

Minutes of the Ordinary Meeting of Council



Held on the 11 April 2022

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

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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 Peter Dimarelos, Cr Mark Di Pasquale, Cr Alida McKern, Cr Tom Melican, Cr Fiona Mitsinikos,

Apologies

Cr Alison Champion

Leave of Absence

NIL

Confirmation of Minutes

That the following Minutes be confirmed:

Ordinary Meeting of Council held 21 March 2022

Moved: Cr Tom Melican

Seconded: Cr Fiona Mitsinikos

CARRIED

Disclosure of Interests

NIL

Presentation

NIL

1. URGENT BUSINESS

NIL

2. PETITIONS

2.1 OVER DEVELOPMENT OF WATTLE AVENUE, MONTMORENCY SUMMARY

1. A petition with 37 signatures has been received.
2. All 37 signatories are from Wattle Avenue, Montmorency.
3. The petition request is as follows:

Residents of Wattle Avenue that support the three outlined issues;

Objections to the development proposal at 12 Wattle Avenue

That any further developments in Wattle Avenue should not be supported by Council

Do not want Wattle Avenue to be over developed and end up like Graeme Avenue.

Formally submit their support by signing the document prepared and we now submit to Council.

Resolution (CO2022/53)

That Council:

1. Receives and notes the petition;
2. Refers the petition to the Strategic Planning Team for consideration and respond to the lead petitioner accordingly; and
3. Advise the primary petitioner of this resolution.

Moved: Cr Tom Melican
Seconded: Cr Alida McKern

CARRIED

3. OUR INCLUSIVE AND CONNECTED COMMUNITY

3.1 CRICKET CLUB COVID RELIEF FOR SEASON 2021/22

There were 3 speakers on this item.

Mark Dixon (Greensborough Cricket Club) addressed Council in person.

Written Statements were read out on behalf of Jen Koch (Greensborough Cricket Club) and Peter Price (Riverside Cricket Club).

SUMMARY

This report was deferred at the Council Meeting on 28 February 2022 in order to obtain further information for Council to consider in relation to the impacts that COVID-19 has had on various cricket clubs within the Banyule Community.

1. As part of the COVID-19 Relief Support package to support Banyule's sporting clubs Council has provided a range of support measures to clubs including waiving of all seasonal and leased sporting club fees and utilities for 2020/21; and waiving of the 2021 Winter season ground and pavilion hire fees (excluding utilities) given that the Winter clubs season was effectively cancelled.
2. Summer seasonal clubs (cricket) were not included in the second-round of COVID -19 relief, given that their season commenced one month later (November 2021) and will conclude at the end of season in March 2022. Summer clubs have been invoiced for their season.
3. Council received correspondence from the Ivanhoe Cricket Club (ICC) in December 2021, indicating dissatisfaction with cricket clubs not being included in the 2021/22 relief and requesting Council waive all seasonal cricket clubs' fees for the 2021/22 season, as per the COVID-19 relief provided to football (winter season clubs). The ICC also advised the Minister of Sport and Recreation, the Minister for Local Government, and the State Member for Ivanhoe of their request of Council for fee relief.
4. Council has received no formal requests from other Cricket clubs for further relief than what has been provided to date.
5. Additional information. As requested as part of the deferral on 28 February 2022, is contained in this report relating to pre/post COVID cricket season and impacts, time loss during the cricket seasons for the 2021/22 cricket season, comparisons and impacts to AFL and other financial support that has been provided to all sports clubs from Council in relation to COVID support., above the waiver of fees
6. Should a full waiver of fees be implemented across all cricket clubs, the cost to Council will be \$94,229.00.
7. In considering this additional information, officers still propose a 20% discount be applied to all cricket clubs in Banyule, which would equate to a total of \$18,846.00 for the 2021/22 season for all cricket clubs. It is recommended that this discount be applied to the 2022/23 summer seasonal fees for cricket clubs.

Resolution (CO2022/54)

That Council:

1. Provide Covid fee relief of a 50% reduction to cricket clubs seasonal fees for the 2021/22 season.
2. Writes to the Minister of Sport and Recreation and Minister for Local Government and the State Member for Ivanhoe, advising of Council's decision to provide additional Covid-19 relief, by the provision of a 50% reduction to seasonal fees for the 2021/22 season for all cricket clubs.
3. Writes to Banyule cricket clubs advising of Council's decision to provide a 50% seasonal fee reduction for impacts to the 2021/22 season, and this discount be applied to the 2022/23 seasonal fees.

Moved: Cr Rick Garotti

Seconded: Cr Peter Castaldo

CARRIED

4. OUR SUSTAINABLE ENVIRONMENT

Nil

5. OUR WELL-BUILT CITY**5.1 BANYULE INTEGRATED TRANSPORT PLAN AND TRANSPORT ADVOCACY UPDATE****SUMMARY**

1. The Banyule Integrated Transport Plan 2015-2035 (BITP) was adopted in October 2015 to provide a principles-based framework to improve transport equity and opportunity in Banyule including enabling greater use of sustainable transport modes.
2. The BITP is a 20-year strategic plan and is now in its seventh year. A review of progress of the BITP has found that its principles and strategic directions remain current, but both its monitoring targets and actions would benefit from a refresh.
3. A BITP review has found that over 90% of its actions are either complete or have been integrated into Council's ongoing '*business as usual*'.
4. It is considered appropriate to develop a new Banyule Integrated Transport Action Plan (BITAP) to supplement the BITP and include:
 - o A set of new and updated actions including those specifically regarding parking management.
 - o Updated target measures using key performance indicators.
 - o A community and stakeholder engagement plan.
5. Council has an important role to play in advocating for improved transport infrastructure and services as set out in the BITP. The Banyule Transport Advocacy Project List (BTAP List) has been updated to allow continued transport advocacy to State and Federal Governments and the Banyule community
6. The BTAP List is made up of priority transport infrastructure projects identified through community engagement undertaken as part of the implementation of Council's transport strategy in accordance with the principals and strategic directions of the BITP.
7. Both the North East Link (NEL) Project Advocacy List (recently updated by Council - 6 December 2021) and the BTAP List will continue to be used as a basis for transport advocacy.

