

# Minutes of the Ordinary Meeting of Council



**Held on the 7 February 2022 (Adjourned)  
Reconvened on the 9 February 2022**

**Hybrid Meeting held in person**

**Olympia, Hawdon & Ibbott Rooms**

**Level 4, 1 Flintoff Street, Greensborough and Online**

**Reconvened meeting (9 February 2022 held Online)**

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## MINUTES

The Meeting opened at 7.02pm.

### Acknowledgement of the Traditional Custodians

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

### Diversity Statement

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

### Present

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

### Apologies

Cr Alida McKern

### Leave of Absence

### Confirmation of Minutes

That the following Minutes be confirmed:

*Ordinary Meeting of Council held 6 December 2021*

Moved: Cr Tom Melican

Seconded: Cr Rick Garotti

CARRIED

### Disclosure of Interests

Nil

**1. URGENT BUSINESS****1.1 APPROVAL PROCESS FOR PROPOSED DEVELOPMENT AT 321 LOWER HEIDELBERG ROAD AND 1 MALTRAVERS ROAD, EAST IVANHOE****Resolution (CO2022/1)**

That Council consider an item of Urgent Business on - Approval process for proposed development at 321 Heidelberg Road and 1 Maltravers Road, East Ivanhoe.

Moved: Cr Peter Castaldo

Seconded: Cr Tom Melican

CARRIED

**Resolution (CO2022/2)**

That Council:

1. Write to the Minister for Planning and the Local State Member advising that it is considered that it is not appropriate for the proposed development to be facilitated through a fast track process. The development proposal should be subject to the normal public information, consultation and decision making processes where Council is the Responsible Authority and there are third party appeal rights for any objectors.
2. Host an information session during the notification period and before the Council meeting of 28 February 2022 so that residents have an opportunity to understand the proposal and approval process being entertained by the Department of Environment, Land, Water and Planning (DELWP).
3. Notes that it is intended that a submission will be referred to the Council meeting of 28 February 2022 outlining an assessment and position on the proposed development.

Moved: Cr Peter Castaldo

Seconded: Cr Alison Champion

CARRIED

## 2. PETITIONS

### 2.1 WALLACE STREET, IVANHOE - TRAFFIC AND PARKING CONCERNS

#### SUMMARY

1. A petition with 27 signatures from residents of Wallace Street, Ivanhoe, was received in December 2021.
2. The petitioners outlined several traffic and parking issues and requested Council to consider:
  - a. reducing the speed limit for the street
  - b. closing the road
  - c. the installation of a chicane
  - d. the installation of "Residents only" parking, and
  - e. the installation of line marking to prevent vehicles encroaching into driveways.
3. A traffic speed and volume survey undertaken in 2018 along Wallace Street revealed that the road was operating like other similar roads.
4. A preliminary assessment of the petitioners' suggestions has been completed and it's been concluded that:
  - a. The road does not meet the Department of Transport (DoT) guidelines for the reduction in speed limits.
  - b. A permanent road closure along Wallace Street cannot be achieved due to existing infrastructure constraints, power poles and street trees. Any road closure would restrict safe access for waste collection vehicles.
  - c. Available data does not support the installation of speed management devices such as chicanes or speed humps.

#### Resolution (CO2022/3)

That Council:

1. Receives and notes the petition.
2. Notes that:
  - a. Wallace Street, Ivanhoe, does not meet the Department of Transport guidelines for the speed limit along the road to be reduced to 40km/h.
  - b. A preliminary assessment of the request for a road closure on Wallace Street, Ivanhoe, indicates that there is no suitable location where a road closure can be considered.
  - c. The most recent traffic data for Wallace Street is from 2018.
3. Refers the Petition to the Transport Team for further investigation about issues and solutions for traffic speed and volume on Wallace Street, Ivanhoe and for a report to a future Council Meeting in the first half of 2022.
4. Refers the Petition to the Transport Team to respond to parking matters for Wallace Street, Ivanhoe, in accordance with Council's 'On-Street Parking Management Framework'.
5. Advise the primary petitioner of this resolution.

Moved: Cr Peter Castaldo

Seconded: Cr Mark Di Pasquale

CARRIED

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### 3. OUR INCLUSIVE AND CONNECTED COMMUNITY

#### 3.1 INCLUSIVE LOCAL JOBS STRATEGY 2020-2025 ANNUAL UPDATE

##### SUMMARY

##### **Melissa Murphy-Webster and Kevan Hill spoke on this item in person**

1. A review of year 1 of Council's Inclusive Local Jobs Strategy & Action Plan 2020-2025 has been completed.
2. Despite Covid-19 impacts, key initiatives implemented have facilitated the creation of 62 local job outcomes for local people experiencing barriers to employment.
3. Collectively, alongside the Social Enterprise Strategy in 2020/2021 FY a total of 184 local job outcomes were created. This is the first year of the strategy implementation and is tracking well against the 1000 job target by 2025.
4. At the Council meeting on 18th November Council resolved to fund the employment of an Inclusive Employment Facilitation Officer role until June 2022 to support the delivery of the Inclusive Local Jobs Strategy.
5. Council's target of creating 1000 jobs will not be met without the continued support of the Inclusive Employment Facilitation Officer role. Council is requested to consider temporary funding for this role to the end of June 2025 in line with the adopted Inclusive Local Jobs Strategy & Action Plan 2020-2025.

##### **Resolution (CO2022/4)**

That Council:

1. Notes the continued achievements of the Inclusive Local Jobs Strategy & Action Plan 2020-2025 and the year one key achievements.
2. Receive an annual report with an update regarding year 2 achievements of the Inclusive Local Jobs Strategy & Action Plan 2020-2025.
3. Reconfirms Council's support for the Inclusive Local Jobs Strategy & Action Plan 2020-2025 and approves the continuation of the temporary Inclusive Employment Facilitation Officer role until June 2025 and refers funding of \$103,594-\$112,626 at Band 6 EFT to the 2022/23 budget process.

