

Minutes of the Ordinary Meeting of Council



Held on the 27 June 2022

Council Chambers

**Ivanhoe Library and Cultural Hub, 275 Upper Heidelberg
Road, Ivanhoe**

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The Meeting opened at 7.03pm.

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

In line with Part 12 (COVID-19 temporary measures) of the *Local Government Act 2020* The Ordinary Council Meeting was a hybrid meeting with a mix of Councillors present 'in person' and via electronic means.

The following Councillors were "in person": Mayor Cr Elizabeth Nealy, Cr Rick Garotti, Cr Alison Champion, Cr Peter Dimarelos, Cr Fiona Mitsinikos

The following Councillors participated in the meeting via electronic means:
Cr Peter Castaldo, Cr Tom Melican.

Apologies

Cr Mark Di Pasquale, Cr Alida McKern

Leave of Absence

Nil

Confirmation of Minutes

That the following Minutes be confirmed:

Ordinary Meeting of Council held 30 May 2022

Moved: Cr Peter Dimarelos

Seconded: Cr Fiona Mitsinikos

CARRIED

Councillor Melican left the meeting via electronic means at 7.10 pm.

Councillor Melican returned to the meeting via electronic means at 7.11 pm

Disclosure of Interests

Nil

1. URGENT BUSINESS

Nil

PROCEDURAL MOTION – RE ORDER OF COUNCIL AGENDA ITEMS

That Council resolve to re order the agenda items listed in the Ordinary Council Meeting Agenda for 27 June 2022 so that after item 2.1 is presented to Council for consideration, item 7.1 follows, with the business to resume as per the agenda from item 5.1 onwards.

Moved: Cr Rick Garotti

Seconded: Cr Alison Champion

CARRIED

2. PETITIONS

2.1 PETITION - PARKLETS ON UPPER HEIDELBERG RD

There were 3 speakers on this item.

Stavros Zikou addressed Council in person.
Zack Silvestro addressed Council in person.
John Mihailidis addressed Council in person.

SUMMARY

1. A Petition titled "Do Not Support Extension to Parklets on Upper Heidelberg Rd beyond June 30th 2022" was received and signed by 90 signatories in support of the Petition.
2. There are 3 signatories from outside Banyule and 87 from within Banyule. Of the 87 from within Banyule there are 4 from Livingstone Parade and 83 from Upper Heidelberg Road.
3. The petition request is summarised as follows:

We the undersigned, petition of request Council to not support the extension of parklets on Upper Heidelberg Rd beyond June 30th 2022. This includes the introduction of any new parklets on Upper Heidelberg Rd.

Resolution (CO2022/111)

That Council:

1. Receives and notes the petition 'Do Not Support Extension of Parklets on Upper Heidelberg Rd beyond June 30th 2022';
2. Refers the petition to the Economic Development Department in the City Development Directorate for consideration and response to the head petitioner accordingly; and
3. Advise the primary petitioner of the Council resolution associated with this report.

Moved: Cr Alison Champion

Seconded: Cr Rick Garotti

CARRIED

Councillor Melican left the meeting via electronic means at 7.13pm.

Councillor Melican returned to the meeting via electronic means at 7.14m.

Councillor Castaldo left the meeting via electronic means at 7.20pm.

Councillors Castaldo was not present via electronic means for the vote on item 2.1 due to technical issues

3. OUR INCLUSIVE AND CONNECTED COMMUNITY

Nil

4. OUR SUSTAINABLE ENVIRONMENT

Nil

5. OUR WELL-BUILT CITY

5.1 WATSONIA TOWN SQUARE - COMMUNITY CONSULTATION SUMMARY & PREFERRED CONCEPT DESIGN

There was 1 speaker on this item.

Hesham Mobarek addressed Council in person.

SUMMARY

1. Community consultation regarding four concept design options for the Watsonia Town Square was carried out in November/ December 2021, and included an online information session, face to face consultation and targeted engagement.
2. During the consultation period, the Watsonia Town Square Shaping Banyule page received 13,636 views, 160 full survey responses and 442 quick poll responses.
3. The consultation showed strong support for concept option number four and the following features: more greenery, a modest loss of car parking, the simplification of the intersection with a t-intersection, discontinuance of Ibbottson Street and maximising key features, such as the playground area, open flexible and seating spaces and the biodiversity/ sensory area.
4. Following the consultation period, Council proactively advocated to the State Government to fund the construction of monopoles in the creation of the Watsonia Town Square, which were estimated to cost \$4.98m.
5. Despite the high level of community support for the monopoles, the State Government has not made a funding commitment by the required deadline so the monopole advocacy has ceased, and the project will move forward without this element.
6. Advocacy to the State Government will continue to further enhance the Town Square and support businesses and the community during the North East Link Project disruption period.
7. A preferred concept design has been formed that incorporates the existing lattice towers and responds to the community feedback, strategic context, and technical advice, including traffic modelling for different intersection options.
8. The preferred design includes the loss of 29 existing car parking spaces. In order to mitigate car parking losses a second project stage could be considered that removes the High Street roundabout to create additional car parking. This stage is currently unfunded (\$1.24m) and additional opportunities will be considered to expand the project area to increase car parking as part of the detailed design phase.
9. A brief exhibition period for the preferred concept design with an optional stage two (High Street roundabout removal) is proposed following the Council resolution. As part of the exhibition period, the statutory process to discontinue Ibbottson Street will commence.

