September 2020.
3. To date, the follow several stages of the Project have been delivered:
 - o **Stage 1** - key findings report was endorsed at the Ordinary Council Meeting on 22 March 2021
 - o **Stage 2** – representatives of the Banyule community joined the Banyule 2041 Community Working Group (CWG) to ensure the community had a voice and platform to shape the future of Banyule. The Community Working Group Journey Report and the Banyule Community Vision 2041 were endorsed at the Ordinary Council Meeting on 19 July 2021.
4. Findings from both stages of community engagement and the existing organisational plan have been utilised to develop the draft Council Plan 2021-2025 and draft Financial Plan 2021-2031.
5. Stage 3 of the project is to provide the public with the opportunity to provide feedback on the draft Council Plan 2021-2025 and draft Financial Plan 2021-2031 via a public exhibition process from 10 August to 7 September.
6. Community engagement feedback will be further utilised to refine the draft Council Plan 2021- 2025 and draft Financial Plan 2021 -2031.
7. The draft Council Plan 2021-25 and draft Financial Plan 2021-2031 will be considered for adoption at the Ordinary Council Meeting on 25 October 2021.

Resolution (CO2021/152)

That Council endorse:

1. The Banyule 2041 Stage 3 Engagement Plan and;
2. The draft Council Plan 2021-25 and draft Financial Plan 2021-31 for the Banyule 2041 Stage 3 engagement activities.

Moved: Cr Tom Melican

Seconded: Cr Elizabeth Nealy

CARRIED

7. PERFORMANCE - USE OUR RESOURCES WISELY**7.1 2 CLAUSCEN STREET, HEIDELBERG HEIGHTS - PROPOSED DISCONTINUANCE AND SALE OF ADJACENT LAND****SUMMARY**

1. The owners of 2 Clauscent Street, Heidelberg Heights (the Applicant) approached Council to purchase part of the right of way adjacent to their property.
2. Public notice was given in the *Herald Sun* on 8 June 2021, with submissions on the proposal invited in accordance with section 223 of the *Local Government Act 1989* ("Act"). The submission period closed at 5pm on 7 July 2021 with no submissions being received.
3. The purpose of this report is for Council to consider whether or not to proceed with the discontinuance and sale of part of the 'road' or to retain for municipal purposes.

Resolution (CO2021/153)

That Council:

1. In accordance with sections 207A(a) and 223 of the Local Government Act 1989:
 - a. by giving public notice in the *Herald Sun* on 8 June 2021; and
 - b. by noting that no submissions were received in response to the public notice,forms the view that the section of 'road' adjacent to 2 Clauscen Street, Heidelberg Heights (the Land) is no longer reasonably required for general public use for the following reasons:
 - the proposal will not impact on the movement of pedestrians or vehicles within the vicinity of the 'road';
 - there are no impacts on service authority or Council assets;
 - the discontinuance of the section of 'road' will not affect neighbouring properties as it is not currently used by neighbouring properties.
2. Authorises the publication of its resolution in the Victoria Government Gazette.
3. Acknowledges that upon publication of the resolution in the Victoria Government Gazette the section of 'road' is discontinued and the land will be sold to the owner of 2 Clauscen Street, Heidelberg Heights.
4. Authorises the amendment of Council's Road Register to reflect the discontinuation of the section of 'road', following publication of the resolution in the Victoria Government Gazette.
5. Writes to the owner of 2 Clauscen Street, Heidelberg Heights, advising them of the decision and the reason for that decision.
6. Authorises the signing of the necessary documentation at the appropriate time.

Moved: Cr Peter Dimarelos

Seconded: Cr Tom Melican

CARRIED

7.2 BANYULE INVESTMENT STRATEGY

SUMMARY

1. An Investment Strategy has been developed to address Council's need to pursue an investment framework that is fit-for-purpose and focuses on our vision, objectives, risk management and asset allocation that can help to enhance our investment returns.
2. The main objective of the Investment Strategy is to achieve a strong financial return for the benefit of the council and the wider community within an appropriate risk and investment framework.
3. The Investment Strategy will assist Banyule to invest its investment capital (funds and capital) in a manner which meets the Council requirements.
4. The strategy is part of Banyule's overall governance and planning framework and specifically addresses the following:
 - Linkage to the Financial Sustainability Strategy
 - Sound financial management governance and principles
 - Current and projected level and use of capital
 - Council's risk appetite
 - Investment opportunities
 - The legislative framework.
5. The Council's risk appetite is considered medium based on the collated feedback provided by the Councillors and the Executive Management Team.
6. Based on Banyule's risk appetite it is suggested that the Council's Investment Portfolio is structured to include; Cash Enhanced, Property and the establishment of a Business Development Fund