Moved: Cr Tom Melican

Seconded: Cr Rick Garotti

CARRIED

**3.2 SOCIAL ENTERPRISE STRATEGY 2020-2025 ANNUAL UPDATE****SUMMARY**

1. A review of year 1 of Council's Social Enterprise Strategy & Action Plan has been completed.
2. Despite Covid-19 impacts, key initiatives implemented have facilitated the creation of 122 local job outcomes for local people experiencing barriers to employment.
3. Collectively, alongside the Inclusive Local Jobs Strategy in 2020/2021 FY a total of 184 local job outcomes were created. This is the first year of the strategy implementation and it is tracking well against the 1000 job target by 2025.

**Resolution (CO2022/5)**

That Council:

1. Notes the continued achievements of the Inclusive Local Jobs Strategy & Action Plan 2020-2025 and the year one key achievements.
2. Receive an annual report with an update regarding year 2 achievements of the Social Enterprise Strategy & Action Plan 2020-2025.

Moved: Cr Fiona Mitsinikos  
Seconded: Cr Alison Champion

CARRIED

**3.3 ADVISORY COMMITTEES REPORT - QUARTER TWO, 2021/22****SUMMARY****A written statement was read out on behalf of Julie Fechner**

1. Advisory Committees are made up of Councillors and community members. They have terms of references and meet to discuss issues, advise Council, and oversee the implementation of Council's strategic plan for their respective focus.
2. Advisory Committees provide important linkages between Council, Community, State agencies and interest groups. Following an Advisory Committee meeting, a report will be submitted to Council to note the minutes and consider any issues raised by the committees.
3. The following Minutes are presented for noting:
  - Inclusive Banyule Advisory Committee
  - Reconciliation Action Plan Advisory Committee
  - Arts and Culture Advisory Committee
  - Multicultural Committee
  - Disability and Inclusion Committee
  - LGBTIQ+ Committee
4. The LGBTIQ+ Committee at its meeting held in October 2021 recommended that Council consider adding an 'A' to the acronym which becomes known as 'LGBTIQA+'. The new acronym will not come into effect until the new Plan is adopted in 2022. Endorsement of the inclusion of the 'A' will ensure that the ACE community is included and reflected in the development of the new Plan. However, it is being requested that Council endorses the inclusion of the 'A' so that the Asexual and Aromatic (ACE) community is included and reflected in the development of the new Plan.

**Resolution (CO2022/6)**

That Council:

1. Notes the following minutes/reports:
  - a) Inclusive Banyule Advisory Committee
  - b) Reconciliation Action Plan (RAP) Advisory Committee
  - c) Arts and Culture Advisory Committee
  - d) Multicultural Committee
  - e) Banyule Disability and Inclusion Committee
  - f) Banyule LGBTIQ+ Committee
2. Endorses the recommendation from the Banyule LGBTIQ+ Committee that the 'A' (representing Asexual and Aromatic) be added to the acronym which becomes known as 'LGBTIQA+.

Moved: Cr Peter Castaldo  
Seconded: Cr Rick Garotti

CARRIED



**3.4 DOMESTIC ANIMAL MANAGEMENT PLAN (2022 - 2026)****SUMMARY**

1. As a requirement under Section 68A *Domestic Animals Act*, all Councils are required to develop a four-year Domestic Animal Management (DAM) Plan. The adopted plan is to be provided to the Department of Economic Development, Jobs Transport and Resource (DEDJTR).
2. The draft DAM Plan was placed on public consultation on Shaping Banyule on two occasions (September and November 2021) and six submissions were received.
3. The DAM Plan is to be reviewed annually and amended accordingly.
4. The DAM Plan sets out methods for evaluating Banyule's service, a program for training Authorised Officers and existing Local Laws and orders relevant to the management of domestic animals in Banyule.
5. The DAM Plan also outlines Banyule's programs and strategies to;
  - Promote and encourage responsible pet ownership
  - Ensure compliance under relevant Acts, regulations and legislation
  - Minimise dog attacks on people and animals
  - Address overpopulation and euthanasia rates
  - Encourage registration and identification
  - Minimise the potential for pets to create a nuisance
  - Effectively identify all dangerous, menacing and restricted breed dogs and ensure they are kept in compliance
  - Manage Domestic Animal Business registration
6. The report also sets out a number of highlights from the period of the previous DAM plan including the implementation of an online pet registration service.

**Resolution (CO2022/7)**

That Council:

1. Approve and adopt the Domestic Animal Management Plan 2022 – 2026.
2. Forward a copy of the adopted 2022-2026 Domestic Animal Management Plan to the Department of Economic Development, Jobs, Transport and Resources by the due date 28 February 2022.

Moved: Cr Mark Di Pasquale  
Seconded: Cr Alison Champion

CARRIED

## 4. OUR SUSTAINABLE ENVIRONMENT

### 4.1 COUNCIL TITLE PROJECT STAGE 2 - VESTING OF RESERVES

#### SUMMARY

1. Land Use Victoria (LUV) invited Council to participate in Stage 2 of the Council Title Project in May 2018.
2. The aim of the project is to tidy and formalise the ownership arrangements of road and reserve titles created prior to the *Subdivision Act 1988* (the Act).
3. LUV provided a data extract of 1736 roads and 126 reserve titles within Banyule where Council is not the registered proprietor. An assessment was undertaken of each title to determine which reserves are maintained by Council and which were roads under the meaning of the *Road Management Act 2004*. The assessment determined which titles should be vested in Council or another authority via consultation with internal stakeholders.
4. The purpose of this report is to consider the vesting into Council's name the titles to reserves currently in the name of the original subdivider.