Resolution (CO2022/55)

That Council:

1. Receive a further report on a draft Banyule Integrated Transport Action Plan (BITAP) to complement the existing Banyule Integrated Transport Plan 2015 – 2035 along with an associated community engagement plan
2. Adopt the Banyule Transport Advocacy Project List – April 2022 to guide transport advocacy discussions with both internal and external stakeholders with the following changes:
 - a) Include the words ‘without widening’ for project 66.
 - b) Add an additional walking and cycling project, being the construction of a shared path from the corner of Kingsbury Drive and Waterdale Road, Bundoora to the La Trobe Sports Stadium.
 - c) Add an additional walking and cycling project, being the provision of a grade separated walking and cycling crossing under Banksia Street, Heidelberg near the intersection of The Boulevard.
3. Provide the Banyule Transport Advocacy Project List – April 2022 to key State Government agencies including the Department of Transport.
4. Publicise the Banyule Transport Advocacy Project List – April 2022 on the Banyule Council website to provide transparency on transport priorities to the Banyule community.
5. Write to the Minister for Transport, requesting a meeting to discuss the lack of action from Vicroads in relation to Bicycle Strategy and Action Plan and to develop a plan to improve safety for people on bikes in the Banyule community.

Moved: Cr Peter Castaldo

Seconded: Cr Tom Melican

CARRIED

**5.2 15 - 17 FLINTOFF STREET - COMMUTER CAR PARK & BUS INTERCHANGE -
ADVOCACY FOR FUTURE DEVELOPMENT****SUMMARY**

1. The State Government is proposing to compulsorily acquire Council owned land on the corner of Flintoff St and Para Road, Greensborough for the purposes of building a public commuter carpark and bus interchange, in support of the Hurstbridge Line Duplication Stage 2 project.
2. While the delivery of a bus interchange and commuter parking is welcomed at this location, consideration should be given to an activated mixed-use development which is commensurate with Council's strategic objectives for the Greensborough Major Activity Centre and presents a better return on the State's investment.
3. Overall development of the site should capitalise on height allowances, which are supported by the planning scheme, with the State adopting a design that considers the structural requirements for supporting additional development (residential or commercial) above the proposed carpark.
4. While higher density housing may not be viable at this location at this time, there needs to be a long-term vision approach to development of the land and consideration of the opportunity lost by not considering development potential, whereby additional levels could be added in future years.

Resolution (CO2022/56)

That Council:

1. Note the location of a bus interchange on the site of 15-17 Flintoff Street contravenes Federal, State and Local Governments strategies and policies;
2. Note that this project in its current form is a waste of public money;
3. Rejects the location of the bus interchange on the site of 15-17 Flintoff Street, Greensborough;
4. Writes to all relevant Federal and State Members including the Premier, The Minister for Housing, the Minister for Transport Infrastructure, Minister for Planning, Minister for Jobs, Minister for Business Precincts and Members for Bundoora and Eltham to express Councils outrage at this appalling proposal and request their intervention to stop this destructive and illogical project from proceeding; and
5. Writes to Department of Transport, Level Crossing Removal Project, requesting a redesign of this important public transport infrastructure.

Moved: Cr Tom Melican

Seconded: Cr Peter Castaldo

CARRIED

5.3 HOUSING AND NEIGHBOURHOOD CHARACTER REVIEW

SUMMARY

1. Banyule has an extensive planning scheme history associated with the creation and implementation of housing and neighbourhood character policies.
2. The State Government and other decision-making bodies, such as the Victorian Civil and Administrative Tribunal (VCAT), expect Council policies and planning controls to be kept up-to-date and to demonstrate how a municipality will, amongst other matters, accommodate growth, housing choice and affordability in the right locations while balancing liveability and neighbourhood character considerations.
3. Council has recently adopted the *Community Vision 2041*, which includes clear objectives to focus on housing diversity and affordability and how we meet our future needs.
4. The purpose of this report is to outline the approach for addressing future housing and neighbourhood character issues in a coordinated way, as per State Government requirements, through a Housing and Neighbourhood Character Review. This will be a significant project that will lead to the following key outcomes:
 - An updated Banyule Housing Strategy (the current strategy was prepared in 2009).
 - An updated Neighbourhood Character Strategy, to ensure the need for housing growth is balanced with the need to respect neighbourhood character.
 - A planning scheme amendment (or amendments) required to implement adopted strategies through new planning controls. This may include local variations to overlays, zones, or policies.
5. Much has changed in a metropolitan context since Council undertook its last housing and neighbourhood character policy work. **Attachment 1** is a *Preliminary Housing & Neighbourhood Character Discussion Paper* that outlines this context, key issues, policy requirements and work program in more detail.
6. Consultation on this Preliminary Discussion Paper is planned to start in May 2022. This is a conversation starter with the community to get an insight on the features people value in their neighbourhood, what they would like to see improved, and whether their current and future housing needs can be met in their local area.
7. More extensive consultation will be carried out as part of the broader Housing and Neighbourhood Character Review, through the development of the Housing and Neighbourhood Character Strategies and any proposed changes to the Banyule Planning Scheme.