Resolution (CO2022/112)

That Council:

1. Notes the community consultation that was carried out between 5 November 2021 – 5 December 2021 and the consultation summary contained in this report.
2. Endorses the preferred Watsonia Town Square concept design for community exhibition, with the following changes:
 - a. Relocation of the shared user path in Morwell Avenue approximately 6m south of its current location:
 - b. Redesign of the active space and skate elements and open grass area north of Grace Street to accommodate the realignment of the shared user path;
 - c. Realign the car parking on northern and southern sections of Morwell Avenue from angled to parallel parking;
 - d. Redesign of the central section of the carpark to two rows of 90-degree parking with a central aisle; and
 - a) The loss of an additional 12 car parking spaces to accommodate the abovementioned changes
3. Endorses the inclusion of Stage 2: The High Street roundabout removal and additional car parking provision, in the upcoming community exhibition phase and requests a report back on the budget funding implications of the detailed design and construction of Stage 2 of the project once available.
4. Notes that the Watsonia Town Square concept design may be subject to refinement as it enters the detailed design phase.
5. Endorses the creation of additional parking outside of the project area as part of the detailed design phase, including:
 - A) Outside of and adjacent to 65 Watsonia Road; and
 - B) Outside of and adjacent to 47 Watsonia Road.
6. Notes that several intersection options for Morwell Avenue and Grace Street have been assessed in the creation of the preferred design, that a signalised intersection is preferred and that the signals will be optimised for vehicle and pedestrian movement.
7. Commences the statutory process under the Local Government Act 1989 to permanently place obstructions or barriers on Ibbotson Street to restrict access of vehicles to the western end.
8. Notes the advocacy to the State Government that has been carried out seeking a commitment to fund the construction of monopoles as part of the Watsonia Town Square, that the monopole advocacy has now ceased, and no funding commitment to deliver monopoles was received.
9. Continues to work alongside the Watsonia Traders' Association in advocating to the State Government to fund the Investment and Activation proposal to enhance the Town Square and support businesses and the community during the North East Link Project disruption period.
10. Notes that negotiations with the Anglican Diocese of Melbourne are continuing regarding the use of the land at 72 Watsonia Road, Watsonia. If these negotiations are unfavourable, the design may need to be amended to exclude this land.

Moved: Cr Rick Garotti
Seconded: Cr Alison Champion

CARRIED

***Councillor Dimarelos left the Chamber at 7.49pm.
Councillor Dimarelos returned to the Chamber at 7.52pm.
Councillor Dimarelos was not present for the vote on item 5.1.***

5.2 NORTH EAST LINK URBAN DESIGN LANDSCAPE PLAN

SUMMARY

1. In late October 2021, the Victorian Government and North East Link Project (NELP) announced that the central package (tunnelling) of the North East Link (NEL) had been awarded to the SPARK consortium.
2. As a part of this announcement, an updated concept design was released. It is an improvement on the North East Link reference design including longer tunnels, an increase in public open space at the completion of construction, a simplified Lower Plenty Road interchange and additional shared user paths with improved local connections
3. The Minister for Planning approved a planning scheme amendment which applied the North East Link Incorporated Document, December 2019 to the project area. This document requires that an Urban Design and Landscape Plan (UDLP) is prepared for the project or sections of the project.
4. The UDLP was released for public comment between Wednesday 11 May until 5pm, Tuesday 31 May 2022.
5. Council officers provided comments on operational and technical matters as attached.
6. Traffic modelling is required and treatments for Crew Street / Lower Plenty Road intersection, given the proposed permanent Borlase Street closure south of Coleen Street. This requires further direct consultation with the Yallambie residential properties affected by this proposal and will be the subject of a future report to Council.
7. The NEL design within the UDLP determines the termination of the Greensborough Road boulevard solution at the Watsonia tunnel portal and then transitions the NEL footprint to the original reference design solution through Watsonia. This effectively secures or “locks in” the NEL open trench design for the northern package. This is contrary to Council’s previously resolved position.

Resolution (CO2022/113)

That Council:

1. Notes the North East Link central package Urban Design and Landscape Plan has positively responded to many of the Council adopted North East Link Project Advocacy List from December 2021.
2. Requests the extension of the North East Link tunnel through Watsonia to Elder Street, via an alternate construction methodology, continuing the proposed Greensborough Road tree lined boulevard to Elder Street, in accordance with Environment Performance Requirement Land Use Planning (LP1) as a major amendment to the North East Link central package Urban Design Landscape Plan.
3. Includes an additional item to the Banyule Council Response to the North East Link – Urban Design and Landscape Plan after point 20 requesting traffic modelling demonstrating that the changes to the Manningham interchange haven't changed the expected reduction of vehicles and trucks along Rosanna Road as indicated by the Environment Effects Statement.
4. Writes to both the North East Link Project and the SPARK consortium, providing a copy of this report and associated attachment for their consideration of Council's submission to the Urban Design Landscape Plan process.