Resolution (CO2021/154)

That:

1. Council notes the Investment Strategy:
 - a. Outlines Council's main objective to achieve a strong financial return for the benefit of the council and the wider community
 - b. Aims to provide clarity around governance structures to support any investment framework investment decisions and funding pool distribution principles.
 - c. Provides options and associated risks to deliver investment performance and is aligned to Council objectives; risk appetite and investment return expectations.
 - d. Outlines a recommended investment portfolio to achieve higher returns.
2. Council fully complies with its legislative and regulatory requirements in setting its investment strategy.
3. Council notes that under legislative and regulatory obligations Council is limited to investments in the following asset classes:
 - Cash
 - Term deposits
 - Cash enhanced assets (i.e. floating rate notes).
 - Property.
 - Approved Managed funds

4. Council assume a medium level of risk in setting its strategy involving a balanced allocation between, cash, term deposits, cash enhanced assets (floating rate notes), approved managed funds and property. This is in line with Council's risk appetite.
5. The investment strategy is as follows:
 - Council will set aside \$55m in cash and Term Deposits to meet its operational needs and medium-term capital project delivery and renewal needs. This will include an allocation of \$5m into a Banyule Business Improvement Fund which will be used to invest in internal business improvement opportunities and initiatives that deliver a good rate of return.
 - Council will set aside \$40m for investment in cash enhanced assets (floating rate notes) and/or approved managed funds.
 - Council will set aside \$40m for investment in strategic property.
6. Council note the attached Investment Strategy Summary contains further details on each element of Council's investment strategy including the Business Improvement Fund, investments in approved managed funds and property; and that Council's Investment Policy, which will be presented to the Audit and Risk Committee, will be reviewed and updated to ensure thorough control, governance and management of all elements of Council's investment strategy
7. Council adopt Banyule's Investment Strategy

Moved: Cr Peter Dimarelos

Seconded: Cr Rick Garotti

CARRIED

7.3 FINANCIAL MANAGEMENT REPORT - PRELIMINARY JUNE 2021 PERFORMANCE

SUMMARY

1. The Quarterly Financial Management Report - Preliminary June 2021 Performance is the actual unaudited financial results for June 2021 against the adopted budget 2020/21.
2. This financial result is preliminary and is subject to change pending finalisation of year-end adjustments including assessment of:
 - a) Accruals and prepayments
 - b) EOFY Unearned income review
 - c) Share valuation adjustment
 - d) Capital works completion
 - e) Capitalisation of expenditure
 - f) Depreciation and amortisation
 - g) Asset disposals
3. The Chief Executive Officer, as required by Section 97(3) of the *Local Government Act 2020* is of the opinion a revised budget is not required.

4. The Audited Financial Report for the year ended 30 June 2021 will be presented to Audit and Risk Committee on 17 September 2021 and will include a note on the performance against budget (income, expenditure and capital works).
5. The Adopted Budget 2020/21 deficit is **\$1.351m**. The preliminary June 2021 Actual Operating Surplus for the year is **\$4.195m** and compares favourably to budget by **\$5.546m**.
6. The variance to budget is primarily related to:
 - Higher Public Open Space contributions,
 - Lower than anticipated rate waiver applications, and
 - Partially offset by reduced fees and charges income.
7. The 2020/21 underlying operating deficit is **\$4.984m** and compares favourably to the budgeted underlying operating deficit of **\$8.484m**. This underlying result is determined after adjusting for non-recurrent capital grants and capital contributions.
8. Capital works expenditure is \$49.059m (adopted budget: \$63.550m).
9. The amount of capital works expenditure to be carried forward to the 2021/22 financial year will be determined once the financial statements have been completed, including all accruals and prepayments.

Resolution (CO2021/155)

That Council note:

1. The Financial Management Report – Preliminary Performance for the period 30 June 2021
2. The preliminary operating surplus of \$4.195m against the adopted deficit budget of \$1.351m for the year ended 30 June 2021
3. The financial impact of \$11.512m loss of revenue (budget: \$8.683m) and the \$8.043m (budget: \$5.323m) operational expenditure savings for the financial year due to COVID-19.
4. The audited Financial Statements for the period ended 30 June 2021 will be presented to Audit and Risk Committee on 17 September 2021.
5. The audited Financial Statements for the period ended 30 June 2021 will be considered for in principle approval by Council on 20 September 2021.

