

# Minutes of the Ordinary Meeting of Council



**Held on the 5 December 2022**

**Nellie Ibbott Chambers, Ivanhoe Library and Cultural  
Hub, 275 Upper Heidelberg Road, Ivanhoe 3079**

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**5 DECEMBER 2022**

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The Meeting opened at 7:00pm.

**Acknowledgement of the Traditional Custodians**

The Mayor read an acknowledgement of the Traditional Custodians, the Wurundjeri Wo-wurrung people.

**Diversity Statement**

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

**Present**

Mayor Cr Elizabeth Nealy, 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,

Allison Beckwith – Chief Executive Officer, Darren Bennett – Director City Assets & Development, Natasha Swan – Director City Assets, Marc Giglio – Director Corporate Services, Kath Brackett – Director Community Wellbeing, Jonathan Risby – Manager Transport & Environment, Krysten Forte – Governance Coordinator, Linda Chapple – Governance & Council Business Specialist, Amy Woolcombe – Councillor Business Officer

**Apologies**

Nil

**Leave of Absence**

Nil

**Confirmation of Minutes**

That the following Minutes be confirmed:

*Ordinary Meeting of Council held 14 November 2022*

**Moved:** Cr Melican

**Seconded:** Cr Mitsinikos

Carried

**Disclosure of Interests**

Cr Peter Dimarelos declared a material conflict of interest regarding confidential agenda item 12.1 – Ivanhoe Grammar School – Public Access Options and advised the Mayor that at the time that matter would be discussed in the Confidential Council Meeting he will declare the interest and remove himself from participation in debate and vote on the matter.

**Presentation**

Nil

**2. PETITIONS****2.1 PETITION - OBJECTION TO THE DRAFT RESIDENTIAL PARKING PERMIT POLICY 2022**

Roger Fyfe addressed Council in person and was FOR the recommendation.

Kevan Hill addressed Council in person and was FOR the recommendation.

**SUMMARY**

1. A petition titled "Objection to the Draft Residential Parking Permit Policy 2022" has been received with 44 signatories in support.
2. All 44 signatories are from Ivanhoe.
3. The petition request is summarised as follows:

*We the undersigned petition Banyule City Council to listen to the voices opposed to the Draft Residential Parking Permit Policy 2022 – which seeks to combine three separate Ivanhoe Residential Parking Precincts 59, 60 and 61, extending from the beginning of Upper Heidelberg Road, past Ivanhoe Station to Studley Road, West to Donaldson Linear Reserve and North to Clifton Grove and Bond Street. It is opposed, because there is no benefit to residents having individuals from up to a kilometre away parking in their streets. That was never the intention of the 2016 Policy.*

**Resolution (CO2022/206)**

That Council:

1. Receives and notes the petition.
2. Refers the petition to the Transport Planning Team for consideration and response to the primary petitioner as part of the consultation process;
3. Ensure that a response is provided to the primary petitioner.
4. Advise the primary petitioner of this resolution.
5. Notes there has been additional 32 signatories received since the printing of the agenda.

Moved: Cr Alida McKern  
Seconded: Cr Tom Melican

CARRIED

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### 3. OUR INCLUSIVE AND CONNECTED COMMUNITY

#### 3.1 ULURU STATEMENT FROM THE HEART

Sue Harris from Reconciliation Banyule addressed Council in person and was FOR the recommendation.

Uncle Charles Pakana from Barrbunin Beek Gathering Place addressed Council in person and was FOR the recommendation.

#### SUMMARY

1. On Friday 26th May 2017, Delegates of the National Constitutional Convention released the 'Uluru Statement from the Heart' (**Attachment 1**); and in 2022, the Albanese Labor Government confirmed commitment to implement the Uluru Statement in full.
2. The Uluru Statement calls for a constitutionally enshrined First Nations Voice to Parliament, along with the establishment of a Makarrata Commission, to undertake processes of treaty-making and truth-telling.
3. In September 2022, Reconciliation Australia requested all organisations who have endorsed Reconciliation Action Plan's to identify their current commitment (or not) to the Uluru Statement from the Heart and Voice to Parliament.
4. The Uluru Statement aligns with Council's identified vision for reconciliation under the current Innovate RAP 2020-2022.
5. Council has an opportunity to recognise the need for and support of constitutional change by committing to the Uluru Statement in full (Voice, Treaty and Truth-telling); and taking the recommended practical action to walk together for a better future and a reconciled Australia.

#### Resolution (CO2022/207)

That Council:

1. Adopt the 'Uluru Statement from the Heart' in full and take practical action for a better future and reconciled Australia including a commitment to:
  - a. Registering Council's support for the Uluru Statement on the official Uluru Dialogue website (UluruStatement.org).
  - b. Displaying the Uluru Statement logo on Council's website and email signature.
  - c. Showing support by placing a framed copy of the Uluru Statement within the Council's public honorary cabinets within the Council Chambers.
  - d. Continuing to work in partnership with the Banyule Reconciliation Action Plan Advisory Committee and First Nations community to develop and deliver a community engagement and communications plan.

Moved: Cr Peter Dimarelos  
Seconded: Cr Tom Melican

CARRIED

**3.2 GRAFFITI STRATEGY 2020 - 2024 - YEAR 2 REPORT****SUMMARY**

1. Council adopted the Banyule Graffiti Strategy at the 9 December 2019 Ordinary Council Meeting.
2. The COVID-19 Victorian State-wide lockdowns in the second part of 2021 impacted on Council's ability to deliver some of the actions identified in the Banyule Graffiti Strategy and Year 2 Action Plan, however work has continued to embed the key actions through the general operational business of Council.
3. Victoria has seen a significant increase in graffiti across the state along roads, rail corridors and other major infrastructure throughout the pandemic. Acknowledging that graffiti is a significant problem without a simple single fix and embracing a resilience approach, underpins the Banyule Graffiti Strategy Year 3 Action Plan.

**Resolution (CO2022/208)**

That Council:

1. Notes the Graffiti Strategy 2020 – 2024 Year 2 Action Plan Report.
2. Notes the Graffiti Strategy 2020 - 2024 Year 3 Action Plan.

Moved: Cr Alida McKern

Seconded: Cr Rick Garotti

CARRIED

**3.3 ADVISORY AND POPULATION COMMITTEES REPORT - SEPTEMBER - NOVEMBER 2022**

***Councillor Melican left the Chamber at 7:41pm.***

***Councillor Melican returned to the Chamber at 7:42pm.***

***Councillor Dimarelos left the Chamber at 7:40pm.***

***Councillor Dimarelos returned to the Chamber at 7:42pm.***

**SUMMARY**

1. Advisory committees are made up of Councillors and Community members.
2. They have terms of references and meet to discuss relevant issues, advise Council on specific matters based on the committee's purpose and objectives, and oversee the implementation of Council's strategic plan for their respective focus.
3. Advisory Committees provide important linkages between Council, Community, State agencies and interest groups. Following each advisory committee meeting, a report is submitted to Council to note the minutes from the committee meetings held during April - August 2022 and draw attention to specific recommendations that each advisory committee wishes to bring to the attention of Council.