#### Resolution (CO2022/8)

That Council:

1. Being of the opinion that land shown in column 1 of the table below is required for the corresponding purpose shown in column 2 now directs that the statutory procedures be commenced under Part 4 of the *Planning and Environment Act 1987* and section 24A of the *Subdivision Act 1988* to authorise, by permit, the vesting of the land shown in column 1 of the table below in Council's name and retaining the land for the purposes shown in column 2.

#### Column 1 (address)

#### Column 2 ( purpose)

|  |   |
|--|---|
| 2B Doidge St, Bundoora   | Reserve No 1 for Tree Plantation              |
| Intersection of Morwell Ave & Greenwood Dr, Watsonia - North bound | Reserve No 1 for Park Reserve                 |
| 56-62 Wungan St, Macleod   | Reserve No 1 for Plantation                   |
| 16A Stuart Terrace. St Helena Settlers Park                        | Reserve No 2 for Drainage and Sewage          |
| 12 St Clems St, St Helena  | Reserve No 1 for Drainage and Sewage          |
| 31A Rockbeare Grove, Ivanhoe                                       | Reserve No 1 for Drainage                     |
| 6 Short Street, Macleod  | Reserve No 1 for Drainage and Sewage          |
| 5A Woodlands Rise, Macleod   | Reserve No 2 for Drainage and Sewage          |
| 28A Jones Crescent, Rosanna  | Reserve No 1 for Drainage and Sewage          |
| 175 Ford Street, Ivanhoe   | Reserve No 1 for Drainage and Sewage          |
| 11 Fairbank Way, Viewbank (part)                                   | Reserve No 2 for Public Resort and Recreation |
| 12 Anderson Parade, Bundoora                                       | Reserve No 1 for Recreational Purposes        |
| 16A Simms Road, Greensborough                                      | Reserve No 1 for Drainage and Sewage          |
| 4 Burns Court, Eltham North  | Reserve No 2 for Municipal Purposes           |
| 9 Vanessa Court, St Helena   | Reserve No 2 for Municipal Purposes           |
| 266 St Helena Rd, St Helena  | Reserve No 3 for Plantation                   |
| 270 St Helena Rd, St Helena  | Reserve No 4 for Plantation                   |

6A Atkins Avenue, Watsonia North  
288 Upper Heidelberg Road, Ivanhoe

Reserve No 1 for Public Resort and Recreation  
Reserve No 1 for Drainage  
Reserve No 8 for Drainage

74A Reichelt Avenue, Montmorency

Moved: Cr Tom Melican  
Seconded: Cr Rick Garotti

**CARRIED**

## 5. OUR WELL-BUILT CITY

### 5.1 PROPOSED STATE GOVERNMENT CHANGES TO RESCODE

#### SUMMARY

**A written statement was read out on behalf of Kevin Biaggini.**

1. The Department of Environment, Land Water and Planning (DELWP) released the *Improving the operation of ResCode* discussion paper in November 2021 and have sought feedback on the proposed changes. The paper outlines a new assessment model and how it may be applied to ResCode across all local planning schemes in Victoria.
2. ResCode is the Planning Scheme key tool for assessing multi dwelling applications planning proposals as well as dwellings and some extensions on lots less than 500 sq. metres. ResCode currently includes a number of links to Banyule's Residential Neighbourhood Character Strategy.
3. The consultation period did not provide an opportunity for a report to be provided to Council and a submission was provided to DEWLP on 21 December 2021.
4. The officer submission raises a number of concerns in relation to the proposed changes where it is considered that the changes are underpinned by a narrow view of neighborhood character resulting in a policy gap where less weight will be given to Banyule's Neighbourhood Character Strategy in the Planning Scheme with a lack of detail as to whether there will be any transition or grace to bridge this gap.
5. Fundamentally, it is considered that the proposed changes will be problematic for councils who place high levels of importance on neighbourhood character outcomes and have invested in Neighbourhood Character Strategies set out in Planning Scheme Local Policy to support appropriate outcomes.
6. If councils are given adequate transitional timeframes and support from DEWLP, there is an opportunity to achieve a strong neighbourhood character position in the Planning Scheme through schedule variations to zones and overlay controls.
7. If the proposed changes are pursued by DEWLP, this may prompt reactionary changes to Banyule's Planning Scheme to establish zone schedule requirements.

#### **Resolution (CO2022/9)**

That Council:

1. Note and agrees with the concerns and recommendations raised in the officer's submission to DELWP in response to the discussion paper, which includes:
  - Consultation timeframes
  - Significance to the community
  - Implementation
  - Relationships to other reforms
  - Local Policy Implications
  - Assessing neighbourhood character and applying local standard variations
  - Neighbourhood Residential Zone Schedules.

- Policy Translation.
  - Ability to consider adopted Planning Scheme amendments not yet approved by the Minister for Planning.
  - Removal of reference to the any relevant neighbourhood character objective, policy or statement set out in the Planning Scheme.
2. Consider the impact of any changes adopted by DEWLP and the Minister for Planning on Banyule's Planning Scheme as part of a review of Neighbourhood Character position in the planning scheme.

Moved: Cr Tom Melican

Seconded: Cr Peter Castaldo

CARRIED

## 5.2 30 FERNSIDE AVENUE, BRIAR HILL - DUPLEX DEVELOPMENT (P972/2021) SUMMARY

Ronald Brown spoke on this item in person.

Written statements was read out on behalf of Kevin Biaggini, and a joint statement by Hannah Micich & Jacob Cruden.

1. The proposal is for the development of two double storey, semi-detached duplex style dwellings within the Neighbourhood Residential Zone – Schedule 3 (NRZ3), Design and Development Overlay – Schedule 8 (DDO8) and Special Building Overlay – Schedule 2 (SBO2).
2. The application has been publicly notified with no objections received to date.
3. The proposal includes a range of Environmentally Sustainable Design initiatives and achieves a 70% on the Built Environment Sustainability Scorecard (BESS).
4. The proposal does not achieve key neighbourhood character requirements in relation to dwelling separation and site cover and also seeks to introduce a side-by-side 'duplex' typology in area designated for 'limited incremental' change.
5. On balance it is considered that the proposal cannot not be supported on the basis it does not achieve an appropriate neighbourhood character outcome within the Bush Garden Precinct and on this basis should not be supported.