Resolution (CO2022/57)

That Council:

1. Note the Housing & Neighbourhood Character Preliminary Discussion Paper for the purpose of:
 - a. informing the public about the commencement of the project and its key phases; and
 - b. providing an early, but more informal, opportunity for some initial feedback and engagement via Shaping Banyule to guide, inform and identify the housing and neighbourhood character priorities and issues that the community would like Council to investigate through this project;
 - c. enabling people to register their interest in the project and how they might like to be engaged in key stages of the project
2. Note that refinements will be made to the Housing & Neighbourhood Character Preliminary Discussion Paper. All refinements will be provided via a briefing paper to Councillors prior to the public release in May 2022.
3. Note that when the initial findings of the background technical work are next brought to Council, a detailed engagement plan to involve and collaborate with the public in an inclusive, deliberative and transparent manner and will be presented prior to the release of a fully detailed Discussion Paper in late 2022.

Moved: Cr Alida McKern

Seconded: Cr Peter Castaldo

CARRIED

Councillor Di Pasquale left the Chamber at 7.41pm.

Councillor Di Pasquale returned to the Chamber at 7.42 pm.

6. OUR VALUED COMMUNITY ASSETS AND FACILITIES

6.1 10 YEAR ASSET PLAN

SUMMARY

1. Section 92 of the *Local Government Act 2020* requires Council to develop, adopt and keep in force a 10-year Asset Plan to be in place by the end of June 2022. This plan is to cover all major asset categories and include 10-year financial forecasts to manage the assets over that period of time.
2. The Plan outlines key elements involved to sustainably and effectively manage Council's infrastructure assets and is a key element of Council's strategic asset management planning.
3. It focuses on Council's fixed infrastructure assets (excluding land and trees) \$986 million in value. Six asset categories included in this plan are roads, footpaths, bridges, drainage, buildings and parks and open space (POS).
4. The Plan recommends increasing renewal funding by \$6.3 million over the next 10 years for roads (including carparks and kerb and channel) through the rebalancing of funding across asset categories.
5. The Plan also recommends increasing expenditure by \$10 million for POS renewal and upgrade to improve the level of service of POS, as supported by Vision 2041 community feedback. This funding is included in the 10-year Financial Plan.
6. The purpose of this Report is to present the draft Asset Plan (the Plan) to Council for endorsement prior to proceeding to community consultation.

Resolution (CO2022/58)

That Council:

1. In line with Council's requirements under the *Local Government Act 2020*, endorse the draft 10 Year Asset Plan for community consultation as part of the integrated community engagement process planned for the Council Plan, Asset Plan, Financial Plan, Budget and Revenue and Rating Plan.

Moved: Cr Rick Garotti

Seconded: Cr Tom Melican

CARRIED

6.2 SUITE 2.01 1 FLINTOFF ST GREENSBOROUGH AND PART 7 FLINTOFF ST, GREENSBOROUGH - PROPOSED LEASE TO ALBURY WODONGA COMMUNITY COLLEGE LIMITED**SUMMARY**

1. Council owns the land and improvements at Suite 2.01 1 Flintoff Street Greensborough (“the premises”) and the multideck carpark at 7 Flintoff Street Greensborough (“carpark”).
2. A leasing proposal has been received from Albury Wodonga Community College to lease both the vacant space and fitted out offices for a term of three (3) years commencing 1 May 2022 with a further three options of three (3) years each.
3. Council has complied with its obligations under s.115 of the *Local Government Act 2020* (‘the Act’) by undertaking a community engagement process in accordance with Council’s Community Engagement Policy.

Resolution (CO2022/59)

That Council:

1. Having complied with its obligations under s.115 of the *Local Government Act 2020*, support the proposed lease between Council and Albury Wodonga Community College Ltd, for the premises known as Suite 2.01 1 Flintoff Street, Greensborough for a period of three (3) years with three further terms of (3) years commencing 1 May 2022.
2. Authorise the Director City Development to sign the necessary documentation to execute the lease at the appropriate time.

Moved: Cr Tom Melican

Seconded: Cr Rick Garotti

CARRIED

6.3 IVANHOE AQUATIC REDEVELOPMENT STAGE 2 - CONCEPT DESIGN**SUMMARY**

1. The Ivanhoe Aquatic & Fitness Centre is a key recreational facility for the residents of the City of Banyule that is managed by Council.
2. A staged multimillion-dollar masterplan was developed in 2012 to bring the ageing facility up to standard. Stage one of the masterplan was completed in 2016. Stage two is in design phase.
3. Council has continued to inform members and community about the project and the Stage 2 redevelopment as part of ongoing communications through newsletters and bulletins.
4. In 2020, targeted stakeholder engagement was undertaken to review the 2012 master plan and inform the development of a Draft Banyule Aquatic Strategy.
5. Throughout 2021, several workshops were held to address the scope of this next stage and exploration of Sustainable Environmental Design (ESD) goals.
6. A concept plan for Stage 2 has been developed (Attachment 1) and includes full electrification of the centre, additional program and leisure water spaces (including spa and sauna) and associated amenities.
7. This design responds to the increased community and member need for aquatics space at Ivanhoe to support growth in learn to swim, demand for better opportunities for lap swimming and other water-based programs such as aqua classes.
8. Stage 2 scope once implemented will deliver on Council's commitment to net zero through an all-electric, 5 Star Green Star accredited facility outcome.
9. A Community Engagement plan has been developed and broad consultation on the plan will take place throughout April and May.
10. The current budget allocation over three financial years is \$12.7m. It is anticipated that the project may require funds in the order of approximately \$21.6m. Council will be advocating for funding opportunities from external bodies throughout the design development process and refer any shortfall to future budget processes.
11. As one of Council's major projects to be delivered, this project will contribute short and long term sustainable procurement outcomes through its commitment to environmental sustainable principles and local job creation.