4. Where there have been actions requested or recommendations made by the committee, officer comments have been provided in the report.
5. The following minutes are presented to Council for noting:
  - Inclusive Banyule Advisory Committee – 20 September 2022
  - Reconciliation Action Plan Advisory Committee – 12 October 2022
  - Arts and Culture Advisory Committee – 1 September 2022 and 3 November 2022
  - Banyule Environment and Climate Action Committee – 8 September 2022
  - Multicultural Committee – 19 October 2022
  - Banyule Disability and Inclusion Committee – 26 October 2022
  - LGBTIQA+ Committee – 6 October 2022
  - Age Friendly Committee – 29 September 2022

**Resolution (CO2022/209)**

That Council:

1. Notes the following meeting minutes and reports:
  - a) Inclusive Banyule Advisory Committee – 20 September 2022
  - b) Reconciliation Action Plan (RAP) Advisory Committee – 12 October 2022
  - c) Arts and Culture Advisory Committee – 1 September 2022 and 3 November 2022
  - d) Banyule Environment and Climate Action Committee – 8 September 2022
  - e) Multicultural Committee – 19 October 2022
  - f) Banyule Disability and Inclusion Committee – 26 October 2022
  - g) LGBTIQA+ Committee – 6 October 2022
  - h) Age Friendly Committee – 29 September 2022
2. Note that a recommendation was put forward from the Reconciliation Action Plan Advisory Committee to Council to develop an Aboriginal Action Plan using the Victorian Aboriginal Government Strategy as the new strategic way forward for reconciliation.
3. Receive a further report to consider the development of an Aboriginal Action Plan using the Victorian Aboriginal Government Strategy as the new strategic way forward for reconciliation.
4. Endorse a recommendation from the Age Friendly Committee to Council that their meeting schedule be changed from meeting quarterly to meeting bimonthly and for this to be reflected in the Banyule City Council Population Committees Terms of Reference.



Moved: Cr Elizabeth Nealy  
Seconded: Cr Alida McKern

CARRIED

### 3.4 SPORTING FACILITIES USER GUIDE AND ALLOCATION POLICY SPORTING FACILITIES CAPITAL WORKS POLICY

Wendy Palliser addressed Council in person was against the recommendation.

#### SUMMARY

1. At the 17 October 2022 Council meeting, Council endorsed the draft Sporting Facility User Guide and Allocation Policy and the draft Sporting Facilities Capital Works Policy for a four-week community consultation period via Shaping Banyule, from 18 October 2022 to 15 November 2022.
2. The purpose of this report is to provide feedback on the outcomes of the community consultation, and to adopt the final draft Sporting Facilities User Guide and Allocation Policy, **Attachment 1** and the final draft Sporting Facilities Capital Works Policy **Attachment 2**.
3. Feedback on the guide and policies was received via the Shaping Banyule portal on Council's website. Sporting clubs were notified via email, phone calls and through the Club Chat Newsletter of the community consultation process and received further reminder emails throughout the process.
4. The Sporting Facilities User Guide and Allocation Policy establishes the roles and responsibilities required by sporting clubs and Banyule City Council in the management of facilities and provides the basis for allocating sporting facilities to clubs for use on a seasonal basis
5. The Sporting Facilities Capital Works Policy is a new document. The purpose is to provide a clear and consistent framework for Council's approach to the development and provision of new and upgraded sports facilities and infrastructure projects.
6. A total of 16 responses were received through Shaping Banyule on the Sporting Reserve User Guide and Allocation Policy, and ten responses were received for the Sporting Facilities Capital Works Policy.
7. Overall the feedback to the policy documents was positive with clubs understanding the intent to provide clarity and direction around Council's processes and decision making when it comes to its sporting facilities, use, allocation and investment.
8. Key results included:
  - The level of agreement in response to not permitting pre-season training for winter clubs until mid-January was mixed. Summer clubs were more supportive the rationale for this, given that preseason training can hamper the grounds for summer cricket season.
  - There was strong agreement on Council's key focus area of providing an inclusive, welcoming and safe community sports facilities and clubs being supported with the right infrastructure to achieve this.
  - Strong support was received for the use of the classification system to grade sporting fields and pavilions, most agreeing that this was an equitable and fair approach for fee setting and establishing capital priorities.

9. A summary of all results and feedback is provided in **Attachment 3**.

**Resolution (CO2022/210)**

That Council:

1. Having considered the community feedback on the draft Sporting Facilities User Guide and Allocation Policy, and the Draft Sporting Facilities Capital Works Policy, adopts the final draft Sporting Facilities User Guide and Allocation Policy, **Attachment 1** and the Sporting Facilities Capital Works Policy, **Attachment 2** to commence for the winter 2023 season.
2. Provides electronic copies to all sporting clubs governed by the Sporting Facilities Capital Works Policy and provide electronic copies to all seasonal Banyule clubs governed by the Sporting Facilities User Guide and Allocation Policy.

Moved: Cr Rick Garotti

Seconded: Cr Elizabeth Nealy

CARRIED

**4. OUR SUSTAINABLE ENVIRONMENT****4.1 2021/22 STATE OF THE ENVIRONMENT REPORT**

Michelle Giovas from Friends of Banyule addressed Council in person and was FOR the recommendation.

**SUMMARY**

1. The annual Banyule State of Environment report (Attachment 1) reports on the work that Council delivers annually to ensure our natural environment is healthy, resilient, and actively cared for.
2. The report shows that Council is progressing well against our environmental KPIs, including being on track to meet the goal for a carbon neutral organisation by 2028.
3. Key highlights include:
  - A 60% drop in corporate emissions due to the Victorian Energy Collaboration (VECO) Power Purchasing Agreement (PPA)
  - A pilot Community-led Energy Innovation grant round saw two projects undertake initial feasibility and location identification for community batteries.
  - 41 households signed up to Banyule's BetterScore program, supporting the transition to all electric zero emissions homes.
  - Krefft's Glider numbers have grown from eight to 40 individuals on the Darebin Creek, due to work improving connectivity and strengthening biodiversity.
  - Banyule's Sustainable Building Guidelines were released in September 2021 and will raise the bar on building sustainability.

**Resolution (CO2022/211)**

That Council:

1. Endorses the Banyule State of Environment 2021-2022 report.
2. Makes the report available on Council's website and at Council's service centres.
3. Notes that Council are progressing well against environmental key performance indicators and are on track to meet the goal of being a carbon neutral organisation by 2028.

Moved: Cr Alida McKern

Seconded: Cr Tom Melican

CARRIED

**4.2 DRAFT URBAN FOREST STRATEGY 2022 – 2032**

A written statement was read on behalf of Susan Toole, Susan was against the recommendation.

Alicia Curry addressed Council in person and was FOR the recommendation.

Robyn Roberts addressed Council in person and was against the recommendation.

Michelle Giovas from Friends of Banyule addressed Council in person and was FOR the recommendation.

**SUMMARY**

1. The 2015 Urban Forest Strategic Plan (UFSP) review is a key deliverable within the 2021/22 Council Plan.
2. In December 2021 the Community was consulted on the draft vision, principles and goals of the proposed Urban Forest Strategy 2022.
3. On 28 February 2022 Council endorsed the draft UFS framework, including the definition, vision, and principles.
4. Informed by Shaping Banyule feedback (Dec 2021), officers and the Community Reference Group (CRG) developed six strategic focus areas.
5. The strategic focus areas and the prioritisation of draft actions went to community consultation via Shaping Banyule in May 2022.
6. Major areas of action have been identified, including, but not limited to:
  - Prioritising areas with low urban forest canopy cover and quality
  - Achieving key targets for canopy cover and tree planting numbers
  - Developing an endorsed holistic tree asset and risk management framework
  - Developing a plant selection methodology in consideration of human benefits habitat benefits and neighbourhood character values
  - Working to protect and enhance biodiversity and habitat connectivity using urban forest planting
  - Ensuring Banyule's urban forest management is adaptive and resilient to climate change

- Building collaborative partnerships with internal and external Council partners
7. This report recommends Council approve the release of the *Draft Urban Forest Strategy 2022-2032* for the purpose of final community consultation.