### Resolution (CO2022/10)

That Council having complied with Section 52, 58, 60, 61 and 62 of the *Planning and Environment Act 1987*, resolves to issue a **Notice of Decision to Refuse to Grant a Planning Permit** in respect of Application No. P972/2021 for 'Development of two (2) dwellings in a Neighbourhood Residential Zone – Schedule 3 including building with a height greater than 8 metres and works under the dripline of protected vegetation in the Design and Development Overlay – Schedule 8 and building and works in the Special Building Overlay – Schedule 2' at 30 Fernside Avenue BRIAR HILL on the following grounds:

### Siting, design and neighbouring residential amenity

1. The siting and design of the proposed development would have an overbearing physical impact upon the streetscape and neighbouring properties and will have an adverse impact upon local residential amenity contrary to Clauses 15.01-1 – Urban Design and 21.04-1 – Housing of the Banyule Planning Scheme.

### Mass, bulk, scale and neighbourhood character

2. The mass, bulk and scale of the built form of the proposal is contrary to both the existing and preferred character of the neighbourhood and would erode the spacious and well landscaped character and have an adverse visual impact on the streetscape contrary to Clauses 15.01-1 – Urban Design, 21.04-1 – Housing, 22.02 - Residential Neighbourhood Character Policy and Standards B1 – Neighbourhood Character and B31 – Design detail of Clause 55 (ResCode) of the Banyule Planning Scheme.

### Open space/landscaping

3. Inadequate space has been provided throughout the development to provide canopy tree planting and landscaping to adequately soften views of the development from neighbouring land and enhance the landscape character of the area contrary to Clauses 21.04-1 – Housing, 21.06 – Built Environment, 22.02 – Residential Neighbourhood Character Policy and Standard B13 – Landscaping of Clause 55 (ResCode) of the Banyule Planning Scheme.

#### **Vehicular access and landscaping**

4. The proposed vehicular access arrangement results in excessive hard surfacing when viewed from the street and reduces the ability to provide meaningful landscaping within the front setback of the development, to the detriment of the existing and preferred character of the neighbourhood, contrary to Clauses 15.01-1 – Urban Design, 21.04-1 – Housing, 22.02 - Residential Neighbourhood Character Policy and Standards B1 – Neighbourhood Character Standard B13 – Landscaping and B31 – Design detail of Clause 55 (ResCode) of the Banyule Planning Scheme.

#### **Overland Flows**

5. The siting of the proposed development would alter the overland flow of stormwater contrary to Clause 44.05 - Special Building Overlay – Schedule 2 of the Banyule Planning Scheme.

#### **Internal Residential Amenity**

6. The proposed development would provide an inadequate level of internal residential amenity by reason of extensive reliance upon screening of windows to minimise overlooking contrary to the objective of Standard B27 – Daylight to new windows objective of Clause 55 (ResCode) of the Banyule Planning Scheme.

#### **Integration with the Street**

7. The poor integration of dwelling entrances and general layout of the development with the street is contrary to Standard B5 – Integration with the street and Standard B26 – Dwelling entry objective of Clause 55 (ResCode) of the Banyule Planning Scheme.

#### **Inadequate Solar Access**

8. Inadequate solar access is provided to the rear (southern) decking areas for Dwellings 1 and 2 contrary to the objective of Standard B29 – Solar access to open space of Clause 55 (ResCode) of the Banyule Planning Scheme.

Moved: Cr Tom Melican

Seconded: Cr Elizabeth Nealy

CARRIED

**ADJOURNMENT** – The Mayor called for a short recess at 8.08pm.  
Due to an absence of order in the public gallery, the Mayor adjourned the Ordinary Meeting of Council to be reconvened at a later time and date, to be determined.

The meeting was adjourned at 8.27pm

**MEETING RECONVENED 9 FEBRUARY 2022, 7.01PM ONLINE**

## **MINUTES**

The Meeting opened at 7.01pm.

### **Acknowledgement of the Traditional Custodians**

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

### **Diversity Statement**

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

### **Present**

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

### **Disclosure of Interests**

Nil



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## 6. OUR VALUED COMMUNITY ASSETS AND FACILITIES

### 6.1 DRAFT SOCIAL INFRASTRUCTURE FRAMEWORK

#### SUMMARY

1. Council resolved at the Council meeting on 8 February 2021, "That a report be presented to Council regarding the development of a community services and facilities infrastructure plan", the Community Services and Infrastructure Framework (Social Infrastructure) has been prepared for Council's consideration.
2. The draft Banyule Social Infrastructure Framework (Framework) was informed by a Theory of Change, engagement with multiple business units, preliminary consultation with community and a professional review process.
3. The draft Framework seeks to create multiple, lasting benefits for our community through delivering social infrastructure that unlocks potential, supports multiple uses, facilitates social and economic growth and prioritises the environmental considerations.
4. The draft Framework employs the principles of balance, opportunity creation and an outcome focus to inform a contemporary view of why Council delivers services and community buildings. It establishes a set of benchmark standards that will support Council to deliver on the Banyule Community Vision 2041 strategic objectives including "Our Valued Community Assets and Facilities".
5. The Community Infrastructure Plan will be developed to operationalise the Framework and will establish a set of social infrastructure investment opportunities that can position Council to demonstrate sustainable infrastructure stewardship and deliver public value.

#### **Resolution (CO2022/11)**

That Council:

1. Approve a six-week public consultation on the draft Banyule Social Infrastructure Framework in preparation for Council adoption.
2. Notes that the Banyule Social Infrastructure Framework will inform the development of the Community Infrastructure Plan, scheduled for draft completion by June 2022.