Resolution (CO2022/60)

That Council:

1. Endorses the Ivanhoe Aquatic Redevelopment Stage 2 concept plan for community consultation in accordance with the Community Engagement Plan.
2. Notes this proposed project will deliver on Council's commitment to net zero through an all-electric, 5 Star Green Star accredited facility outcome.
3. Notes that Council will apply for funding from the Victorian Governments Local Sports Infrastructure Fund (LSIF) program when the next round of funding opens in 2023. Grants of up to \$2 million are available to support redevelopment of aquatic leisure centres.
4. Refers any funding shortfall to future budget processes.
5. Receives a further report at a future Council meeting to present consultation outcomes and endorsement of final concept for detailed design.

Moved: Cr Alida McKern

Seconded: Cr Peter Castaldo

CARRIED

7. OUR THRIVING LOCAL ECONOMY

Nil

8. OUR TRUSTED AND RESPONSIVE LEADERSHIP**8.1 PROPOSED BUDGET 2022-2026 FOR PUBLIC CONSULTATION****SUMMARY**

1. *Section 94 of the Local Government Act 2020* requires Council to prepare a budget for each financial year and the subsequent 3 financial years (2022/23 through to 2025/26).
2. The budget is required to outline how resources will be allocated across initiatives, programs, services and capital works, as well as financing and debt redemption.
3. The budget provides a comprehensive outline of all income derived from rates, fees and charges, grants and other revenue.
4. The budget will ensure Council's finances remain sustainable and that appropriate resources are allocated to meet the services and capital requirements of the City.
5. Council is required to meet all legislative requirements and through the Proposed Budget 2022-2026 outlined and attached to this report aims to best reflect the most likely financial performance and position of Council in the years ahead.
6. Banyule is proposing to raise general rates by the maximum amount as allowed under the fair Go Rate Cap. This is 1.75% for 2022/23.
7. To combat the significant increase in waste costs, kerbside waste collection and public waste services will be removed from general rates and be levied as two separate waste service rates. This will be introduced through the revised Revenue and Rating Plan 2022-2026.
8. The revised rating framework is proposed to include:
 - i. Public waste rate applicable to all properties; and
 - ii. Kerbside waste collection service for those properties that receive a kerbside waste collection service.
9. The objectives intended via this report are to give notice of:
 - i. The preparation of Council's Proposed Budget for 2022-2026:
 - ii. The opportunity for Council to consider all public feedback on the Proposed Budget 2022-2026 at a Council meeting on Monday, 30 May 2022.
 - iii. Council's intention to consider adopting Banyule's Budget 2022-2026 at a Council Meeting on Monday, 27 June 2022 in accordance with the *Local Government Act 2020*.
10. The consultation period will be open from 12 April 2022 – 3 May 2022. At the close of the consultation period, feedback will be presented to Councillors for consideration and incorporation into the Budget 2022–2026 for Council's consideration and adoption at the Ordinary Council meeting scheduled for 27 June 2022.

Resolution (CO2022/61)

That Council:

1. Note:
 - a. that the Proposed Budget 2022-2026 has been prepared in accordance with *Section 94 of the Local Government Act 2020*).
 - b. that the Proposed Budget 2022-2026 will ensure Council's finances remain sustainable and that appropriate resources are allocated to meet the services and capital requirements of the City.
 - c. the proposal to introduce a separate rate for waste recovery as part of a revised rating framework outlined in the revised Revenue and Rating Plan 2022-2026.
 - d. the revised rating framework is proposed to include a separate rate for:
 - i. Public waste collection service for all rateable properties; and
 - ii. Kerbside waste collection service for those properties that receive a kerbside waste service.
2. Endorse the Proposed Budget 2022-2026 for community consultation as part of the integrated community engagement planned for the Council Plan, Asset Plan, Financial Plan, Budget and Revenue and Rating Plan.

Moved: Cr Rick Garotti

Seconded: Cr Tom Melican

CARRIED

8.2 REVISED FINANCIAL PLAN 2022-2032 FOR PUBLIC CONSULTATION SUMMARY

1. Section 91 of the *Local Government Act 2020* requires Council to develop, adopt and keep in force a Financial Plan with an outlook of at least 10 years.
2. Council is required to meet all legislative requirements and through this revised Financial Plan 2022-2032 aims to best reflect the most likely financial performance and position of Council in the years ahead.
3. The Financial Plan works together with key integrated plans such as, Council Plan, Budget, Revenue and Rating Plan, Asset Management Plan, and a range of other policies and plans to deliver services and infrastructure and enhance health and wellbeing outcomes for the community.
4. The objectives intended via this report are to give notice of:
 - The preparation of Council's draft Financial Plan for 2022-2032;
 - The opportunity for Council to consider all public feedback on the revised Financial Plan 2022-2032 at a Council meeting on Monday, 30 May 2022.
 - Council's intention to consider adopting Banyule's Financial Plan for 2022-2023 at a Council Meeting on Monday, 27 June 2022 in accordance with the *Local Government Act 2020*.
5. The consultation period will be open from 12 April 2022 – 3 May 2022. At the close of the consultation period, feedback will be presented to Councillors for consideration and incorporation into the Financial Plan 2022-2032 for Council's adoption on 27 June 2022.

Resolution (CO2022/62)

That Council:

1. Note that the revised Financial Plan 2022-2032 has been prepared in accordance with section 91 of the *Local Government Act 2020*.
2. Endorse the revised Financial Plan 2022-2032 for community consultation as part of the integrated community engagement planned for the Council Plan, Asset Plan, Financial Plan, Budget and Revenue and Rating Plan'.