**Resolution (CO2022/212)**

That Council:

1. Endorses the draft *Urban Forest Strategy 2022-2032*, Attachment 1 for a 12-week community consultation period from 12 December 2022 - 23 March 2023.
2. Acknowledge the community consultation will include a presence on Shaping Banyule, targeted social media and face to face engagement with key community stakeholders and two (2) community forums.
3. Receives a further report in June 2023 to report on consultation outcomes, and any recommended changes or additions for consideration in the final adoption of the draft Urban Forest Strategy.

Moved: Cr Alida McKern  
 Seconded: Cr Rick Garotti

CARRIED

**5. OUR WELL-BUILT CITY****5.1 GLOUCESTER DRIVE AND BRISTOL STREET, HEIDELBERG - REVIEW OF TEMPORARY ROAD CLOSURE**

A written statement was read out on behalf of Hassan, Hassan was against the recommendation.

A written statement was read out on behalf of Peter Borbiro who was FOR the recommendation.

A written statement was read out on behalf of Richard Webb who was against the recommendation.

A written statement was read out on behalf of Leslie Gilham who was FOR the recommendation.

**SUMMARY**

1. At its meeting on 20 September 2021, Council resolved to proceed with a 12-month trial road closure at the intersection of Bristol Street and Berkeley Avenue, Heidelberg.
2. The temporary road closure was installed on 9 December 2021 and includes semi-barrier kerbs with flexible bollards, separation kerbs and warning signage.
3. Quarterly reviews of the closure were undertaken during the last year. All concerns raised were investigated. Responses to the concerns are provided in this report.
4. A survey on the trial resulted in 33 responses from 65 surveys sent. From the received responses, 91% were supportive of the permanent closure.
5. Traffic data demonstrates that the traffic in the local network is more uniformly distributed and that the speed in which drivers are travelling is safe.

**Resolution (CO2022/213)**

That Council:

1. Defer this matter relating to Gloucester Drive and Bristol Street Heidelberg – Review of Temporary Road Closure in order to consider further information and community input and hear a foreshadowed petition regarding the matter.
2. Retains the current temporary road closure arrangement in Bristol Street at Berkeley Avenue, Heidelberg, until a report has been presented to Council for consideration.

Moved: Cr Fiona Mitsinikos

Seconded: Cr Elizabeth Nealy

CARRIED

**5.2 WALLACE STREET, IVANHOE - SPEED REDUCTION TREATMENT CONSULTATION**

Nathan Stirling addressed Council in person and was against the recommendation.

**SUMMARY**

1. At its meeting on 15 August 2022, Council considered a report in relation to the investigation of speed and volume concerns in Wallace Street.
2. Council resolved to undertake consultation with residents and the 10th Ivanhoe Scouts Group regarding the implementation of two slow points in Wallace Street and the needed changes to parking required due to it.
3. A survey was sent to 26 residents and the scouts, and 18 responses were received. From the received responses, 61% of residents indicated that they are not supportive of the proposal.
4. This report details the feedback received from the residents and the 10th Ivanhoe Scouts Group and provide responses to the feedback received.

**MOTION**

1. Notes that most of the stakeholders in Wallace Street do not support the implementation of two angled 2-lane slow points in Wallace Street, Ivanhoe.
2. Undertake further consultation with the residents in Wallace Street, and the 10th Ivanhoe Scouts, including holding a meeting on the pros and cons associated with different options and delegate officers to make the final determination on the speed reduction treatment plan

Moved: Cr Alida McKern

Seconded: Cr Tom Melican

LOST

**Resolution (CO2022/214)**

That Council:

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1. Notes that most of the stakeholders in Wallace Street do not support the implementation of two angled 2-lane slow points in Wallace Street, Ivanhoe.
2. Does not implement any traffic treatments or parking changes in Wallace Street, Ivanhoe, as a result of current traffic data and feedback received.

Moved: Cr Rick Garotti

Seconded: Cr Alison Champion

CARRIED

### **5.3 11 LIVINGSTONE STREET, IVANHOE - REQUEST TO CHANGE ZEBRA CROSSING TO PEDESTRIAN OPERATED SIGNALS**

Kevin Biaggini addressed Council in person and was FOR the recommendation.

***Councillor Di Pasquale left the Chamber at 8:58pm and was not present for the vote.***

#### **SUMMARY**

1. At its meeting on 17 October 2022, Council considered a petition signed by 68 signatories requesting an upgrade of the existing zebra crossing outside 11 Livingstone Street and Ivanhoe Plaza to a pedestrian operated signal.
2. Following investigation of the operation of the existing zebra crossing, it is considered appropriate to upgrade the crossing. Multiple options have been identified.
3. Livingstone Street is classified as an arterial road and is under the control and management of the Department of Transport (DoT, formally VicRoads). As such, the decision to upgrade the infrastructure is theirs.
4. This report explores the options available to pursue the upgrade of the zebra crossing and achieve improvements to the pedestrian infrastructure.

#### **Resolution (CO2022/215)**

That Council:

1. Write to the Department of Transport requesting a road safety audit be conducted and its results shared with Council of the existing zebra crossing on Livingstone Street, Ivanhoe.
2. Write to Local State members of Parliament, seeking State Government funding support for pedestrian infrastructure improvements at the existing zebra crossing on Livingstone Street, Ivanhoe, subsequent to the recommendation from the road safety audit.
3. Include the project for pedestrian infrastructure improvements at the existing zebra crossing on Livingstone Street, Ivanhoe, to the Banyule Transport Advocacy Project List, subsequent to the recommendation from the road safety audit.

Moved: Cr Alida McKern  
Seconded: Cr Tom Melican

CARRIED

**The Mayor, Cr Peter Castaldo called for an adjournment for a 5 minute break at 9:01pm.**

**THE MEETING RESUMED AT 9.10PM AND ALL COUNCILLOR'S RESUMED THEIR SEAT IN THE CHAMBER. 5.4 72 TURNHAM AVENUE, ROSANNA – SUBDIVISION OF COUNCIL LAND (P631/2022)**

Alicia Curry addressed Council in person and was against the recommendation.  
Kevin Biaggini addressed Council in person and was FOR the recommendation.

**SUMMARY**

- The proposal is for the subdivision of 1912m<sup>2</sup> of land at 72 Turnham Avenue, Rosanna, shown as Lot 1 on PS703973P, into two lots.
- Lot 1 is proposed to be 1084m<sup>2</sup> and is proposed to accommodate the future Rosanna Library. Proposed Lot 2 of 828m<sup>2</sup> will be consolidated with the adjoining land currently known as Lot 3 on PS703973P at 44 Turnham Avenue, Rosanna.
- No buildings and works or vegetation removal are proposed as part of this application.
- Public notice was undertaken to surrounding properties and the previous objectors to P1260/2015 who raised concerns with the subdivision in their objection to the development proposal.
- Three objections have been received at the time of this report raising concerns with the sale of land for commercial use, impacts on the environment, vegetation removal and traffic impacts. These have been considered in the planning application assessment and decision associated with the development of library and supermarket.
- The application should be supported subject to conditions.