Moved: Cr Alida McKern

Seconded: Cr Alison Champion

CARRIED

**7. OUR THRIVING LOCAL ECONOMY**

Nil

**8. OUR TRUSTED AND RESPONSIVE LEADERSHIP****8.1 AWARD OF CONTRACT NO.1144-2021 MONTMORENCY VILLAGE  
STREETSCAPE RENEWAL****SUMMARY**

1. This report is to consider the awarding of Contract No. 1144-2021 – Montmorency Village Precinct Streetscape.
2. Council sought submissions from suitably qualified and capable contractors for the construction of the streetscape renewal of Montmorency Village Precinct comprising of Were St and a portion of Rattray Road in Montmorency. The extent of this Contract includes works necessary for the reconstruction of the streetscape including road asphaltting, footpath paving and other landscaping, and the construction of a performance shelter and toilet block.
3. The Tender Evaluation Panel (TEP) has recommended awarding the contract to 2Construct Pty Ltd in accordance with the tender and conditions as determined by Council.
4. Tenders were received from four (4) contractors following an EOI process which shortlisted five (5) contractors.
5. The contract will commence March 2022.

**Resolution (CO2022/12)**

That Council:

1. Award Contract No. 1144-2021 - Montmorency Village Precinct Streetscape to 2Construct Pty Ltd for the lump sum price \$2,986,476 (ex. G.S.T).
2. Authorise the Director of Assets and City Services to sign the contract and any other associated documents.

Moved: Cr Alison Champion

Seconded: Cr Mark Di Pasquale

CARRIED

***Councillor Dimarelos left the video stream at 7.06 pm.******Councillor Dimarelos returned to the video stream at 7.07 pm.***

## 8.2 PROPERTY TRANSACTIONS REPORT FOR THE SIX MONTH PERIOD ENDING 31 DECEMBER 2021

### SUMMARY

1. This report provides an update to Council and the community on the settlement of land and property transactions for the six-month period from 1 June 2021 to 31 December 2021. It details land acquired, disposed, transferred or exchanged by Council.
2. Six land and property transactions were settled during the period providing a net financial return to Council of \$62,793 (incl. GST).
3. The next report will be presented to Council in August 2022.

### Resolution (CO2022/13)

That Council notes that:

1. This report which identifies the land and property acquired, transferred, exchanged or sold by Council in the preceding six months ending on 31 December 2021.

#### Land and property sold

| Address   | Zone | Description        | Area m <sup>2</sup> | Price Inc. GST |
|---|------|--------------------|---------------------|----------------|
| Adjacent to 2 Clauscen Street, Heidelberg Heights | GRZ2 | Road               | 52                  | \$46,800       |
| Adjacent to 41 Lower Plenty Road, Rosanna         | GRZ3 | Road               | 67                  | \$15,993       |
| 10 The Boulevard, Ivanhoe                         | PCRZ | Reserve (Easement) | 196                 | \$1            |

#### Land and property acquired

| Address                              | Zone | Description           | Area m <sup>2</sup> | Price Incl. GST |
|--------------------------------------|------|-----------------------|---------------------|-----------------|
| 1017 Heidelberg Road, Ivanhoe        | MUZ  | Lot on plan (Walkway) | 285                 | Expenses only   |
| 275 Upper Heidelberg Road, Ivanhoe   | GRZ1 | Road                  | 261                 | Expenses only   |
| Part 4 Poulter Avenue, Greensborough | ACZ1 | Car parks (33)        |                     | \$1             |

2. A further report will be presented to Council in August 2022 identifying the land and property acquired, disposed, transferred or exchanged by Council in the preceding six months ending 30 June 2022.
3. A separate report will be presented to Council identifying the Council land impacted by North East Link permanent and temporary land acquisitions.

Moved: Cr Tom Melican  
Seconded: Cr Rick Garotti

CARRIED

### 8.3 AUDIT & RISK COMMITTEE - MINUTES FROM 10 DECEMBER 2021 MEETING SUMMARY

#### A pre-recorded video was played of Kevan Hill speaking on this item

1. The Audit & Risk Committee is an Advisory Committee and its role is determined by the *Local Government Act 2020*. The responsibilities and terms of reference of the Audit & Risk Committee are defined in the Committee's Charter.
2. The *Audit & Risk Committee Charter* states the minutes of each meeting of the Audit & Risk Committee are required to be reported to a Council Meeting.
3. Consequently, the Minutes of the meeting held on the 10 December 2021 are being circulated for noting by Council.
4. The minutes are subject to confirmation by the Audit & Risk Committee at its next meeting, being held on 25 March 2022.

#### Resolution (CO2022/14)

That Council note the unconfirmed Minutes of the Audit & Risk Committee meeting held on the 10 December 2021.

Moved: Cr Peter Dimarelos  
Seconded: Cr Peter Castaldo

CARRIED

**8.4 AUDIT & RISK COMMITTEE - ANNUAL REPORT 2021****SUMMARY**

**Rosie Shilo spoke (on behalf of Melissa Murphy-Hill) on this item\ via video link.**

1. The *Local Government Act 2020* (LGA) section 53 requires all Councils to establish an Audit Committee.
2. The Committee operates under a Charter determined by Council and based on the best practice guide from Local Government Victoria. It is an advisory committee of Council.
3. The Audit & Risk Committee's role is to report to the Council and provide appropriate advice and recommendations on matters relevant to its Charter in order to facilitate decision making by the Council in relation to the discharge of its responsibilities.
4. This report has been prepared by the Chair of the Committee and Council officers and follows the meeting at which the annual financial report and the annual performance statement have been considered and recommended to Council for adoption, indicating how the Committee has discharged its responsibilities, as set out in the Audit & Risk Charter, for the previous year.