Moved: Cr Tom Melican

Seconded: Cr Peter Castaldo

CARRIED

7.4 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 July 2021 – 6.30pm
	Type of Meeting:	Councillor Briefing Session
	Matters Considered:	
	<ul style="list-style-type: none"> • Diversity and Intersectional Disadvantage • Fleet Roadmap to Carbon Neutrality • Directors Efficiencies 	
	Councillors Present:	
	Peter Castaldo Alison Champion Mark Di Pasquale Rick Garotti Alida McKern Tom Melican Fiona Mitsinikos Elizabeth Nealy	
	Staff Present:	
Allison Beckwith - <i>Chief Executive Officer</i> Darren Bennett – <i>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> Kerry Woods – <i>Executive & Councillors Team Leader</i> Myfan Jordan – <i>Community & Social Planner</i> Kathy Hynes – <i>Manager Operations</i>		
Others Present:		
Phoebe Tocco - Cultural Synergies		
Conflict of Interest:	Nil	

2	Date of Meeting:	19 July 2021 – 5.38pm
	Type of Meeting:	Council Meeting Pre-Briefing
	Matters Considered:	
Items listed on the agenda for Council Meeting 19 July 2021 as below: 3.1 COVID-19 Support for Seasonal Sportclubs - Reduction of Winter Sport Allocation Fees		

	<p>5.1 Rosanna Library Project - Consultation Update and Next Steps</p> <p>5.2 10 The Boulevard, Ivanhoe (Sparks Reserve) - Proposed Granting of Easement</p> <p>6.1 Banyule Community Vision 2041</p> <p>6.2 Council Advisory Committees 2021-23 - Proposed Nominations</p> <p>7.1 Cartmell Street, Heidelberg - Proposed Multi-Deck Carpark and Mixed-Use Development - Project Update</p> <p>7.2 Banyule's Revised Strategic Risks</p> <p>7.3 Property Transactions Report - for 6 month period ending 30 June 2021</p> <p>7.4 Record of Councillor Meetings</p>		
	<p>Councillors Present:</p> <p>Peter Castaldo Alison Champion Peter Dimarelos Mark Di Pasquale Rick Garotti Alida McKern Tom Melican Fiona Mitsinikos Elizabeth Nealy</p>		
	<p>Staff Present:</p> <p>Allison Beckwith - <i>Chief Executive Officer</i> Darren Bennett – <i>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> Emily Outlaw – <i>Council Business Team Leader</i> Samuel Moore – <i>Council Business Officer</i> Jay Mifsud – <i>Youth Program Officer</i> Duncan Stephen – <i>Jets Sound Engineer/Program Assistant</i> David Pascolo – <i>Technical Analyst</i></p>		
	<p>Others Present:</p> <p>Nil</p>		
	<table border="1"> <tr> <td>Conflict of Interest:</td> <td>Nil</td> </tr> </table>	Conflict of Interest:	Nil
Conflict of Interest:	Nil		

3	Date of Meeting:	26 July 2021 – 6.30pm
	Type of Meeting:	Councillor Briefing
	Matters Considered:	<ul style="list-style-type: none"> • Shop 48 • RSL Trust Deeds • Council Plan • Montmorency Community Hub
	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> Darren Bennett – <i>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> Kerryn Woods – <i>Executive & Councillors Team Leader</i> Frances Gianioti - <i>Youth & Community Partnerships Coordinator</i> Roberta Colosimo – <i>Manager Youth & Family</i> Kamal Singh - <i>Integrated Planning Project Manager</i>	
Others Present:	
Nil	
Conflict of Interest:	Nil

Resolution (CO2021/156)

That the Record of Councillor meetings report be received.

Moved: Cr Elizabeth Nealy
 Seconded: Cr Peter Dimarelos

CARRIED

8. SEALING OF DOCUMENTS

Nil

9. NOTICES OF MOTION

9.1 CHRISTMAS DAY GATHERING FOR ISOLATED OR UNDERPRIVILEGED PEOPLE

A written statement was read on behalf of Julie Fechner.