Moved: Cr Tom Melican

Seconded: Cr Alison Champion

CARRIED

6. OUR VALUED COMMUNITY ASSETS AND FACILITIES

6.1 ADOPTION OF 10 YEAR ASSET PLAN

SUMMARY

1. The adoption of a 10-year Asset Plan (The Plan) is a requirement under section 92 of the *Local Government Act 2020*. The scope of The Plan covers all major asset categories and includes 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) of \$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.
6. Community engagement was undertaken between 12 April to 3 May 2022 through two workshops and the Shaping Banyule online platform. The community engagement approach included an integrated planning process across the Council Plan Year 2 Action Plan, Asset Plan, Financial Plan, Budget and Revenue and Rating Plan.
7. Community support for the recommendations proposed in the Plan was generally high.
8. The Plan is now being presented to Council for their consideration for adoption. Once adopted, the Asset Plan 2022–2032 will be displayed on Council's website.

Resolution (CO2022/114)

That Council:

1. Note this report is in accordance with Section 92 of the *Local Government Act 2020*.
2. Having considered all feedback received and having complied with the requirements of the *Local Government Act 2020*, adopt the Asset Plan 2022-2032.
3. Publish the Asset Plan 2022-2032 on the Banyule City Council website.

Moved: Cr Rick Garotti

Seconded: Cr Alison Champion

CARRIED

Councillor Dimarelos left the Chamber at 7.56pm.

Councillor Dimarelos returned to the Chamber at 7.57pm.

7. OUR THRIVING LOCAL ECONOMY

7.1 TEMPORARY OUTDOOR DINING PARKLETS AND POP-UP PROGRAM

There were 4 speakers on this item.

John Mihailidis addressed Council in person.

David Dzanovski addressed Council in person.

A pre-recorded video statement was played on behalf of Emilio Zenelovski.

A pre-recorded video statement was played on behalf of David Watt.

SUMMARY

1. Banyule Council has received over \$1.15 million in grant funding from multiple State Government COVID19 support packages since October 2020.
2. This grant funding has been used to waive Temporary Outdoor Dining Permit fees, support interested businesses to transition to temporary outdoor dining, install parklets, outdoor precincts and pop-up parks and other support to businesses impacted by the restrictions.
3. Targeted engagement was undertaken in May 2021, with a report to Council recommending that the outdoor dining permits, fee waivers and parklets be extended from the initial expiry date of June 2021. Council resolved to extend the program for a further 12 months and conduct additional consultation.
4. As per Council's resolution, a second round of engagement took place from April to May 2022 to assess the impact of the parklets and provide Council with clear, evidence-based recommendations going forward.
5. The second stage of engagement is now complete. The key findings and recommendations are provided in Attachment 1.
6. Overall, there was overwhelming support from the community and traders to continue and enhance the extended outdoor dining, parklets and pop-up parks.
7. The notable exception was for the two collective parklets on Upper Heidelberg Road, Ivanhoe, which generated strong reactions and multiple points of view from businesses, representatives of the Traders Association and the community.
8. There was a consistent view expressed from the participants that Council continue the parklet program.

Resolution (CO2022/115)

That Council:

1. Note the Engagement Recommendations Report.
2. Support the continuation of the Parklet Program.
3. Reduce the collective parklet currently at 187-209 Upper Heidelberg Road, Ivanhoe, to 187 to 205 Upper Heidelberg Road.
4. Investigate options for traders to upcycle the unused material for the purpose of outdoor dining.
5. Note the cost estimate associated with shortening this parklet is \$5000. Allocate the required costs for dismantling a section of this parklet.
6. Consider the future possibilities to retain the six other parklets towards an ongoing basis.
7. Support ongoing collaboration support ongoing collaboration with Trader Associations, businesses, and community to improve place-making opportunities in activity centres.
8. Develop a Banyule Parklet Policy and Design Guidelines.
9. Approve an extension to the Outdoor Dining permits (including parklets and footpath trading) and waive the permit fees (approximately \$36,050) for the 2022/23 financial year.
10. Explore opportunities to replace car parking spaces removed by the installation of parklets.

Moved: Cr Rick Garotti

Seconded: Cr Elizabeth Nealy

CARRIED

Councillor Melican left meeting via electronic means at 7.28pm.

Councillor Melican returned to the meeting via electronic means at 7.29pm.

Councillor Castaldo returned to the meeting via electronic means at 7.37pm.