Moved: Cr Tom Melican

Seconded: Cr Rick Garotti

CARRIED

8.3 REVISED REVENUE AND RATING PLAN 2022-2026 FOR PUBLIC CONSULTATION

SUMMARY

- The *Local Government Act 2020* under *Section 93* requires Council to adopt a Revenue and Rating Plan (the Plan) by the next 30 June after a general election for a period of at least the next 4 financial years.
- Council's Revenue and Rating Plan 2021-2025 was adopted by Council on 28 June 2021 and a revised version has since been prepared for 1 July 2022 - 30 June 2026. There are a number changes being proposed to the revised Revenue and Rating Plan 2022-2026 including:
 - Altering the rating framework, while remaining within the Fair Go Rate Cap of a 1.75% increase in 2022/23, to separately rate for:
 - public waste services; and
 - kerbside waste collection services for those properties that receive a kerbside waste service.
 - Access to a rate waiver when in financial hardship.
 - Altering the framework around ratepayers paying by periodical direct debit.
 - Providing additional descriptions around the rationale for each differential rating category.
- The objectives intended via this report are to give notice of:
 - The preparation of Council's revised Revenue and Rating Plan for 2022-2026
 - The opportunity for Council to consider all public feedback on the revised Revenue and Rating Plan 2022-2026 at a Council meeting on Monday, 30 May 2022.
 - Council's intention to consider adopting Banyule's Revenue and Rating Plan 2022-2026 at a Council Meeting on Monday, 27 June 2022 in accordance with the *Local Government Act 2020*.
- The consultation period will be open from 12 April 2022 – 3 May 2022. At the close of the consultation period, feedback will be presented to Councillors for consideration and incorporation into the revised Revenue and Rating Plan 2022-2026 for Council's adoption on 27 June 2022.

Resolution (CO2022/63)

That Council:

1. Note
 - a. that the revised Revenue and Rating Plan 2022-2026 has been prepared in accordance with Section 93 of the *Local Government Act 2020*).
 - b. the proposal to introduce a separate rate for waste recovery as part of a revised rating framework outlined in the revised Revenue and Rating Plan 2022-2026.
 - c. the revised rating framework is proposed to include a separate rate for:
 - i. Public waste services; and
 - ii. Kerbside waste collection services for those properties that receive a kerbside waste service.
2. Endorse the revised Revenue and Rating Plan 2022-2026 for community consultation as part of the integrated community engagement planned for the Council Plan, Asset Plan, Financial Plan, Budget and Revenue and Rating Plan'.
3. Note that a key principle underpinning the proposed separation of the waste rate from the general rate is to incentivise sustainable waste management and waste reduction practices by our community.

Moved: Cr Rick Garotti

Seconded: Cr Tom Melican

CARRIED

8.4 COUNCIL PLAN 2021-2025 - PREPARATION OF YEAR 2 ANNUAL ACTION PLAN 2022/2023

SUMMARY

1. Following the Council election in October 2020, Council prepared and adopted its current four-year Council Plan 2021-2025 in accordance with Section 90 of the *Local Government Act 2020*.
2. The Council Plan was developed in partnership with the Community, and was adopted by Council on 25 October 2021, taking effect retrospectively from 1 July 2021.
3. The Council Plan 2021-2025 is Council's key strategic document and outlines our priorities and focus for the four-year period.
4. The Plan aligns with Banyule's Community Vision and demonstrates how we will strive towards that vision, focus our efforts, and measure our progress.
5. The Council Plan works together with key plans such as the Municipal Public Health and Wellbeing Plan, Financial Plan, Budget, Revenue and Rating Plan, Asset Plan, and a range of other policies and plans to deliver services and infrastructure and enhance health and wellbeing outcomes for the community.
6. The Council Plan is implemented through annual action plans, which reflect Council's decisions on the initiatives and priority services to be funded through the Budget each year.
7. The focus of the Year 2 review of the Council Plan is based on a continuation of the Objectives and Strategies, which are directly aligned with Banyule's Community Vision 2041.
8. The Council Plan 2021-2025 - Draft Year 2 Annual Action Plan 2022/2023 (**attached**):
 - Outlines initiatives and priority services Council will deliver to achieve strategies of the Council Plan.
 - Integrates with Banyule's Health and Wellbeing Priorities for 2021-2025 and Banyule's Climate Action Response
 - Is an initial draft which has been prepared based on organisational and service area strategic planning discussions during October 2021 – March 2022, which are closely linked to annual review of the Budget, Capital Works & Initiatives Programs.
 - Incorporates elements from key supporting plans and policies adopted by Council.
9. The Draft Year 2 Action Plan will be made available for comment during 12 April - 3 May 2022 as part of an integrated community engagement approach, incorporating the Council Plan, Financial Plan, Budget, Revenue and Rating Plan, and Asset Plan.

Resolution (CO2022/64)

That Council:

1. Endorse the Council Plan 2021-2025 - Draft Year 2 Annual Action Plan 2022/2023.
2. Make the Council Plan 2021-2025 - Draft Year 2 Annual Action Plan 2022/2023 available for comment during 12 April - 3 May 2022 as part of an integrated community engagement approach, incorporating the Council Plan, Financial Plan, Budget, Revenue and Rating Plan, and Asset Plan.
3. Note this report is in accordance with Section 90 of the *Local Government Act 2020* and Council's annual review of the Council Plan.

Moved: Cr Tom Melican

Seconded: Cr Rick Garotti

CARRIED

Councillor Di Pasquale left the Chamber at 8.24 pm.

Councillor Di Pasquale returned to the Chamber at 8.27 pm.