Explanation

- Many older residents, people living with complex mental health issues, separated families and people with a disability are isolated at Christmas time with no immediate friends or family to celebrate this event with.
- According to research, in Australia, it is clear this festive time can not only increase feelings of pressure, anxiety and loneliness, it can also exacerbate family tension and stress, leading to conflict. Christmas is considered as one of the six most stressful life events, along with divorce, moving to a new house and changing jobs. Evidence identifies the Christmas period as the most likely time of the year for many people to experience anxiety and depression, particularly those who are divorced, have experienced a death in the family or are socially isolated.
- In the past various church and community groups have run Christmas day lunches successfully. The exploration of current community initiatives and potential opportunities to contribute to and/or expand current initiatives, or partner with existing community groups to support their delivery of a Christmas lunch could be considered as part of the report.
- In 2020 it was identified that 23,325 residents in the municipality were aged 65+ years, with 16,843 residents aged over 80. This equates to 17.4% of the population. The percentage of residents 65+ years is expected to reach 18.2% by 2025 meaning that there are likely many isolated older people at Christmas in Banyule.

Resolution (CO2021/157)

That a report be presented to Council on the feasibility of a Council-run or Council supported community Christmas lunch for socially isolated or disadvantaged community members.

Moved: Cr Fiona Mitsinikos

Seconded: Cr Alison Champion

CARRIED

10. PLACE – SUSTAINABLE AMENITY AND BUILT ENVIRONMENT**5.1 LOCAL PARKS PROGRAM - WATERDALE ROAD**

A pre-recorded video of Roger Marcus Fyfe speaking on the item was played and a written statement was then read on behalf of Graeme Thompson.

SUMMARY

1. The Waterdale Road shared zone and pocket parks is a grant-funded project from the Victorian State Government through the Department of Environment, Land, Water and Planning (DELWP) via the Local Parks Program.
2. The aim of the Waterdale Road project is to design and deliver a green urban space for passive recreation and socialising in a built-up urban area in Ivanhoe.
3. The grant funding is for:
 - The road closure at the northern end of Waterdale Road and the creation of a pocket park in proximity to the Upper Heidelberg Road shops;
 - The conversion of the balance of Waterdale Road between the pocket park (adjacent Upper Heidelberg Road) and Norman Street into a shared pedestrian – vehicle zone;
 - The conversion of undeveloped land in the road reserve to the south of Norman Street into a pocket park.
4. At the Meeting of 21 September 2020 Council considered the proposal to place permanent barriers across Waterdale Road in Ivanhoe to the south of Upper Heidelberg Road (Resolution CO2020/187).
5. Resolution CO2020/187 included the requirement that a concept design for a pocket park within the closed section of Waterdale Road be prepared in consultation with the community and a report be presented on the final design at a future Council meeting. If the final design does not require the closure of the Road, then the decision to place permanent barriers will not proceed.
6. A draft concept plan was prepared, community consultation has occurred, and a revised concept plan adjusted with due regard to feedback.

Resolution (CO2021/158)

That the item be deferred to a future Council meeting.

Moved: Cr Alida McKern
Seconded: Cr Rick Garotti

CARRIED

11. GENERAL BUSINESS

10.1 SHARE THE DIGNITY DRIVE

Cr Fiona Mitsinikos raised an item of General Business relating to Share the Dignity Drive held throughout the month of August 2021.

10.2 DAREBIN CREEK MANAGEMENT COMMITTEE

Cr Alida McKern raised an item of General Business relating to an update on the Darebin Creek Management Committee and usage of the Darebin Creek Parklands.

10.3 FAREWELL AND CONGRATULATIONS TO VIVIEN FERLAINO

Cr Tom Melican raised an item of General Business to farewell and congratulate Governance Coordinator - Vivien Ferlaino. Cr Melican highlighted Vivien's significant contributions to Council and wished her well for the future.

Closure of Meeting

The Meeting was closed at 8.51pm.

DATED: DAY OF 2021

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MAYOR

The next Ordinary Meeting of Council will be held on Monday, 30 August 2021.