8. OUR TRUSTED AND RESPONSIVE LEADERSHIP

8.1 PROPOSED BUDGET 2022-2026 - DECLARATIONS OF INTEREST

SUMMARY

1. The Proposed Budget 2022-2026 has been prepared to deliver the overall strategic direction for Banyule. The Budget comprises services, initiatives and capital works across the municipality.
2. Consideration to adopt the Proposed Budget 2022-2026 with or without amendment is included in this agenda.
3. The need for Councillors to disclose a conflict of interest where one exists in relation to any of the Budget services or capital works requires that they be addressed separately as part of the Budget process.
4. Any item in which a Councillor discloses a conflict of interest are to be dealt with by separate resolution under this 'Budget Declarations' process.
5. If a Councillor declares a conflict of interest, they must outline the nature of the interest and leave the Chamber at the request of the Mayor/Chairperson.
6. Conflict of interest laws are prescribed under the *Local Government Act 2020* (the Act) and in the *Local Government (Governance and Integrity) Regulations 2020* (the Regulations). Managing conflicts of interest is about ensuring the integrity and transparency of decision making. Making available the opportunity to declare before the adoption of the budget strengthens these principles.
7. Under the 2020 Act, there are two types of conflicts of interest that are defined. These types are detailed in the body of this report.
8. Once all disclosures have been made and the items which are the subject of any disclosure are determined by the Council, all Councillors are able to vote on the Proposed Budget 2022-2026.
9. This report provides an opportunity for Councillors to disclose any conflicts in relation to the Proposed Budget 2022-2026.

Resolution (CO2022/116)

That Council notes that there were no conflicts of interest declared in the Proposed Budget 2022-2026.

Moved: Cr Peter Dimarelos
Seconded: Cr Fiona Mitsinikos

CARRIED

8.2 COUNCIL PLAN 2021-2025 - ADOPTION OF YEAR 2 ANNUAL ACTION PLAN 2022/2023**SUMMARY**

1. This report is presented for the adoption of Banyule's Council Plan - Year 2 Annual Action Plan 2022/23, to continue the implementation of the four-year Council Plan
2. The focus of the Year 2 review of the Council Plan has been based on a continuation of the Objectives and Strategies, which are directly aligned with Banyule's Community Vision 2041.
3. The Council Plan 2021-2025 - Draft Year 2 Annual Action Plan 2022/23 (**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
 - Has been prepared based on organisational and service area strategic planning discussions during October 2021 – March 2022, which were closely linked to annual review of the Budget, Capital Works & Initiatives Programs.
 - Incorporates elements from key supporting plans and policies adopted by Council.
 - Responds to feedback and input received through continued and ongoing community engagement.
4. Feedback received on the Council Plan 2021-2025 - Draft Year 2 Annual Action Plan (as part of the integrated community engagement approach during 12 April - 3 May 2022) was heard at a Councillor Forum (on 11 May 2022) and considered by Council at a Council Meeting on 30 May 2022.
5. Having considered the feedback received, minor adjustments have been made to the Council Plan 2021-2025 - Draft Year 2 Annual Action Plan to incorporate valuable comments and suggestions received and which respond to identified community needs.

Resolution (CO2022/117)

That Council:

1. Adopt the Council Plan 2021-2025 - Draft Year 2 Annual Action Plan 2022/23.
2. Notes the community feedback, valuable comments and suggestions provided during the Community engagement activities.
3. Thank the community members who participated in the integrated planning Community engagement activities.
4. Make the Council Plan 2021-2025 - Year 2 Annual Action Plan 2022/23 available on Council's website and promote it via the Banner newsletter.
5. 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 Rick Garotti

Seconded: Cr Peter Dimarelos

CARRIED

8.3 ADOPTION OF FINANCIAL PLAN 2022-2032

SUMMARY

1. This report is presented for the adoption of Banyule City Council's Financial Plan 2022-2032 in accordance with the *Local Government Act 2020*.
2. Council has prepared its revised Financial Plan 2022-2032 focusing on long term financial sustainability. The Financial Plan is developed and adopted by Council to provide a long-term view of the resources that are expected to be available to council and the predicted use of those resources over a 10-year period.
3. Feedback received on the revised Financial Plan (as part of the integrated community engagement project during 12 April - 3 May 2022) was heard at a Councillor Forum (on 11 May 2022) and considered by Council at a Council Meeting on 30 May 2022.
4. Following the community engagement period, minor changes have been incorporated into the Financial Plan 2022-2032 now being presented for adoption.

Resolution (CO2022/118)

That Council:

5. Note this report is in accordance with Section 91 of the *Local Government Act 2020*.
6. Having considered all feedback received and having complied with the requirements of the *Local Government Act 2020*, adopt the Financial Plan 2022-2032.
7. Publish the Financial Plan 2022-2032 on Banyule City Council website.

Moved: Cr Rick Garotti

Seconded: Cr Peter Dimarelos

CARRIED

8.4 ADOPTION OF REVENUE AND RATING PLAN 2022-2026

There were 4 speakers on this item.

Melissa Murphy-Webster addressed Council in person.

A written statement was read out on behalf of Robyn Hyslop

A written statement was read out on behalf of Lauren Taylor

A written statement was read out on behalf of Anna Durante

SUMMARY

1. The adoption of a Revenue and Rating Plan is a requirement under section 93 of the *Local Government Act 2020* and ensures that Council has a clear set of directions relating to revenue sources and strategies.
2. The revised Revenue and Rating Plan 2022-2026 (the Plan) contains fundamental changes in the way Council services are funded with the separation of the cost of providing waste management services being removed from general rates from 1 July 2022.
3. The costs of providing waste management services will be separately identified via a Public Waste Rate and a Kerbside Waste Rate.
4. Council resolved on Monday, 11 April 2022 to endorse the Plan for community consultation. Following the community consultation period minor changes have been made in the Plan to clarify the application of the new Public Waste Rate, Kerbside Waste Rate, and to streamline other administrative processes.
5. The Plan is now being presented to Council for their consideration for adoption and for the Plan to inform the proposed Budget 2022-2026.
6. Once adopted, the Revenue and Rating Plan 2022-2026 will be displayed on Council's website along with ongoing education to the community to support the new rating framework and Council's objective to reduce waste to landfill in line with Banyule's Council Plan.