8.5 MAYOR, DEPUTY MAYOR AND COUNCILLOR ALLOWANCES

SUMMARY

1. Mayors and councillors elected in councils across Victoria are entitled to receive an allowance while performing their duties and functions.
2. Pursuant to section 39 of the *Local Government Act 2020* (2020 Act), allowances for the Mayor, Deputy Mayor and Councillors are provided in accordance with a Determination of the Victorian Independent Remuneration Tribunal under the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*.
3. On 7 March 2022, in accordance with section 23A of the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*, The Tribunal made its first determination for the allowance payable to Mayors, Deputy Mayors and Councillors.
4. The Determination applies to all Mayors, Deputy Mayors and Councillors (Council members) in all Victorian councils.
5. It is the first time that a separate allowance is being paid to the role of Deputy Mayor which was previously not recognised under the 1989 Act.
6. The Determination takes effect from 18 December 2021, which means that the current Banyule City Council Mayor, Deputy Mayor and Councillors are required to be back paid any difference between the allowance paid to the Mayor, Deputy Mayor and Councillors prior to the Determination being made.
7. The Determination sets a base allowance for each Councillor, and that value varies depending on the role and the Council allowance category assigned to the Council as specified in the Determination.
8. The Tribunal has assigned each council in Victoria to one of four council allowance categories. Accordingly, Banyule City Council falls in category 3.
9. The base allowance for category 3 councils are:
Mayor: \$119,316
Deputy Mayor: \$59,659
Councillor: \$35,972
10. The Determination provides for further scheduled annual increases to allowance values until 18 December 2025.
11. The next increase is scheduled to come into effect on 18 December 2022.
12. It is important to note that there is no longer an additional Superannuation Guarantee Contribution percentage to be paid to councils who previously chose to pay a Superannuation Guarantee Contribution, as the new allowances are inclusive of this contribution payment.
13. Unlike requirements under the *Local Government Act 1989*, the 223 statutory process seeking submissions is not required and there are no community engagement requirements.
14. It is important to note that this Report and the Determination is mutually exclusive to the provision for other expenses and entitlements that Councillors are entitled to, which are governed by Council's Expenses Policy.
15. The preparation of this Report upholds Council's responsibility to provide good governance, transparency and accountability, and the commitment to those principles that are enshrined in the *Local Government Act 2020*.

Resolution (CO2022/65)

That Council:

1. Receives and notes the Mayor, Deputy Mayor, and Councillor Allowances Report.

Moved: Cr Rick Garotti

Seconded: Cr Tom Melican

CARRIED

8.6 MAKING OF GOVERNANCE LOCAL LAW NO. 2 (2022)**SUMMARY**

1. The *Local Government Act 2020* (the Act) received royal assent on 24 March 2020. New requirements within the Act, specifically Division 3 of Part 3 (Sections 71 to 83) provide for how a local law is to be made by local councils.
2. All Victorian councils have the broad power to make local laws for or with respect to any act, matter or thing in respect of which councils have functions and powers. Local laws are generally utilised to respond to issues and community needs within a local context. A local law cannot be inconsistent with other legislation and is automatically revoked after ten years after it is made, unless revoked sooner.
3. Procedures for the conduct of council meetings are set out in Council's Governance Rules, adopted in August 2020. Council subsequently commenced a review of the Governance Local Law No. 2 (2015) to remove references to the now superseded Meeting Procedures Code (2015) and to ensure that the Governance Local Law No. 2 (2015) is consistent with, and supports, the Governance Rules.
4. At its meeting on 6 December 2021 Council considered and endorsed the draft Governance Local Law No.2 (2022) which will replace Council's existing Governance Local Law No. 2 (2015).
5. In accordance with the requirements of the Act, and Council's Community Engagement Policy, Council resolved to place the draft Governance Local Law No.2 (2022) on public exhibition and to seek submissions from the public.
6. Public notice of Council's intention to make the Governance Local Law No.2 (2022) was given on 7 December 2021 and it was exhibited in accordance with the Act. Feedback was invited via Council's Shaping Banyule website page from 7 December 2021 to 14 January 2022.
7. Nine (9) persons provided feedback, with six (6) of the nine (9) indicating that they support the making of the Governance Local Law No.2 (2022). Only four (4) submitters provided comments in support of their response. All submitters were invited to speak at the Council meeting held on 7 February 2022 in support of their submissions, though none took up the opportunity.
8. At the Council Meeting held on 7 February 2022 Council considered the submissions received and in accordance with section 73 of the Act and Council's Community Engagement Policy. Council noted that no changes were to be made to the Governance Local Law No.2 (2022) and called for a report to be presented for final adoption of the Governance Local Law No. 2 (2022) at the Ordinary Council meeting held on 28 February 2022.
9. Due to administrative delays, the report has been deferred to the 11 April 2022 Ordinary Council Meeting. The delay has no impact on the making of the Governance Local Law No. 2 (2022).
10. The purpose of this report is for Council to adopt the Governance Local Law No. 2 (2022).

Resolution (CO2022/66)

That Council:

1. Having

- 1.1 completed the statutory process under Division 3 of Part 4 of the *Local Government Act 2020* for the making of the proposed Governance Local Law No. 2;
- 1.2 obtained a certificate from a suitably qualified lawyer stating that, in their opinion, the Governance Local Law No. 2 is consistent with the local law requirements set out in section 72 of the *Local Government Act 2020*, attached to this report as Attachment 2; and
- 1.3 undertaken community engagement in accordance with Council's Community Engagement Policy in respect of the Governance Local Law No. 2 and having considered all submissions that were received.

resolves to make the Governance Local Law No.2 in the form attached to this report as Attachment 1; and

2. Authorises the Chief Executive Officer to give public notice of the making of the Governance Local Law No.2 in accordance with s 74(4) and 74(5) of the *Local Government Act 2020*.