**Resolution (CO2022/15)**

That Council adopt the Chairperson's Report indicating how the Audit & Risk Committee has discharged its responsibilities for the 2021 year, as required by the Audit & Risk Charter.

Moved: Cr Peter Dimarelos  
Seconded: Cr Peter Castaldo

CARRIED

## 8.5 REVIEW OF HYBRID COUNCIL MEETINGS

### SUMMARY

**Brian Grace spoke on this item via video link. and a written statement was read out on behalf of Emilia Williams.**

1. In response to the COVID-19 pandemic, temporary provisions were inserted in the *Local Government Act 2020* (the Act) to allow for virtual council meetings so that councils could continue to make decisions during the coronavirus pandemic.
2. These provisions have been extended twice by State Parliament and are due to expire on 26 April 2022. A recent announcement from Local Government Victoria advised that provisions within the proposed Act (if passed by Parliament) will extend the COVID-19 temporary measures provisions through to 1 September 2022. It is expected that the Bill will be debated in the first sitting week in Parliament in February.
3. Council at its meeting held on 15 November 2021 resolved to allow for the conduct of Hybrid Council meetings until 26 April 2022, which would allow for councillors and other persons to be able to attend in person or online.
4. It was further resolved that a report be presented to the first meeting of Council in 2022 reviewing the effectiveness of the Hybrid Council Meeting model and establishing appropriate governance protocols for the operation of hybrid meetings.
5. The Council Meeting held on 6 December 2021 was conducted within the hybrid model. It allowed for two councillors to attend via electronic means. The meeting was well run and complied with the Ministerial Good Practice Guideline provided for virtual meetings. A copy of the guidelines is attached.
6. COVID-19 still poses interruptions to the 'in person' model of council meetings as the current Victorian Government directions require a person who tests positive to Covid-19 to isolate for 7 days. This is also a requirement of a household or household-like contact. (Some exemptions apply)
7. Throughout the COVID-19 pandemic public participation has continued at Council Meetings, this has been enabled via video or voice recording and written submissions. This process will continue with the hybrid model however, there will also be the ability for 'in person' participation.
8. A hybrid meeting model provides the opportunity for inclusion of all to attend in person or via electronic means of communication.

### Resolution (CO2022/16)

That Council:

1. Continue to allow for Council Meetings to be conducted with the hybrid model until expiration of the temporary provisions inserted in the *Local Government Act 2020* (the Act) and Section 394 of the Act, noting the current expiration date is 26 April 2022, but is under review by State Parliament.
2. Review this decision as necessary in the face of changing legislation and regulation, and in particular, the Chief Health Officer's orders, or other COVID restriction legislation that may be enacted.

Moved: Cr Alida McKern  
Seconded: Cr Fiona Mitsinikos

CARRIED

***Councillor Dimarelos left the video stream momentarily at 7.24pm and returned at 7.24pm.***

***Councillor Dimarelos left the video stream momentarily at 7.25pm and returned at 7.25pm.***

***Councillor Dimarelos left the video stream at 7.26pm.  
Councillor Dimarelos returned to the video stream at 7.27pm.***

***Councillor Dimarelos left the video stream at 7.29pm.  
Councillor Dimarelos returned to the video stream at 7.31pm.***

***Councillor Dimarelos left the video stream momentarily at 7.32pm and returned at 7.32pm.***

## 8.6 ADOPTION OF COUNCIL'S INVESTMENT POLICY

### SUMMARY

1. Council is governed to meet requirements of the *Local Government Act 2020* (the Act) which contains, under *Section 103*, specific provisions on investments.
2. Council's Investment Policy was last amended in 2015 and has now been updated to incorporate the Council's Investment Strategy adopted by Council at its meeting on 9 August 2021.
3. The purpose of Council's Investment Policy is to ensure that:
  - a. Investment capital funds are invested in accordance with legislative and Council requirements.
  - b. Effective internal controls and appropriate delegation levels are in place to minimise investment risk of Council's investment capital.
  - c. The financial yield is managed through prudent investment of investment capital whilst ensuring sufficient liquidity for Council's day to day operational commitments.
  - d. Investment decisions are based on the security of investment capital by limiting unnecessary exposure to risk.
  - e. The investment direction is consistent with the environmental and social objectives of Council.
4. The Investment Policy will be regularly reviewed and updated for any significant changes in Council's Investment Strategy.
5. Sector consultation and review of other councils' investment policies have been conducted to ensure Banyule's Investment Policy achieves best practice.
6. The Audit & Risk Committee provided feedback on the Draft Investment Policy and all feedback has been incorporated for Council to consider its adoption.

### Resolution (CO2022/17)

That Council:

1. Note the relationship of the Investment Policy to Council's Investment Strategy (adopted 9 August 2021 by Council).
2. Note the Draft Investment Policy 2022 has been amended to incorporate feedback from the Audit and Risk Committee.
3. Note that the Audit and Risk Committee endorsed the Investment Policy, for Council to consider adoption, at its meeting on 10 December 2021.
4. Adopt Council's Draft Investment Policy 2022.
5. Review the Investment Policy every 2 years or following any significant change.

Moved: Cr Peter Castaldo  
Seconded: Cr Rick Garotti

CARRIED



**8.7 DRAFT GOVERNANCE LOCAL LAW NO.2 (2022) - PUBLIC SUBMISSIONS****SUMMARY**

1. 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).
2. The existing Governance Local Law No. 2 (2015) requires updating in line with new legislation, specifically the *Local Government Act 2020* (the Act), and to remove references to the Meeting Procedures Code (2015), which was replaced by Council's Governance Rules adopted in August 2020.
3. 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.
4. 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.
5. Nine (9) persons provided feedback, with 6 of the 9 indicating that they support the making of the Governance Local Law No.2 (2022). Only 4 submitters provided comments in support of their response. All submitters were invited to speak at this Council meeting in support of their submissions.
6. The purpose of this report is to consider any submissions received.
7. Subject to there being no material alteration to the draft General Local Law No.2 (2022), a further report will be presented to Council on 28 February 2022 to formally adopt and make the Governance Local Law No.2 (2022).