**Resolution (CO2022/216)**

That Council having complied with Section 52, 58, 60, 61 and 62 of the *Planning and Environment Act 1987*, resolves to issue a **Notice of Decision to Grant a Planning Permit** in respect of Application No. P631/2022 for the land to be subdivided into two (2) lots at 72 Turnham Avenue Rosanna subject to the following conditions:

**General plans**

1. Prior to Certification of the Plan of Subdivision, 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 generally in accordance with the plans submitted with the application but modified to show:

- a. Easement E1, E3 & E4 in favour of Banyule City Council for drainage purposes.
  - b. All changes required condition 4.
2. The subdivision as shown on the endorsed plan shall not be altered or modified (whether or not in order to comply with any statute, Statutory Rule or By-Law or for any other reason) without the written consent of the Responsible Authority.

**Jemena**

3. Jemena Electricity Networks (Vic) Ltd, ABN 82 064 651 083 consents to the issue of a permit in relation to the above mentioned planning application which has been referred in accordance with Section 55(1) of the Planning and Environment Act 1987 and to the certification of the plan of subdivision referred under Section 8 of the Subdivision Act 1988, however, a Release for Statement of Compliance will not be issued until the following conditions have been met:
- a. Electricity supply must be made available to each lot. This may require the installation of an Underground Pit or an Overhead Connection. The applicant should ensure an REC (Registered Electrical Contractor) confirms the clearances required for this installation;
  - b. B. Any proposed construction must adhere to No Go Zone requirements, which can be found on Energy Safe Victoria's website: <https://esv.vic.gov.au> and on Jemena's website <https://jemena.com.au/electricity/safety/no-go-zones>;
  - c. C. Minimum safety distances from Jemena's assets must be complied with as per regulatory requirements (including but not limited to the Electricity Safety Act 1998, Electricity Safety (General) Regulations 2019 and associated regulations) and to Jemena's satisfaction;
  - d. D. Any existing overhead services crossing property boundaries must meet statutory minimum distance clearance requirements, inclusive of ground clearance from the finished surface level of proposed driveways. See, amongst others: ELECTRICITY SAFETY (GENERAL) REGULATIONS 2019 - REG 229 Minimum distances between aerial lines and the ground or water ([austlii.edu.au](http://austlii.edu.au));
  - e. E. Relocation/or removal of any existing overhead/or underground service cables as required by the Victorian Service and Installation Rules (VSIRs). Refer VSIR Clauses below.

**Melbourne Water**

4. Drainage Easements E2 & E4 currently shown in favour of Melbourne Water Corporation must be amended to a width of 9.0 metres with Melbourne Water's underground asset centrally located within. Melbourne Water's underground asset must be located through a drain survey to a level B or better by a Land Surveyor experienced in locating underground assets.

**Yarra Valley Water**

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5. Water The owner of the subject land must enter into an agreement with Yarra Valley Water for the provision of water services. Sewerage
6. The owner of the land must enter into an agreement with Yarra Valley Water for the provision of sewerage services.

**Time Limits**

7. In accordance with section 68 of the *Planning and Environment Act 1987*, this permit will expire if one of the following circumstances applies:
  - (a) The plan is not certified within two years of the date of permit issued; or
  - (b) A Statement of Compliance is not issued within five (5) years of the date of certification.

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 before the permit expires, or within three months afterwards.

Moved: Cr Tom Melican  
Seconded: Cr Rick Garotti

CARRIED

**6. OUR VALUED COMMUNITY ASSETS AND FACILITIES****6.1 COMMUNITY INFRASTRUCTURE PLAN****SUMMARY**

1. The purpose of this report is for Council to endorse the draft Community Infrastructure Plan (CIP) for the purpose of community consultation.
2. This draft CIP report provides a comprehensive analysis of current and future population projections, benchmarking, and accessibility considerations as well as recommendations for future investment.
3. The Social Infrastructure Framework 2022-2032 (The Framework) adopted July 2022 developed benchmark standards for the provision of community services and community buildings. The Framework has informed the development of the Draft Community Infrastructure Plan.
4. The Draft Community Infrastructure Plan has been developed to provide investment priorities and actions over a 10-year period that will meet current and future community needs that will deliver maximum public value.

**Resolution (CO2022/217)**

That Council:

1. Endorses the draft Community Infrastructure Plan, **Attachment 1**, for a 9-week community consultation period from 6 December 2022 - 12 February 2023.

2. Acknowledge the community consultation will include a presence on Shaping Banyule, targeted social media and face to face engagement with key community stakeholders.
3. Receives a further report in March 2023 to report on consultation outcomes, and any recommended changes or additions for consideration in the final adoption of the draft Community Infrastructure Plan.

Moved: Cr Elizabeth Nealy

Seconded: Cr Alison Champion

CARRIED

## **7. OUR THRIVING LOCAL ECONOMY**

Nil

## **8. OUR TRUSTED AND RESPONSIVE LEADERSHIP**

### **8.1 INSTRUMENT OF DELEGATION FROM COUNCIL TO THE CHIEF EXECUTIVE OFFICER**

#### **SUMMARY**

1. Instruments of Delegation represent the formal delegation of powers by Council under Section 11 of the *Local Government Act 2020* and enable the business of Council to be carried out efficiently and in line with Council approved policies.
  2. The current Instrument of Delegation from Council to the Chief Executive Officer, also known as s5 or Schedule 5, was adopted by Council on 30 May 2022 and executed on 31 May 2022.
  3. There are three material changes proposed to the Instrument of Delegation from Council to the Chief Executive Officer since last executed on 31 May 2022. These changes include two additions to conditions and limitations set out in the instrument being:
    - That only Council can appoint the Internal Audit service provider irrespective of the contract value and even if it is in the CEO's approved financial delegation;
    - That the delegate must not enter into a new contract or make expenditure below \$1M for the CEO that is outside of the Council Budget. Clarification for the Council budget has been provided (full year operating and capital budgeted expenditure) and
    - addition of clause 9 regarding sub delegation for expenditure and contract approval.
  4. Updating and reviewing the Instrument, along with other instruments of delegation Council prepares, is part of the Instrument of Delegation Review Project and supports the good governance, accountability, and transparency principles within the *Local Government Act 2020*.
  5. Council subscribes to the Maddocks (Lawyers) Authorisations and Delegations In-Depth Service, which provides advice regarding legislative amendments and the provision of template instruments, which are then tailored to organisational requirements.
  6. The proposed Instrument of Delegation from Council to the Chief Executive Officer (s5) is presented to Council for consideration as attached to this Report at **Attachment 1**.
-

Changes have been tracked to demonstrate any changes made since it was last executed.