Moved: Cr Tom Melican

Seconded: Cr Rick Garotti

CARRIED

8.7 2022 FEDERAL ELECTION - AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION ADVOCACY CAMPAIGN**SUMMARY**

1. The Australian Local Government Association (ALGA), which is the peak association representing the interests of local governments nationally, wrote to councils on 29 March 2020 seeking support for their national advocacy campaign titled 'Don't leave Local Communities Behind'.
2. Working in conjunction with its member state and territory associations, the ALGA has developed a framework and resources for the campaign targeted at seeking additional funding from the Federal Government for local government priorities
3. The advocacy campaign will run in the lead up to the Federal Election expected to be held in May 2022.
4. All Australian councils have been asked by ALGA to participate in the campaign to ensure a coordinated approach that will deliver the best possible outcomes.
5. Participating in a national advocacy campaign does not preclude Banyule Council from advocating on additional local needs and issues, but it will strengthen the national campaign and support all 537 Australian local governments.

Resolution (CO2022/67)

That Council:

1. Support the national funding priorities of the Australian Local Government Association (ALGA), which would contribute an estimated \$6.46 billion per year to Australia's GDP and create 43,444 jobs; and
2. Agrees to support and participate in the Australian Local Government Association's advocacy for their endorsed national funding priorities by writing to the local Federal Member(s) of Parliament, all known election candidates in local Federal electorates and the President of the Australian Local Government Association to:
 - a) express support for ALGA's funding priorities;
 - b) identify priority local projects and programs that could be progressed with the additional financial assistance from the Federal Government being sought by ALGA; and
 - c) seek funding commitments from the members, candidates and their parties for these identified local projects and programs.

Moved: Cr Tom Melican
Seconded: Cr Peter Castaldo

CARRIED

8.8 RECORD OF COUNCILLOR MEETINGS**SUMMARY**

In accordance with section 60 of *the Local Government Act 2020*, Council at its meeting on 17 August 2020 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

1	Date of Meeting:	21/3/2022
	Type of Meeting:	Pre-Meeting Briefing
	Matters Considered:	
	<ul style="list-style-type: none"> • Keep Rosanna Parklands as an off-lead dog park • Kindergarten Infrastructure and Service Plan (KISP) • Christmas Celebrations in Banyule for vulnerable community • Community Bus Feasibility Study • Yarra Strategic Plan (Burndap Birrarung burndap umarkoo) • 7-11 Cartmell Street, Heidelberg - Project Award • Heidelberg Station to Rosanna Station Bicycle Path Proposal • Bellfield Redevelopment Precinct - Proposed Development Plan (P1654/2021) • Bell Street - Commencement of Notice of Intention to Sell Land • Victorian Government - Local Sports Infrastructure Fund • Jobs Victoria Advocate Program Update • Economic Support Package - Status Update • Council Plan 2021-2025 Progress Report July-December 2021 • Appointment of the Independent Chairperson for the CEO Employment Matters Committee • Record of Councillor Meetings • Council Meeting Prayer 	
	Councillors Present:	
	Peter Castaldo Alison Champion Peter Dimarelos 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> Natasha Swan – <i>Director City Development</i> Kath Brackett – <i>Director Community Programs</i> Gina Burden – <i>Manager Governance & Communication</i> Krysten Forte – <i>Governance Coordinator</i> Kerryn Woods – <i>Executive & Councillors Team Leader</i> Jonathan Risby – <i>Manager Transport and Environment</i> Megan Kemp – <i>Councillor Support & Civic Events</i> Nick Van – <i>Council Business Officer</i> Duncan Stephen - <i>Jets Facility & Technical Administrator</i> Sukhpreet Sidhu – <i>IT Infrastructure Engineer</i> Jay Mifsud – <i>Youth Program Officer</i> Frances Biggar – <i>JETS Creative Technical Assistant</i>	
Others Present:	
<i>Nil</i>	
Conflict of Interest:	<i>Nil</i>

2	Date of Meeting:	28/3/2022
	Type of Meeting:	Councillor Briefing
	Matters Considered:	
	<ul style="list-style-type: none"> • 10 Year Asset Plan • Banyule Housing and Neighbourhood Character Review • Separated Waste Charge/Rate 	
	Councillors Present:	
Peter Castaldo Alison Champion Peter Dimarelos Mark Di Pasquale Rick Garotti Alida McKern Tom Melican Fiona Mitsinikos Elizabeth Nealy		
Staff Present:		

Darren Bennett – <i>Director Assets & City Services</i> Marc Giglio – <i>Director Corporate Services</i> Natasha Swan – <i>Director City Development</i> Kath Brackett – <i>Director Community Programs</i> Kerry Woods – <i>Executive & Councillors Team Leader</i> Greg Gale – <i>Manager</i> Mohammad Rashid <i>Coordinator</i> Karen Leeder – <i>Manager City Futures</i> Joel Elbourne – <i>Manager Planning, Building & Laws</i> Klover Apostola – <i>Principal Strategic Planner</i> Anthony Calthorpe – <i>Strategic Planning & Urban Design Coordinator Principal</i> Tania O'Reilly – <i>Manager Finance & Procurement</i> Philip Ryan – <i>Revenue Services Coordinator</i>	
Others Present:	
<i>Nil</i>	
Conflict of Interest:	<i>Nil</i>