Resolution (CO2022/119)

That Council:

1. Notes that the Revenue and Rating Plan 2022 -2026 has been prepared in accordance with Section 93 of the *Local Government Act 2020*.
2. Notes the community feedback, valuable comments and suggestions provided during the Community engagement activities.
3. Adopt the Revenue and Rating Plan 2022-2026.
4. Make available through Council's website the adopted Revenue and Rating Plan 2022-2026.

Moved: Cr Rick Garotti

Seconded: Cr Alison Champion

CARRIED

8.5 ADOPTION OF RATES FINANCIAL HARDSHIP ASSISTANCE POLICY 2022-2026 SUMMARY

1. Council's existing Rates Financial Hardship Assistance Policy is under review and this report outlines the proposed changes to the Rates Financial Hardship Assistance Policy for the period 1 July 2022 to 30 June 2023 for consideration by Council for adoption.
2. The draft Rates Financial Hardship Assistance Policy 2022/23 (the Policy) outlines the process of applying for and assessing hardship applications and introduces:
 - a. the permanent framework for providing waivers of rates, interest, levies and charges
 - b. the impact of family violence as being a contributory factor to hardship by including family violence in the assessment criteria
 - c. a greater emphasis on providing referrals to support agencies, financial counselling and establishing and monitoring payment arrangements.
3. The anticipated financial impact of providing permanent rate waivers, as well as administering the Policy (through temporary staffing and/or agency) is estimated to cost approximately \$0.25m per annum from 2022/23 (increased by CPI each year).
4. The draft Rates Financial Hardship Assistance Policy 2022/23 and support available to ratepayers will be featured with the 2022/23 Rates and Valuation Notices, subsequent instalment notices and promoted through Council's website.

Resolution (CO2022/120)

That Council:

1. Adopt the Rates Financial Hardship Assistance Policy 2022/23 with the following amendments:
 - a. Amend section 3.2, point 5 to state that “Waivers will be capped at 33% of general rates, kerbside rate and public waste rate to a maximum of \$500 per year;
 - b. Include a new section entitled “Administration of the Policy” that includes the following clauses:
 - i. Council will set a Key Performance Indicator (KPI) for the time taken for an applicant to complete and application of 60 minutes
 - ii. Council will ask applicants to provide feedback on the time taken to complete an application ; and
 - iii. Where the KPI is consistently not being met, officers will report back to Council on options to simplify the application process.
2. Note the inclusion of the availability to a rate waiver under section 171A of the *Local Government Act 1989* in the Rates Financial Hardship Assistance Policy 2022/2023
3. Fund the waivers through the proposed budget 2022-2026 with a provision of \$0.25m for the partial waivers to those ratepayers in financial hardship and the administration costs of establishing and monitoring payment arrangements.
4. Make available through the Council's website the adopted Rates Financial Hardship Assistance Policy 2022/23
5. Receive and ongoing update on the budget cost implications of the waivers in the monthly Finance reports that is provided to Councillors.
6. Receive a report ahead of the 2023/23 budget on the implementation of the Rates Financial Hardship Assistance Policy 2022/23

Moved: Cr Rick Garotti
Seconded: Cr Alison Champion

CARRIED

PRIOR TO CONSIDERATION OF THE BUDGET BY COUNCIL, DIRECTOR CORPORATE SERVICES MARC GIGLIO PRESENTED TO THE COUNCILLORS AND THOSE AT THE MEETING A PRESENTATION ON THE BUDGET HIGHLIGHTS.

8.6 ADOPTION OF BANYULE CITY COUNCIL BUDGET 2022-2026

SUMMARY

1. This report is presented for the adoption of Banyule City Council's Budget for 2022-2026 in accordance with the *Local Government Act 2020* and *Local Government (Planning and Reporting) Regulations 2020*.
2. The proposed Budget 2022-2026 also declares the total amounts which the Council intends to raise by general rates, municipal charges, service rates and service charges and whether general rates will be raised by the application of a uniform rate, differential rate or limited differential rate.
3. Council has prepared its proposed Budget 2022-2026 focusing on long term financial sustainability. The Budget will ensure Council's finances remain sustainable and that appropriate resources are allocated to meet the services and capital requirements of the community.
4. This Budget, having considered public feedback and other information, works to provide a range of high-quality services, programs and initiatives that meet community needs. Following the community engagement period, changes have been incorporated into the proposed Budget 2022-2026 (attached).
5. The changes are based on the outcome of Council's consideration of community engagement feedback at a Council Meeting on Monday, 30 May 2022. A number of items have also been referred to the proposed Budget 2022-2026 by reports to Council. Other modifications including changes to service delivery, capital works and initiative costings and revision of some of Council's fees & charges have also been made.
6. Council has been slow to recover from the financial impacts of COVID-19, and as a recovery budget will continue to adapt its services to provide support to the community. The proposed Budget 2022-2026 is now being presented for adoption with changes as outlined in this report.