**Resolution (CO2022/18)**

That Council:

1. In accordance with the requirements of Section 73 of the *Local Government Act 2020*, and Council's Community Engagement Policy, notes its consideration of all submissions received in respect of Banyule's proposed Governance Local Law No. 2 (2022); and
2. Determines that no changes be made to Banyule's proposed Governance Local Law No.2 (2022) in response to the submissions; and
3. Receives a further report on 28 February 2022 to consider making Banyule's Governance Local Law No.2 (2022)

Moved: Cr Tom Melican  
Seconded: Cr Peter Dimarelos

CARRIED

**8.8 RECORD OF COUNCILLOR MEETINGS****SUMMARY**

The *Local Government Act 1989* previously required that Assembly of Councillors (meetings of Councillors held outside of the formal Council Meeting program) were to be reported to the next available Council meeting, this section has now been repealed.

In accordance with the *Local Government Act 2020*, Council at its meeting on 17 August 2020 adopted the Banyule Governance Rules which include the requirement to report to Council on Councillor attendance at Briefings and Advisory Committees.

**Record of Meetings**

|   |                            |  |
|---|----------------------------|--|
| <b>1</b>  | <b>Date of Meeting:</b>    | 8 November 2021                          |
|   | <b>Type of Meeting:</b>    | Council Meeting Pre-briefing             |
|   | <b>Matters Considered:</b> |  |
|   | 1                          | Mayoral Term                             |
|   | 2                          | Election of Mayor                        |
|   | 3                          | Election of Deputy Mayor                 |
|   | 4                          | Appointment of Councillors on Committees |
| <b>Councillors Present:</b>   |                            |  |
| Peter Castaldo  | Alida McKern               |  |
| Alison Champion   | Tom Melican                |  |
| Peter Dimarelos   | Fiona Mitsinikos           |  |
| Mark Di Pasquale  | Elizabeth Nealy            |  |
| Rick Garotti  |                            |  |
| <b>Staff Present:</b>   |                            |  |
| Allison Beckwith - <i>Chief Executive Officer</i>                   |                            |  |
| Darren Bennett – <i>Director Assets &amp; City Services</i>         |                            |  |
| Marc Giglio – <i>Director Corporate Services</i>                    |                            |  |
| Kath Brackett – <i>Director Community Programs</i>                  |                            |  |
| Jonathan Risby – <i>Acting Director City Development</i>            |                            |  |
| Gina Burden – <i>Manager Governance &amp; Communication</i>         |                            |  |
| Emily Outlaw – <i>Council Business Team Leader</i>                  |                            |  |
| Kerryn Woods – <i>Executive &amp; Councillors Team Leader</i>       |                            |  |
| Nicholas Van – <i>Council Business Officer</i>                      |                            |  |
| Dave Pascolo - <i>IT Infrastructure Technical Analyst</i>           |                            |  |
| Duncan Stephen - <i>Jets Facility &amp; Technical Administrator</i> |                            |  |
| Jay Mifsud – <i>Youth Program Officer</i>                           |                            |  |
| <b>Others Present:</b>  |                            |  |
|   |                            |  |
| <b>Conflict of Interest:</b>  | Nil                        |  |

|          |                            |                              |
|----------|----------------------------|------------------------------|
| <b>2</b> | <b>Date of Meeting:</b>    | 15/11/2021                   |
|          | <b>Type of Meeting:</b>    | Council Meeting Pre-briefing |
|          | <b>Matters Considered:</b> |                              |

|   |  |
|---|--|
| 2.1   | Hybrid Council Meetings  |
| 2.2   | Final Draft Child and Youth Framework 2021-2031                                      |
| 4.1   | 173-177 Upper Heidelberg Road, IVANHOE - Mixed Use Development (P1428/2020)          |
| 4.2   | 89-97 Bond Street, IVANHOE - Community Care Accommodation (P1596/2020)               |
| 4.3   | 345-347 Bell Street Bellfield - Proposed Sale of Land                                |
| 7.1   | Record of Councillor Meetings  |
| 7.2   | Provision of Road Signs and Lighting, Grates, Covers and Associated Traffic Products |
| 7.3   | Quarterly Financial Management Report - September 2021                               |
| <b>Councillors Present:</b>   |  |
| Peter Castaldo  | Alida McKern   |
| Alison Champion   | Tom Melican  |
| Peter Dimarelos   | Fiona Mitsinikos   |
| Mark Di Pasquale  | Elizabeth Nealy  |
| Rick Garotti  |  |
| <b>Staff Present:</b>   |  |
| Allison Beckwith - <i>Chief Executive Officer</i>                   |  |
| Darren Bennett – <i>Director Assets &amp; City Services</i>         |  |
| Marc Giglio – <i>Director Corporate Services</i>                    |  |
| Kath Brackett – <i>Director Community Programs</i>                  |  |
| Jonathan Risby – <i>Acting Director City Development</i>            |  |
| Gina Burden – <i>Manager Governance &amp; Communication</i>         |  |
| Emily Outlaw – <i>Council Business Team Leader</i>                  |  |
| Kerryn Woods – <i>Executive &amp; Councillors Team Leader</i>       |  |
| Nicholas Van – <i>Council Business Officer</i>                      |  |
| Dave Pascolo - <i>IT Infrastructure Technical Analyst</i>           |  |
| Duncan Stephen - <i>Jets Facility &amp; Technical Administrator</i> |  |
| Jay Mifsud – <i>Youth Program Officer</i>                           |  |
| <b>Others Present:</b>  |  |
|   |  |
| <b>Conflict of Interest:</b>  | Nil  |