PUBLIC QUESTIONS

1	<p>Name & Suburb</p> <p>Anonymous</p>
	<p>Question:</p> <p>My questions is about the council. I have had a problem with parks and bins and the nature strip as well as the footpath. particularly during covid. I have hand sanitiser and all the rest but how do I use the parks? what about my bins? How many will there be? What is the deal? also why do I have to deal with the nature strip? the council is a disgrace.</p>
	<p>Response:</p> <p>Council currently has a three-bin system. Recycle bin (yellow lid) - collected fortnightly, a household waste (all-green bin) - collected weekly and a green waste bin (lime green lid) - collected fortnightly. For more information about what to put in your bin please visit our webpage here. There will be changes to the waste service over the next few years (this may include the introduction of a fourth bin for glass) and residents will be fully informed of these changes prior to implementation.</p> <p>Residents are welcome to use the Parks however the State Government Health Advice must always be followed.</p> <p>For any specific service requests that relate to Council assets please contact Council's Service Centre on 9490 4222 or email enquiries@banyule.vic.gov.au</p> <p>Darren Bennett – <i>Director Assets & City Services</i></p>

2	<p>Name & Suburb</p> <p>Glenise Michaelson - Montmorency</p>
	<p>Question:</p> <p>Would the council be prepared to reconsider their decision regarding giving funds to see that the purchase of the property 1 Mountain view road can happen?</p>
	<p>Response:</p> <p>A collective of residents has joined together to purchase the property 1-3 Mountain Road, Montmorency with a view to establishing a community hub at this site. Council's position is that this is a private property transaction between the residents and the vendor.</p> <p>As part of the 2021-22 budget process, Council received submissions from residents calling upon Council to provide financial assistance and/or a financial guarantee in support of the purchase of the property. In considering the 2021-22 budget submissions, Council resolved that we will not provide any financial assistance or financial guarantee toward to the purchase of the property. This position has not changed.</p>

	<p>Should residents be successful in securing the property, Council is happy to consider submissions to the budget in future years regarding possible operational support for a community hub. Council would consider any such submission in accordance with the same process used to consider all other submissions.</p> <p>Scott Walker – <i>Director City Development</i></p>
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3	<p>Name & Suburb</p> <p>Julie Fechner - Montmorency</p>
	<p>Question:</p> <p>Given that 18% of Australia's carbon emissions are transport based what percentage of Council vehicles are now non fossil fuel vehicles?</p>
	<p>Response:</p> <p>7% of our light fleet (cars and commercials) are now Electric Vehicles (8 vehicles). Council is planning to increase this notably from 2025/26 to 70% (86 vehicles), and are working to have a 100% electric light fleet by 2028.</p> <p>2% of heavy fleet is currently electric and this will increase to 3% in a couple of months. Council currently has 1 electric floor scrubber and 1 electric rear loader garbage truck. We also have on order 1 electric 12-seater bus (delivery expected in October 2021).</p> <p>Darren Bennett – <i>Director Assets & City Services</i></p>

4	<p>Name & Suburb</p> <p>Alicia Curry - Rosanna</p>
	<p>Question:</p> <p>As Fabcot (Woolworths) owns the land known as 44 Turnham Ave & 47-61 Douglas St (Lot 2 & 3 on subdivision PS 703973P), if council approves the sale of 828sqm of Rosanna Library land 72 Turnham Ave, (Lot 1 of same subdivision PS 703973P) to Fabcot, then as council intends; amends the 828sqm zone from PUZ to CZ1, and then re-subdivides the combined plan of PS 703973P, will the 828sqm of land automatically be covered by the existing planning permit of the lot that it becomes part of?</p>
	<p>Response:</p> <p>An amendment will be required to the existing planning permit or a new permit granted for the proposed new Rosanna Library and Supermarket proposal incorporating the additional land at 72 Turnham Avenue.</p> <p>Scott Walker – <i>Director City Development</i></p>

5	Name & Suburb
	Susan Martin - Rosanna
	<p>Question:</p> <p>In the James Reserve Masterplan project attachment link “consultation findings”, there is a table of Shaping Banyule visits called “Performance Summary” on page 1 - could council please replicate and publish this table for the Rosanna Library Project between April 12th 2021 until 8th June, 2021?</p>
	<p>Response:</p> <p>The consultation process for the Rosanna Library Project was different to the James Street Reserve Masterplan. A detailed report and summary of the consultation outcomes is provided on the Shaping Banyule webpage for the Rosanna Library Project. The “performance data” is not provided as it does not cover the full consultation and may be confusing.</p> <p>Scott Walker – <i>Director City Development</i></p>

6	Name & Suburb
	Anonymous
	<p>Question:</p> <p>Council minutes had been published regularly on the Wednesday following a Monday council meeting, can council advise why in the last few meetings, the minutes are now being published late on the following Friday instead?</p>
	<p>Response:</p> <p>The Council minutes have historically been published by the end of the week, in some instances publication may have occurred earlier when the minutes were finalised ahead of schedule.</p> <p>Marc Giglio – <i>Director Corporate Services</i></p>