Resolution (CO2022/121)

That Council:

1. Having considered all feedback received and having complied with the requirements of the *Local Government Act 2020*, adopt the attached proposed Budget 2022-2026 with the following amendments:
 - a. The outcomes of Council's consideration of public feedback on the proposed Budget 2022-2026.
 - b. Items that have been referred to the proposed Budget 2022-2026 by reports to Council which require additional funding not considered during the budget development process.
 - c. Other modifications including changes to service delivery, capital works and initiative costings and revision of fees & charges.
2. In accordance with sections 158 and 161 of the *Local Government Act 1989*, declare the Rates, Levies and Annual Service Charges for the 2022/23 rating year commencing 1 July 2022 and ending 30 June 2023 as detailed in the proposed Budget 2022-2026.
3. Provides a written response to each of those persons who requested specific funding changes on the proposed Budget 2022-2026, to advise them of the outcome of their feedback as it relates to their specific budget submission.
4. Writes to all organisations funded in the budget regarding the funding they will receive.
5. Makes the adopted Budget 2022-2026 available through Council's website and that the Minister for Local Government be advised.

Moved: Cr Tom Melican

Seconded: Cr Rick Garotti

CARRIED

Councillor Dimarelos returned to the Chamber at 8.35pm.

Councillor Dimarelos left the Chamber at 8.40 pm.

8.7 CONTRACT FOR THE PROVISION OF PARKING AND TRAFFIC ENFORCEMENT AND ADMINISTRATION SERVICES

SUMMARY

- This report is to consider the awarding of Contract No. 1135 – 2021: *Provision of Parking and Traffic Enforcement and Administration Services*.
- The Tender Evaluation Panel (TEP) has recommended awarding the contract to DCA Technologies Pty Ltd in accordance with the tender and conditions as determined by Council.
- Tenders were received from three companies.
- The contract will commence on 1 July 2022. The Initial Contract Term shall be for a maximum initial period of 4 years with the option to extend for further periods of any duration up to a maximum extension period of 3 years based on satisfactory performance and meeting Council objectives.

Resolution (CO2022/122)

That Council:

1. Award Contract No. 1135-2021 for the Provision of Parking and Traffic Enforcement and Administration Services to DCA Technologies Pty Ltd for:
 - a. a total estimated value of \$15,269,440 (ex. G.S.T);
 - b. an initial contract term of four years with the option to extend for further periods of any duration up to a maximum extension period of three years.
2. Authorise the Director City Development to sign the contract and any other associated documents for the initial four year term.
3. Receive a further report on Council's parking enforcement needs including an evaluation of the outsourced model of service in the first quarter of the 25/26 financial year.
4. Receive a further report on the Contractor's performance after the first term (4 years) and to consider the award of extensions of this Contract.

Moved: Cr Rick Garotti

Seconded: Cr Alison Champion

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:	27/4/2022
	Type of Meeting:	Banyule Disability and Inclusion Advisory Committee
	Matters Considered:	
	<ul style="list-style-type: none"> • Population Plans Achievement Report • National and Victorian Disability Plan • Inclusive Banyule • AAA Sport and Recreation Grant and Program • Inclusive Banyule Grants • Stakeholder Updates • General Discussion 	
	Councillors Present:	
Alison Champion Rick Garotti		
Staff Present:		
Vicki Martinez – <i>Community and Social Planner</i> Danielle Clarke – <i>Acting Team Leader Social Planning</i> Sherryn Prinzi – <i>Coordinator Community Impact</i>		
Others Present:		
Sarah Hockey Donna Prichard Allan Leenaerts Parvin Ahadi Laila Fernandez Ros Melling Emma Lowe Dani Stramandinoli Elizabeth Parry Alicia Rotella Kerryn Burgoyne		

	Conflict of Interest:	<i>NIL</i>
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2	Date of Meeting:	23/5/2022
	Type of Meeting:	Councillor Briefing
	Matters Considered:	
	<ul style="list-style-type: none"> • Banyule's Unconstructed Roads • Continuous Improvement - Benefits Realisation Framework • Draft Economic Development Strategy/Retail Review 	
	Councillors Present:	
	<ul style="list-style-type: none"> • Peter Castaldo • Alison Champion • Peter Dimarelos • Mark Di Pasquale • Rick Garotti • Alida McKern • Tom Melican • Fiona Mitsinikos • Elizabeth Nealy 	
	Staff Present:	
<ul style="list-style-type: none"> • Allison Beckwith - CEO • Marc Giglio – Director Corporate Services • Darren Bennett – Director Assets & City Services • Natasha Swan – Director City Development • Kerryn Woods – Executive & Councillor's Team Leader • Greg Gale – Manager Delivery & Assets • Mohammad Rashid – City Assets Coordinator • Joseph Linnestad – Customer Experience & Business Improvement Manager • Kirsten Farrell – Continuous Improvement Coordinator • Karen Leeder – Manager City Futures • Dani Ahimastos – Economic Development Officer • Fae Ballingall – Economic Development Coordinator 		
Others Present:		
	Conflict of Interest:	<i>NIL</i>