**Resolution (CO2022/218)**

That Council in the exercise of the power conferred by s 11(1)(b) of the *Local Government Act 2020* (the Act), Banyule City Council (Council) resolves that:

1. There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer (Attachment 1 to this report)* subject to the conditions and limitations specified in that Instrument.
2. The instrument comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer and the Mayor.
3. On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

Moved: Cr Rick Garotti

Seconded: Cr Elizabeth Nealy

CARRIED

**8.2 INSTRUMENT OF DELEGATION FROM COUNCIL TO MEMBERS OF COUNCIL STAFF****SUMMARY**

1. Instruments of Delegation represent the formal delegation of powers by Council under Section 11 of the *Local Government Act 2020* and enable the business of Council to be carried out efficiently and in line with Council approved policies.
2. Council subscribes to Maddocks (Lawyers) Delegations and Authorisations In-Depth Service which provides a range of schedules for Council to utilise and modify according to their organisational needs in line with relevant legislation.
3. One of the instruments that Maddocks structure and prepare in their service is the Instrument of Delegation from Council to Members of Council staff, also known as Schedule 6 or s6.
4. Council last adopted the s6 on the 30 May 2022 and it was executed on 31 May 2022. In July 2022 Maddocks released, via their In-Depth Service, amendments to the s6 and other instruments in accordance with legislative change and reform.
5. All changes made from the current s6 (adopted 30 May 2022) can be found via track changes in **Attachment 1** – proposed s6).
6. The s6 has been prepared for Council's consideration and provides a schedule of the legislation that only Council can delegate directly to Members of Council staff, and that

the Chief Executive Officer is unable to sub delegate under the *Local Government Act 2020*.

7. Members of Council staff from across the organisation have been involved in the consultation process to inform the relevant positions within Council to be 'delegated' the right duties, powers and functions under each respective piece of legislation to support the implementation of Council's decisions and transact the business of Council effectively and efficiently in line with the laws of the day.
8. Details of key updates made to the s6 are detailed in the body of this Report.
9. Updating and reviewing the Instrument, along with other instruments of delegation Council prepares, is part of the Instrument of Delegation Review Project and supports the good governance, accountability, and transparency principles of the Act.
10. The revised Instrument of Delegation from Council to Members of Council Staff (s6) is presented to Council for consideration as attached to this Report.

### Resolution (CO2022/219)

That Council in the exercise of the powers conferred by the legislation referred to in the attached instrument (**Attachment 1**) of delegation, resolves that -

1. There be delegated to the members of Council staff holding, acting in, or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.
3. On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

Moved: Cr Tom Melican  
Seconded: Cr Rick Garotti

CARRIED

### 8.3 INSTRUMENT OF APPOINTMENT TO AUTHORISED OFFICERS UNDER THE PLANNING AND ENVIRONMENT ACT 1987

#### SUMMARY

1. The appointment of authorised officers enables appropriate staff within the organisation to administer and enforce various Acts, Regulations or Council local laws in accordance with the powers granted to them under legislation or a local law.

2. Instruments of Appointment and Authorisation are prepared based on advice from the Maddocks (Lawyers) Authorisations and Delegations In Depth Service, which Council subscribes to.
3. Whilst the appointment and authorisation of authorised officers under other relevant legislation is executed by the Chief Executive Officer under delegation, Maddocks recommend that officers enforcing the *Planning and Environment Act 1987* and the *Environment Protection Act 2017* be authorised by Council resolution.
4. Maddocks recommends that Council execute the appointment and authorisation of authorised officers under the *Planning and Environment Act 1987* because these Acts place limitations on what powers can be sub-delegated, so by issuing the authorisation direct from Council, the risk of decisions being challenged on the basis that the authorisation was not appropriate is mitigated.
5. Authorisations are different to delegations whereby the appointment is made to a natural person that holds a statutory position giving the appointed officer the ability to undertake the necessary functions listed in the instrument. Delegations on the other hand are made to positions within Council.
6. The Instrument is presented regularly to Council for the purposes of authorising new staff members who have commenced, and their role requires them to do the things necessary as set out in the authorisation.
7. Officers that have also departed the organisation have been removed from the Instrument. No additional powers or duties or authorisations have been added to the Instrument template.

#### Resolution (CO2022/220)

That Council in the exercise of the powers conferred by s 147(4) of the *Planning and Environment Act 1987*, resolves that:

1. The members of Council staff referred to in the instrument as attached at **Attachment 1** be appointed and authorised as set out in the instrument;
2. The instrument comes into force immediately as it is signed by Council's Chief Executive Officer and remains in force until Council determines to vary or revoke it.

Moved: Cr Elizabeth Nealy

Seconded: Cr Rick Garotti

CARRIED

#### 8.4 INSTRUMENT OF SUB -DELEGATION AND APPOINTMENT AND AUTHORISATION- ENVIRONMENT PROTECTION ACT 2017

##### SUMMARY

1. The *Environment Protection Act 2017* (the Act) and *Environment Protection Regulations 2021* (the Regulations) came into effect on 1 July 2021.
2. Under the new Act and Regulations, the scope of Council's role as a regulator has not changed however, there have been changes to the laws and powers of councils, including a new delegation of powers directly from the Environment Protection Authority Victoria (EPA) to councils.
3. Pursuant to section 437(1) of the Act, the EPA has issued an Instrument of Delegation dated 4 June 2021 directly to Council.

4. Following this, Maddocks (Lawyers) advised that Council should now sub-delegate these powers, as conferred by section 437(2) of the Act to Council officers.
5. The attached Instrument of Sub-Delegation from Council to Members of Council Staff reflects this advice and is presented to Council for adoption.
6. Council at its Meeting on 30 May 2022 approved and issued this Instrument for the first time since the legislative change. There are no changes or updates to the current Instrument, however, as part of the current review of Council's suite Instruments of Delegation it being re-presented to Council to ensure all of the Instruments have a consistent review and execution date.
7. It is important to note that the powers contained in the Instrument of Sub-delegation can only be delegated to council staff who are authorised under section 242(2) of the Act.
8. For this reason, both the Instrument of Delegation and the Instrument of Appointment to Authorised Officers are also presented to Council for adoption (**Attachment 1 and Attachment 2**) to this report.

#### Resolution (CO2022/221)

That Council In the exercise of the power conferred by s 437(2) of the *Environment Protection Act 2017* and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, Banyule City Council (Council) resolves that:

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation (**Attachment 1**) to members of Council staff the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
2. The instrument comes into force immediately after the Council's Chief Executive Officer and the Mayor signature is affixed to the instrument.
3. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
4. In the exercise of the power conferred by s 242(2) of the *Environment Protection Act 2017* and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, resolves that:
  - a) The members of Council staff referred to in the instruments be appointed and authorised as set out in the instrument (**Attachment 2**).
  - b) The instrument comes into force immediately the Council's Chief Executive Officer and the Mayor signature is affixed to the instrument and remains in force until Council determines to vary or revoke it.

Moved: Cr Tom Melican  
Seconded: Cr Fiona Mitsinikos

CARRIED

**8.5 AWARD OF CONTRACT NO. 1168-2022 PROVISION OF SMART ACCESS CONTROL AND SECURITY SOLUTION INCLUDING MANAGED SERVICES****SUMMARY**

- This report is to consider the awarding of Contract No. 1168-2022 - Provision of Smart Access Control and Security Solution including Managed Services.
- Council has traditional and basic access control systems and a range of different closed-circuit television (CCTV) solutions with no standard hardware at Council buildings. Council is keen to transform these buildings with smart technology that provides enhanced capabilities and functionality and improves reliability and security at Council sites.
- The Tender Evaluation Panel (TEP) has recommended awarding the contract to PMT Security Systems Pty Ltd (PMT) in accordance with the tender and conditions as determined by Council.
- Council released an EOI to the market to create a shortlist of suitably qualified and experienced contractors for the Provision of Smart Access Control and Security Solution including Managed Services for Council buildings in late 2021. 74 prospective companies downloaded the tender documents and 25 companies submitted their expressions of interest.
- Through the EOI evaluation a panel of 6 shortlisted vendors were invited to proceed to a select tender. Council received 2 tender responses for those who were invited to submit a tender.
- The contract will commence 19 December 2022. The Initial Contract Term shall be for a maximum initial period of four (4) years with the option to extend for further periods of any duration up to a maximum extension period of four (4) years based on satisfactory performance and meeting Council objectives.