3	Date of Meeting:	10/3/2022
	Type of Meeting:	Environment and Climate Action Advisory Committee Meeting
	Matters Considered:	
	<ul style="list-style-type: none"> • Banyule Community Energy Service • Environmentally Sustainable Development • Sustainable Building Guidelines • Olympic Leisure Centre redevelopment • Montmorency Sugar Glider Project 	
	Councillors Present:	
Peter Castaldo Alida McKern Tom Melican		
Staff Present:		
Jonathan Risby Ellie Hall Ollie Forster Daniela Tartaglia Pierre Asselin Ruth Robles McColl		
Others Present:		
<i>BECAAC Members;</i>		
Kellie Watson Denise Fernando Alex Tzikas Lynne Siejka Jack Ellis Paul Gale Baker Michelle Giovas Trivess Moore Vicky Rowe		

	Conflict of Interest:	
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Resolution (CO2022/68)

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

Moved: Cr Fiona Mitsinikos
 Seconded: Cr Peter Castaldo

CARRIED

9. SEALING OF DOCUMENTS

Nil

10. NOTICES OF MOTION

Nil

11. GENERAL BUSINESS**11.1 MARCH COUNCIL EVENTS**

Councillor McKern acknowledged and praised Council Officers for their organisation and execution of many events held in March 2022 which many Councillors attended. e. Councillor McKern also noted that each Council event which she attended was sold out with waiting lists and was proud to see attendance rates so high.

Cr McKern spoke to the following events held in March 2022:

- Reels on Wheels
- Banyule Open Art Studios
- Ivanhoe Library and Cultural Hub Art Exhibitions
- Yarra Junior Footy League Kickoff at Ford Park
- Family Open Day and Fun Day at Ford Park
- 75 Anniversary of 10th Ivanhoe Scouts and Opening of Refurbished Scout Hall
- Ramadan Iftar Dinner at Bell St Mall
- Opening of Heidelberg Mosque
- Annual Twilight Sounds in the Park
- Malahang Festival
- Opening of LaTrobe Sports Centre

11.2 INCLUSIVE EMPLOYMENT PROGRAM

Councillor Rick Garotti acknowledged and congratulated officers involved in Banyule's Inclusive Employment Program and highlighted two staff who have secured a full time and part time position following their time in the program.

11.3 VIEWBANK RESIDENTS' 70TH WEDDING ANNIVERSARY

Councillor Fiona Mitsinikos acknowledged and congratulated Viewbank locals Robert and Val Lenny on their 70th wedding anniversary.

Closure of Meeting

The Meeting was closed at 8.40pm.

DATED: DAY OF 2022

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MAYOR

The next Ordinary Meeting of Council will be held on Monday, 9 May 2022 .

PUBLIC QUESTION TIME

1	<p>Name & Suburb</p> <p>Alicia Curry, Rosanna</p>
	<p>Question:</p> <p>In council meeting 20th September, 2021 in relation to item “5.4 - 72 Turnham Avenue, Rosanna - Rosanna Library - Proposed Part Sale of Land”, the Acting Director for City Development (Joel Elbourne) verbally acknowledged a “statement” submission that was received from an unknown Woolworths / Fabcot representative that clearly rejected any suggestions that the supermarket or library proposal would incorporate any residential component and which would be backed up by a section 173 agreement on title, so where can the public find the published version of this statement which does not seem to be currently on public record?</p>
	<p>Response:</p> <p>Council can confirm that the proposal for redevelopment of the Woolworths Supermarket in Rosanna, which is subject to a current planning permit, does not include any residential development.</p> <p>As part of the Contract of Sale accepted by Woolworths/Fabcot, a requirement has been included that a Section 173 Agreement be entered into which provides for a range of matters, including a condition that restricts the use of the land for a supermarket only for a period of no less than 10 years.</p> <p>There is no public statement in relation to Woolworths/Fabcot’s position with respect to the incorporation of housing.</p> <p><i>Natasha Swan – Director City Development</i></p>

2	<p>Name & Suburb</p> <p>Carol McColl, Rosanna</p> <hr/> <p>Question:</p> <p>Given the approval by the Victorian State Government as advised today by Mr Andrew Widdicombe of Department of Environment, Land, Water & Planning and supported by Banyule Council, to allow the construction of a 5 storey mixed use development on the vacant railway land on Beetham Parade with a reduction in parking, does Council now concede that their promise to the rate payers and residents of Rosanna/Banyule to limit building heights to 4 storeys within the village precinct was false and misleading and this decision now leads the way for further development of 5 stories and above in Rosanna?</p> <hr/> <p>Response:</p> <p>Council adopted the Rosanna Village Urban Design Guidelines (December 2016) at the Council meeting of 19 December 2016. This included a resolution to remove reference to preferred built form heights greater than 3 to 4 storeys in 'key locations'. Consequently, the guidelines indicate a preferred built form height of 3 to 4 storeys for the Rosanna Village precinct.</p> <p>Future development proposals within the core of the village along Lower Plenty Road must be assessed on their own individual merits, however, it is considered that these sites are more constrained than the vacant Beetham Parade land recently granted with approval for a 5 storey development by the State Government, which may result in heights more consistent with the preferred built form heights.</p> <p><i>Natasha Swan – Director City Development</i></p>
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3	<p>Name & Suburb</p> <p>Melisa Murphy-Webster, Watsonia North</p> <p>Question:</p> <p>How many staff have lost their jobs since October 1st 2021 as a direct result of not complying with state vaccine mandates? What was the sick leave rated 12 months prior to 30th September and from that date to now?</p> <p>Response:</p> <p>Banyule takes employee privacy very seriously. All information in relation to staff separation or medical leave is maintained with the highest degree of confidentiality to protect the privacy of all involved and any specific information will not be released.</p> <p>Any aggregate data pertaining to staff turnover will be reported in our Annual Report. The period requested will be reported in the next Annual report which will be available at the finalisation of this financial year.</p> <p><i>Marc Giglio – Director Corporate Services</i></p>
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