3	Date of Meeting:	25/5/2022
	Type of Meeting:	Multicultural Committee Meeting
	Matters Considered:	
	<ul style="list-style-type: none"> • Inclusive Banyule • Women's Only Swim Night • Banyule Calendar of religious and cultural days of significant • Refugee Week 	
	Councillors Present:	
Fiona Mitsinikos		
Staff Present:		

Jo Wilson – <i>Manager Resilient and Connected Communities</i> Danielle Clarke – <i>Social Policy & Planner Team Leader</i>	
Others Present:	
<ul style="list-style-type: none"> • Jeyarajah (Raj) Ramanathan • Louisa Ong • Naaz Fahmida • Susan Zhou • Baljit Singh • Ginger (Lan) Jiang • Samira Liban • Mandira Panday • Albert Fatileh • Ansum Sadik • Suzanne Crenlin 	
Conflict of Interest:	<i>NIL</i>

4	Date of Meeting:	30/5/2022
	Type of Meeting:	Pre Council Meeting Briefing
	Matters Considered:	
<ul style="list-style-type: none"> • Montmorency Bowling Club Redevelopment • Amendment C119 - Protection of Significant Trees - Panel Report • 230-232 Banksia Street & 96-100 Oriel Road, Bellfield - Bellfield Redevelopment Precinct (P1616/2021) • 3/214 Aqueduct Road, ST HELENA - Packaged Liquor Licence (P130/2022) • Bell Street Development - Resolution of Notice of Intention to Sell Land • 46a Mountain View Road Montmorency - Removal of reservation status and sale of resultant land • Bundoora Hall and Annex - Capital Project Funding 22/23 • Banyule Advocacy Framework and Priorities • Instrument of Delegation from Council to the Chief Executive Officer • Instrument of Delegation from Council to Members of Council Staff • Instrument of Appointment to Authorised Officers under the Planning and Environment Act 1987 • Instrument of Sub -Delegation and Appointment and Authorisation- Environment Protection Act 2017 • Awarding of Contract No.1183-2022 for Carpentry Services on Council Facilities and Assets • Awarding of Contract No.1185-2022 for Painting Services on Council Facilities and Assets • Awarding of Contract No.1184-2022 for Electrical Services on Council Facilities and Assets • Awarding of Contract No.1186-2022 for Plumbing Services on Council Facilities and Assets • Council Plan 2021-2025 - Progress Report July 2021 - March 2022 • Integrated Planning Project - Consideration of Community Engagement Feedback • Record of Councillor Meetings 		
Councillors Present:		

Peter Castaldo Alison Champion Peter Dimarelos Mark Di Pasquale (attended via phone link) Alida McKern Tom Melican Fiona Mitsinikos Elizabeth Nealy	
Staff Present:	
Allison Beckwith - <i>Chief Executive Officer</i> Marc Giglio – <i>Director Corporate Services</i> Natasha Swan – <i>Director City Development</i> Greg Gale – <i>Manager Assets & Delivery</i> Kath Brackett – <i>Director Community Wellbeing</i> Gina Burden – <i>Manager Governance & Communication</i> Krysten Forte – <i>Governance Coordinator</i> David Moon – <i>Development Planning Coordinator</i> Nicholas Van – <i>Council Business Officer</i>	
Others Present:	
NIL	
Conflict of Interest:	NIL

5	Date of Meeting:	6/6/2022
	Type of Meeting:	Councillor Briefing
	Matters Considered:	
	<ul style="list-style-type: none"> • Rates Hardship Policy • People and Culture Quarterly Update • Capital Quarterly Update • FOGO Update 	
	Councillors Present:	
<ul style="list-style-type: none"> • Peter Castaldo • Alison Champion • Mark Di Pasquale • Rick Garotti • Tom Melican • Fiona Mitsinikos • Elizabeth Nealy 		
Staff Present:		
<ul style="list-style-type: none"> • Allison Beckwith - CEO • Marc Giglio – Director Corporate Services • Natasha Swan – Director City Development • Kerryn Woods – Executive & Councillor’s Team Leader • Tania O’Reilly – Manager Finance & Procurement • Phillip Ryan – Revenue Services Coordinator • Toni Toaldo – Manager People & Culture • Greg Gale – Manager Delivery & Assets • Kathy Hynes – Manager Operations • Alana Shepherd – Waste Service (FOGO) Project Officer 		
Others Present:		

	Conflict of Interest:	<i>NIL</i>
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6	Date of Meeting:	6/6/2022
	Type of Meeting:	CEO Employment Matters Committee
	Matters Considered:	
	<ul style="list-style-type: none"> • CEO annual performance review 	
	Councillors Present:	
	Peter Castaldo Alison Champion Mark Di Pasquale Rick Garotti Tom Melican Fiona Mitsinikos Elizabeth Nealy	
Staff Present:		
Allison Beckwith - <i>Chief Executive Officer (for part of the meeting)</i>		
Others Present:		
Allan Bawden – <i>Independent Chairperson/Advisor (via Teams)</i>		
	Conflict of Interest:	<i>NIL</i>