**Resolution (CO2022/222)**

That Council:

1. Award Contract No. 1168-2022 – Provision of Smart Access Control and Security Solution including Managed Services to PMT Security Systems Pty Ltd for \$1,358,590.42 (ex. G.S.T) for an initial period of four (4) years with an option to extend for a further four (4) years.
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 four (4) years contract term and extension periods.

Moved: Cr Rick Garotti  
Seconded: Cr Tom Melican

CARRIED

**8.6 RECORD OF COUNCILLOR MEETINGS****SUMMARY**

In accordance with section 60 of *the Local Government Act 2020*, Council at its meeting on 14 November 2022 adopted the Banyule Governance Rules. The Governance Rules, Chapter 6 Miscellaneous requires the Chief Executive Officer to ensure that a summary of the matters that are discussed, meet the following definition:

If there is a meeting of Councillors that:

1. Is scheduled or planned for the purposes of discussing the business of Council or briefing Councillors;
2. Is attended by at least one member of Council staff; and
3. Is not a Council meeting, Delegated Committee Meeting or a Community Asset Committee Meeting

Are tabled at the next convenient Council Meeting and are recorded in the meeting minutes of that Council meeting.

**Record of Meetings**

<b>1</b>	<b>Date of Meeting:</b>	3/11/2022
	<b>Type of Meeting:</b>	Banyule Arts and Culture Advisory Committee Meeting
	<b>Matters Considered:</b>	<ul style="list-style-type: none"> <li>• Welcome &amp; Apologies</li> <li>• Creative Banyule 2030 (Arts &amp; Culture strategic plan workshop)</li> </ul>
	<b>Councillors Present:</b>	Mayor Cr Elizabeth Nealy Cr Tom Melican
	<b>Staff Present:</b>	Kath Brackett – <i>Director Community Wellbeing</i> Cheree Hunter – <i>Manger Inclusive &amp; Creative Communities</i> Hannes Berger – <i>Arts &amp; Culture Coordinator</i> Hiroki Kobayashi Blackney – <i>Arts &amp; Cultural Development Officer</i> Jade Lillie – <i>Creative Industries consultant</i>
<b>Others Present:</b>	<ul style="list-style-type: none"> <li>• Kate Hansen</li> <li>• June Gassin</li> <li>• Janelle Dunstan</li> <li>• Genelle Ryan</li> <li>• Craig Eloranta</li> <li>• Amy Stephenson</li> <li>• Caroline Wall</li> </ul>	



**MINUTES ORDINARY MEETING OF COUNCIL****5 DECEMBER 2022**

	<ul style="list-style-type: none"> <li>• Leah Crossman</li> <li>• Deb Lemcke</li> <li>• Kevin Ritchie</li> </ul>
<b>Conflict of Interest:</b>	Nil

<b>2</b>	<b>Date of Meeting:</b>	7/11/2022
	<b>Type of Meeting:</b>	Pre-Briefing of Statutory Council
	<b>Matters Considered:</b>	
	<ul style="list-style-type: none"> <li>• Mayoral Term</li> <li>• Election of Mayor</li> <li>• Election of Deputy Mayor</li> <li>• Appointment of Councillors on Committees</li> </ul>	
	<b>Councillors Present:</b>	
	Cr Alida McKern Cr Alison Champion Cr Elizabeth Nealy Cr Fiona Mitsinikos Cr Mark Di Pasquale Cr Peter Castaldo Cr Peter Dimarelos Cr Rick Garotti Cr Tom Melican	
	<b>Staff Present:</b>	
Allison Beckwith - <i>Chief Executive Officer</i> Darren Bennett – <i>Director Assets &amp; City Services</i> Marc Giglio – <i>Director Corporate Services</i> Natasha Swan – <i>Director City Development</i> Kath Brackett – <i>Director Community Wellbeing</i> Gina Burden – <i>Manager Governance &amp; Communication</i> Krysten Forte – <i>Governance Coordinator</i> Amy Woolcombe - <i>Council Business Officer</i> Linda Chapple - <i>Governance &amp; Council Business Specialist</i> Megan Kemp - <i>Strategic Executive Assistant to CEO &amp; Mayor</i>		
<b>Others Present:</b>		
Nil		
<b>Conflict of Interest:</b>	Nil	

<b>3</b>	<b>Date of Meeting:</b>	14/11/2022
	<b>Type of Meeting:</b>	Pre-Briefing Council
	<b>Matters Considered:</b>	
<ul style="list-style-type: none"> <li>• Petition - Request to seal Stephens Street, Montmorency</li> <li>• Inclusive Local Jobs Strategy/Action Plan Year Two Update</li> <li>• Social Enterprise Strategy/Action Plan Year Two Update</li> <li>• Proposed adoption of Banyule City Council Governance Rules</li> </ul>		

**MINUTES ORDINARY MEETING OF COUNCIL****5 DECEMBER 2022**

	<ul style="list-style-type: none"> <li>• Debt Collection Policy 2022-2026</li> <li>• Award of Contract 1220-2022 Construction of Montmorency Bowling Club Pavilion</li> <li>• Audit &amp; Risk Committee Minutes 21 September 2022 &amp; 6 October 2022</li> <li>• IBAC Investigation – Operation Watts – Close out of Banyule Actions</li> <li>• Quarterly Financial Management Report - September 2022</li> <li>• Record of Councillor Meetings</li> </ul>		
	<p><b>Councillors Present:</b></p> <p>Mayor Cr Peter Castaldo  Deputy Cr Alida McKern  Cr Alison Champion  Cr Elizabeth Nealy  Cr Fiona Mitsinikos  Cr Mark Di Pasquale  Cr Peter Dimarelos  Cr Rick Garotti  Cr Tom Melican</p>		
	<p><b>Staff Present:</b></p> <p>Allison Beckwith - <i>Chief Executive Officer</i>  Darren Bennett – <i>Director Assets &amp; City Services</i>  Marc Giglio – <i>Director Corporate Services</i>  Natasha Swan – <i>Director City Development</i>  Kath Brackett – <i>Director Community Wellbeing</i>  Gina Burden – <i>Manager Governance &amp; Communication</i>  Megan Kemp – <i>Strategic Executive Assistant CEO &amp; Mayor</i>  Linda Chapple – <i>Governance and Council Business Specialist</i></p>		
	<p><b>Others Present:</b></p> <p>Nil</p>		
	<table border="1"> <tr> <td><b>Conflict of Interest:</b></td> <td>Nil</td> </tr> </table>	<b>Conflict of Interest:</b>	Nil
<b>Conflict of Interest:</b>	Nil		

4	<b>Date of Meeting:</b>	21/11/2022
	<b>Type of Meeting:</b>	Councillor Briefing
	<b>Matters Considered:</b>	<ul style="list-style-type: none"> <li>• Reconciliation Action Plan / New Strategy Discussion</li> <li>• Olympic Leisure Centre - Re-imagining and Banyule Aquatic Strategy Update and Next Steps</li> <li>• Urban Forest Strategy - Revised Draft</li> <li>• Proposed Budget Community Engagement &amp; Timetable 2023-2027</li> <li>• People &amp; Culture Quarterly Report</li> <li>• Banyule Climate Action Quarterly Report Q1 2022/23</li> <li>• Wallace Street, Ivanhoe - Speed Reduction Treatment Consultation</li> <li>• East Ivanhoe Preschool - redevelopment update</li> <li>• Banyule Retail Centres - Reform Update</li> </ul>

**MINUTES ORDINARY MEETING OF COUNCIL****5 DECEMBER 2022**

	<ul style="list-style-type: none"> <li>Banyule Leisure - Cease Creche Operations, Ivanhoe Aquatic Centre</li> </ul>		
	<p><b>Councillors Present:</b></p> <p>Mayor Cr Peter Castaldo (Via Teams)  Deputy Cr Alida McKern  Cr Alison Champion  Cr Elizabeth Nealy  Cr Fiona Mitsinikos  Cr Mark Di Pasquale  Cr Peter Dimarelos  Cr Rick Garotti  Cr Tom Melican</p>		
	<p><b>Staff Present:</b></p> <p>Allison Beckwith - <i>Chief Executive Officer</i>  Darren Bennett – <i>Director Assets &amp; City Services</i>  Marc Giglio – <i>Director Corporate Services</i>  Natasha Swan – <i>Director City Development</i>  Kath Brackett – <i>Director Community Wellbeing</i>  Megan Kemp – <i>Strategic Executive Assistant CEO &amp; Mayor</i>  Zali Mifsud – <i>First Nations Lead</i>  Nicole Maslin – <i>Manager Heathy and Active Community</i>  Michael Tanner – <i>Manager Parks &amp; Natural Environment</i>  Ben De Klepper – <i>Urban Forestry Coordinator</i>  Cameron Schmelitschek – <i>Urban Forestry Strategic Officer</i>  Tania O'Reilly – <i>Manager Finance &amp; Procurement</i></p>		
	<p><b>Others Present:</b></p> <p>Nil</p>		
	<table border="1"> <tr> <td><b>Conflict of Interest:</b></td> <td>Nil</td> </tr> </table>	<b>Conflict of Interest:</b>	Nil
<b>Conflict of Interest:</b>	Nil		

<b>5</b>	<b>Date of Meeting:</b>	28/11/2022
	<b>Type of Meeting:</b>	Pre-Briefing
	<b>Matters Considered:</b>	<ul style="list-style-type: none"> <li>North East Link</li> </ul>
	<b>Councillors Present:</b>	<p>Mayor Cr Peter Castaldo (Via Teams)  Deputy Cr Alida McKern  Cr Alison Champion  Cr Elizabeth Nealy  Cr Fiona Mitsinikos  Cr Mark Di Pasquale  Cr Tom Melican</p>
	<b>Staff Present:</b>	

**MINUTES ORDINARY MEETING OF COUNCIL****5 DECEMBER 2022**

Allison Beckwith - <i>Chief Executive Officer</i> Darren Bennett – <i>Director Assets &amp; City Services</i> Megan Kemp – <i>Strategic Executive Assistant CEO &amp; Mayor</i> Jonathan Risby – <i>Manager Transport and Environment</i>	
<b>Others Present:</b>  Michelle Giovas Adriano Murone Celeste Murone	
<b>Conflict of Interest:</b>	Nil

<b>6</b>	<b>Date of Meeting:</b>	28/11/2022
	<b>Type of Meeting:</b>	Councillor Briefing
	<b>Matters Considered:</b>	
	<ul style="list-style-type: none"> <li>• News From Our Neighbourhood - distribution options</li> <li>• Strategic Waste Briefing - November 2022</li> <li>• IT Quarterly Update July-September 2022</li> <li>• Capital Works Quarterly Update</li> <li>• Budget 2023-2027 Financial Plan Parameters (Principles and Assumptions)</li> <li>• Monthly Financial Management Report - October 2022</li> <li>• Strategic Planning Update and VCAT Summaries October - November</li> <li>• 2022-2023 Banyule Community Grants Allocation</li> <li>• Banyule Community Bus Pilot Project Update</li> <li>• Draft Council Agenda for 5 December 2022</li> </ul>	
<b>Councillors Present:</b>		
Mayor Cr Peter Castaldo (Via Teams) Deputy Cr Alida McKern Cr Alison Champion Cr Elizabeth Nealy Cr Fiona Mitsinikos Cr Mark Di Pasquale Cr Rick Garotti Cr Tom Melican		
<b>Staff Present:</b>		
Allison Beckwith - <i>Chief Executive Officer</i> Darren Bennett – <i>Director Assets &amp; City Services</i> Natasha Swan – <i>Director City Development</i> Kath Brackett – <i>Director Community Wellbeing</i> Marc Giglio – <i>Director Corporate Services</i> Jonathan Risby – <i>Manager Transport and Environment</i> Shawn Neilson - <i>Communications, Advocacy and Engagement Coordinator</i> Krysten Forte – <i>Governance Coordinator</i> Joty Singh – <i>Head of Digital and IT Transformation</i> Andrew Last – <i>Building Maintenance Coordinator</i>		

	Kathy Hynes – <i>Manager Operations</i> Greg Gale – <i>Manager Delivery Assets</i> Tania O'Reilly – <i>Manager Finance &amp; Procurement</i>	
	<b>Others Present:</b> Nil	
	<b>Conflict of Interest:</b>	Nil

**Resolution (CO2022/223)**

That Council receives and notes the Record of Councillor Meetings report.

Moved: Cr Elizabeth Nealy

Seconded: Cr Fiona Mitsinikos

CARRIED

### **8.7 AWARD CONTRACT NO. 1222-2022- IMPLEMENTATION OF MICROSOFT DYNAMICS 365 CRM AND MANAGED SERVICES**

#### **SUMMARY**

- This report is to consider the awarding of Contract No. 1222-2022 - Implementation of Microsoft Dynamics 365 Customer Relationship Management (CRM) Platform. Microsoft Dynamics was selected as Banyule's Customer Experience platform in December 2021.
- In alignment with Council's Digital Transformation Strategy, IT & Digital Transformation Department will be implementing a Customer Experience Platform (CXP) to provide an end-to-end digital experience for the majority of customer facing services. By implementing the CXP and widening the focus to provide a holistic digital customer service experience, Council will be able to meet growing customer needs and expectations and improve efficiencies in Council systems.
- The Tender Evaluation Panel (TEP) has recommended awarding the contract to Fusion5 in accordance with the tender and conditions as determined by Council.
- Tenders were received from five companies. Three of these companies were asked to provide product demonstrations.
- The contract will commence in February 2023. The Initial Contract Term shall be for a maximum initial period of one (1) year with the option to extend for further periods of any duration up to a maximum extension period of two years based on satisfactory performance and meeting Council objectives.

**Resolution (CO2022/224)**

That Council:

1. Award Contract No. 1222-2022- Implementation of Microsoft Dynamics 365 CRM and Managed Services to Fusion5 for \$1,504,904 (ex. G.S.T) for a period of 1 year with an option to extend for 2 years.
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 1 year contract term and extension periods.