7	Date of Meeting:	9/6/2022
	Type of Meeting:	Environment and Climate Action Advisory Committee Meeting
	Matters Considered:	
	<ul style="list-style-type: none"> • No Local Extinction Plan • Hurstbridge Rail Feasibility Study • Green Factor Tool 	
	Councillors Present:	
	Peter Castaldo Alida McKern Tom Melican	
Staff Present:		
Jonathan Risby – <i>Manager Transport & Environment</i> Ellie Hall – <i>Sustainability Officer</i> Paul Davis – <i>Biodiversity Officer</i>		
Others Present:		
BECAAC Members Kellie Watson Denise Fernando Alex Tzikas Lynne Siejka		

	Jack Ellis Paul Gale Baker Trivess Moore Vicky Rowe
Conflict of Interest:	<i>NIL</i>

Resolution (CO2022/123)

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

Moved: Cr Fiona Mitsinikos

Seconded: Cr Peter Dimarelos

CARRIED

9. SEALING OF DOCUMENTS

Nil

10. NOTICES OF MOTION

Nil

11. GENERAL BUSINESS**11.1 REFUGEE WEEK**

Cr Champion raised a general business item focusing on Refugee Week which is held in June 2022, and the event that she attended focusing on Refugee Week with Cr Mitsinikos.

The event focused on story telling of Banyule refugees who shared their story on their arrival to Australia, the circumstances that they faced and the transition that they made from life in their original home country to Australia.

11.2 FILM: HIGH GROUND

During reconciliation week on 1 June 2022, Cr Mitsinikos attended a screening of the acclaimed Australian film 'High Ground'. At the end of the screening, Director Stephen Johnson, held a Q and A session.

11.3 QUEEN'S SCOUT PRESENTATION

Cr Mitsinikos attended the Viewbank Scouts Queen's Scout Presentation on 21 June 2022. This is the highest award in the Adventurer's section, won by Glen Crawford Jr.

11.4 POST TRAUMATIC STRESS SYNDROME AWARENESS DAY

Cr Rick Garotti raised a general business item to acknowledge Post Traumatic Stress Syndrome Awareness Day which is held on 27June2022.

Cr Garotti reflected on the number of Australians that suffer from Post-Traumatic Stress Syndrome and reflected on the various types of traumatic events that people can face at any one time.

Cr Garotti sought to bring awareness to this day and encouraged the community to seek help, advice and support when needed.

11.5 COLIN BROOKS MP AND ANTHONY CARBINES

Cr Melican acknowledged and congratulated former Banyule Councillor and Mayor, Colin Brooks MP, on his appointment to the State Cabinet as the Minister for Child Protection, Family Services, Disability, Ageing and Carers.

Cr Melican also congratulated former Banyule Councillor Anthony Carbines on his promotion to the Minister for Police, Minister for Crime Prevention and Minister for Racing.

11.6 ACKNOWLEDGEMENT OF STAFF - KERRY WOODS

Cr Melican acknowledged and congratulated Kerry Woods, current Executive & Councillors Team leader on her long standing tenure at Banyule City Council and the contribution she has made to Councillors and the organisation. Cr Melican congratulated Kerry on her new role outside of the organisation and wished her all the best on her future endeavours.

Reflections from the Mayor, Cr Nealy were also made on the departure of Kerry Woods and her tenure at Banyule City Council.

PUBLIC QUESTION TIME

There were no public questions submitted for this Council Meeting.

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.

Moved: Cr Fiona Mitsinikos

Seconded: Cr Alison Champion

CARRIED

The Meeting was closed to the public at 8.55pm in order to discuss Item 12.1 Outcomes of CEO Employment Matters Committee.

Item 12.1 was designated confidential pursuant to section 3(f) of the *Local Government Act 2020* as it contains confidential information relating to personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

The Confidential Meeting opened at 9.06pm

Outcomes from the Confidential Council Meeting – 27 June 2022:

The Council determined to release the following information to the public in relation to item 12.1 'Outcomes of the CEO Employment Matters Committee Meeting' that was presented to Council in the closed council meeting.

That Council:

2. Adopt the following recommendations from the Chief Executive Officer Employment Matters Committee meeting held on the 6 June 2022 to:
 - a) Note the completion of the Chief Executive Officer's Performance Review and the Committee's assessment that the Chief Executive Officer has met the Council's expectations for the 2021 performance review; ; and
 - d) Approve for the Chief Executive Officers Performance Review cycle to align with each financial year to utilise established reporting, noting that the next 12-month formal performance review will be undertaken in August 2023 with an informal 6-month review to held in February 2023,
3. Congratulate the Chief Executive Officer on excellent leadership and thank her for her dedication and hard work.

Closure of Meeting

The Confidential Meeting was closed at 9.19pm.

DATED: DAY OF 2022

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MAYOR

The next Ordinary Meeting of Council will be held on Monday, 18 July 2022 .