Moved: Cr Tom Melican  
Seconded: Cr Rick Garotti

CARRIED

**9. SEALING OF DOCUMENTS**

Nil

**10. NOTICES OF MOTION****10.1 INTERNATIONAL WOMEN'S DAY EVENT - 2023****TAKE NOTICE** that it is my intention to move:**Resolution (CO2022/225)**

1. That a Report be presented to Council for consideration in February 2023 that provides the associated costings, planning and resource implications for Council to host an International Women's Day Event in March 2023 for the Banyule Community.

Moved: Cr Alida McKern  
Seconded: Cr Elizabeth Nealy

CARRIED

**10.2 NJ TELFER RESERVE LONG-TERM ELECTRICITY POWER REQUIREMENTS FOR SOLAR AND BUILDING****TAKE NOTICE** that it is my intention to move:**Resolution (CO2022/226)**

That a Report be presented to Council at the earliest opportunity on the required actions and resource implications to address the long-term main supply power constraints at NJ Telfer Reserve.

Moved: Cr Rick Garotti  
Seconded: Cr Peter Dimarelos

CARRIED

### **10.3 SUPPLY CHAIN INTEGRITY**

**TAKE NOTICE** that it is my intention to move:

#### **Resolution (CO2022/227)**

That a Report be presented to Council on the policies, procedures, and day-to-day controls that Council has in place to ensure the integrity of its supply chain in line with the Modern Slavery Act 2018 requirements.

Moved: Cr Rick Garotti  
Seconded: Cr Elizabeth Nealy

CARRIED

### **10.4 BANYULE BLITZ**

**TAKE NOTICE** that it is my intention to move:

#### **Resolution (CO2022/228)**

That a Report be presented to Council for consideration as part of the 2023-24 budget process on a “blitz” of renewal activity across Banyule to focus on the renewal of roads, footpaths and shared fences, graffiti removal and general tidy-up. This “blitz” would comprise renewal activity that is over-and-above currently scheduled works in Council’s existing operating and capital works budgets.

Moved: Cr Rick Garotti  
Seconded: Cr Alison Champion

CARRIED

## **11. GENERAL BUSINESS**

### ***50<sup>th</sup> BANSIC (Banyule Support and Information Centre) Birthday***

Cr Alida McKern attended the 50<sup>th</sup> birthday for BANSIC which provide food for those in the area who are struggling. The charity has been servicing the community for 50 years and has been a great comfort to those who need it.

### ***110<sup>th</sup> Year Anniversary Ivanhoe Bowls and Tennis Club***

Cr Alida McKern attended the joint anniversary for the Ivanhoe Bowls and Tennis Club. Cr McKern reflected on the success of the day which was highlighted by the award that was received by the tennis club from Tennis Victoria.

McKern also reflected on another achievement of the Ivanhoe Bowls Club who received a grant from the State Government to upgrade the change rooms.

***Banyule Urban Food Strategy***

Cr Alida McKern highlighted the Banyule Urban Food Strategy and the current consultation which is underway. Cr McKern reflected on the consultation and how well it has been undertaken and spoke about the “Kitchen Table Talks” which are small groups, community lead that meet regarding food concerns in the Banyule area.

***Share The Dignity Drive***

Cr Mitsinikos reflected on the “Share the Dignity Drive” success and reflected on the ‘sorting day’ which was held on Saturday 28 November 2022.

“Share the Dignity Drive” is a charity that provides bags that contain feminine products to those who are struggling, escaping domestic violence and homelessness. The donations provided bags to approximately 50 adults, 22 adolescents and 12 mothers and their babies.

Cr Mitsinikos thanked those who supported the event and prepared the bags for those in need in the community.

***Grand Final North Business Achievement Awards***

On Thursday 1<sup>st</sup> December 2022 Cr Mitsinikos attended the Grand Final for the North Business Achievement Awards.

Cr Mitsinikos reflected on the winner from Banyule who won an award for “Best Start Up Award” – Mr Chris Olufeso for his business idea.

***Christmas Day Event Supported by Banyule City Council***

Cr Mitsinikos highlighted the upcoming Christmas Day Event which is a free event for those who may not have anyone to share Christmas Day with. The event is supported by Olympic Village Exodus community, Banyule City Council and BASIC.

The event will be held on 12:00pm on Christmas Day, 25 December 2022 at 273 Liberty Pde, Heidelberg West. Cr Mitsinikos directed those who want to make further enquiries to contact Harry Prout.

**PUBLIC QUESTION TIME**

<b>1</b>	<p><b>Name &amp; Suburb</b></p> <p>Anonymous</p>
	<p><b>Question:</b></p> <p>In an occasion of permanent closure of Gloucester dr x Bristol Ave, how can we clearly inform drivers who still are not aware of the closure? More prominent signs? Google map update?</p>
	<p><b>Response:</b></p> <p>If a road is permanently closed, Council updates the road data on our GIS system which is then made available to any mapping company such as Google.</p> <p>Additional signage can also be considered such as ‘No Through Road’ signs.</p> <p><i>Natasha Swan – Director City Developments</i></p>



2	<p><b>Name &amp; Suburb</b></p> <p>Anonymous</p>
	<p><b>Question:</b></p> <p>How does Banyule council propose to protect the habitat of the abundant birdlife that frequent the tall Ribbon Gum tree (recently set on fire) and the other large trees along the nature strip of James Park/recreational reserve when the Master Plan has approved a foot path that would be in 5 metres of the trees drip line would effect the trees life?</p>
	<p><b>Response:</b></p> <p>An inspection has determined the suspected black burnt part of the tree is likely caused by a stress response (tree sap). The tree has <i>fair to poor health and structure</i> and will undergo deadwood removal.</p> <p>A tree impact assessment will be conducted during the detailed design process for the footpath identified in the Masterplan. This assessment will make recommendations that may include altering the path alignment slightly to have less impact on the trees or using a porous material for that section of the path.</p> <p>Darren Bennett – <i>Director City Assets &amp; Services</i></p>

### Closure of Meeting to the Public

That in accordance with Section 66(2)(a) of the *Local Government Act 2020*, Council close the Meeting to members of the public prior to considering the confidential matters in 12.1.

### 12.1 – Ivanhoe Grammar School – Public Access Options

This has been designated as confidential pursuant to s 3(1)(g) of the *Local Government Act 2020* as the information within the report contained information relating to commercial information, being information provided by a business commercial or financial undertaking or related to trade secrets and if released prematurely, could have unreasonably exposed the business, commercial or financial undertaking to disadvantage.

Moved: Cr Elizabeth Nealy  
Seconded: Fiona Mitsinikos

CARRIED

**Closure of Meeting**

The Open Ordinary Council Meeting was closed at 10:08pm and did not re-open to the public.

The Confidential Council Meeting opened 10:14pm in order to deal with item 12.1 and closed at 10:45pm.

Council resolved to not release any of the information within the confidential report, including the resolution to the public at this time

*The next Ordinary Meeting of Council will be held on Monday, 6 February 2023*

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Minutes Confirmed : 6<sup>th</sup> Day of February 2023

Signed by Cr Peter Castaldo

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*Peter Castaldo*  
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Mayor 9/2/2023 | 12:31:58 PM AEDT