|                             |   |                     |
|-----------------------------|---|---------------------|
| 3                           | <b>Date of Meeting:</b>   | 22 November 2021    |
|                             | <b>Type of Meeting:</b>   | Councillor Briefing |
|                             | <b>Matters Considered:</b>  |                     |
|                             | 8 Urban Forestry Strategic Plan<br>9 Planning Scheme Tree Controls<br>10 Financial Management Report<br>11 General Business |                     |
| <b>Councillors Present:</b> |   |                     |
| Peter Castaldo              |   | Alida McKern        |
| Alison Champion             |   | Tom Melican         |
| Peter Dimarelos             |   | Fiona Mitsinikos    |
| Rick Garotti                |   | Elizabeth Nealy     |

|   |     |
|---|-----|
| <b>Staff Present:</b><br>Allison Beckwith - <i>Chief Executive Officer</i><br>Darren Bennett – <i>Director Assets &amp; City Services</i><br>Marc Giglio – <i>Director Corporate Services</i><br>Kath Brackett – <i>Director Community Programs</i><br>Jonathan Risby – <i>Acting Director City Development</i><br>Joel Elbourne - <i>Manager Planning, Building &amp; Laws</i><br>Kerryn Woods – <i>Executive &amp; Councillors Team Leader</i><br>Ben De Klepper – <i>Urban Forestry Coordinator</i><br>Cameron Schmelitschek - <i>Urban Forestry Strategic Officer</i> |     |
| <b>Others Present:</b>  |     |
| <b>Conflict of Interest:</b>  | Nil |

|   |   |                                |
|---|---|--------------------------------|
| 4 | <b>Date of Meeting:</b>   | 24 November 2021               |
|   | <b>Type of Meeting:</b>   | Disability & Inclusion Meeting |
|   | <b>Matters Considered:</b><br>12 Introductions<br>13 Council Updates<br>14 Summary of 1:1 Member Meetings<br>15 Disability Action Plan<br>16 Communication<br>17 Other Business   |                                |
|   | <b>Councillors Present:</b><br>Rick Garotti   |                                |
|   | <b>Staff Present:</b><br>Cheree Hunter – <i>Acting Manager Health &amp; Aged Community Planning</i><br>Theonie Tacticos – <i>Community &amp; Social Planning Coordinator</i><br>Vicki Martinez – <i>Community &amp; Social Planner</i>      |                                |
|   | <b>Others Present:</b><br>Kerryn Burgoyne<br>Sarah Hockey<br>Elizabeth Parry<br>Donna Prichard<br>Sam Cartledge<br>Ros Melling<br>Parvin Ahadi<br>Allan Leenaerts<br>Sharon Solomidid<br>Laila Fernandez<br>Dani Stramandinoli<br>Emma Lowe |                                |
|   | <b>Conflict of Interest:</b>  | Nil                            |

|   |  |                     |
|---|--|---------------------|
| 5 | <b>Date of Meeting:</b>  | 29 November 2021    |
|   | <b>Type of Meeting:</b>  | Councillor Briefing |
|   | <b>Matters Considered:</b><br><ul style="list-style-type: none"> <li>• Cemetery Trust Meeting</li> <li>• Chelsworth Park Pavilion</li> </ul> |                     |

|  |                 |
|--|-----------------|
| <ul style="list-style-type: none"> <li>Financial Plan, Budget Timetable, monthly report</li> <li>General business</li> </ul> |                 |
| <b>Councillors Present:</b>  |                 |
| Peter Castaldo   | Alida McKern    |
| Alison Champion  | Tom Melican     |
| Peter Dimarelos  | Elizabeth Nealy |
| Rick Garotti   |                 |
| <b>Staff Present:</b>  |                 |
| Allison Beckwith - <i>Chief Executive Officer</i>  |                 |
| Darren Bennett - <i>Director Assets &amp; City Services</i>  |                 |
| Marc Giglio - <i>Director Corporate Services</i>   |                 |
| Kath Brackett - <i>Director Community Programs</i>   |                 |
| Jonathan Risby – <i>Acting Director City Development</i>   |                 |
| Gina Burden - <i>Manager Governance &amp; Communication</i>  |                 |
| Kerryn Woods - <i>Executive &amp; Councillors Team Leader</i>  |                 |
| Jan Richardson - <i>Cemetery Coordinator</i>   |                 |
| Nicole Maslin - <i>Manager Leisure Recreation &amp; Culture</i>  |                 |
| Lucia Brennan - <i>Major Facilities Coordinator</i>  |                 |
| Tania O'Reilly - <i>Manager Finance &amp; Procurement</i>  |                 |
| <b>Others Present:</b>   |                 |
| <b>Conflict of Interest:</b>   |                 |
|  | Nil             |

|  |                            |                          |
|--|----------------------------|--------------------------|
| 6  | <b>Date of Meeting:</b>    | 2 December 2021          |
|  | <b>Type of Meeting:</b>    | LGBTIQ Committee Meeting |
|  | <b>Matters Considered:</b> |                          |
|  | 18 Community engagement    |                          |
|  | 19 Committee processes     |                          |
|  | 20 Council updates         |                          |
| 21 Community updates   |                            |                          |
| <b>Councillors Present:</b>  |                            |                          |
| Peter Castaldo   |                            |                          |
| Alison Champion  |                            |                          |
| <b>Staff Present:</b>  |                            |                          |
| Cheree Hunter – <i>Acting Manager Health &amp; Aged Community Planning</i> |                            |                          |
| Myfan Jordan – <i>Community &amp; Social Planner</i>                       |                            |                          |
| <b>Others Present:</b>   |                            |                          |
| Michelle McNamara  |                            |                          |
| Shev Armstrong   |                            |                          |
| Will Delaney   |                            |                          |
| Jason Turner   |                            |                          |
| Nicole El-Hage   |                            |                          |
| Lara Hunter  |                            |                          |
| David Landis-Morse   |                            |                          |
| Richard Peterson   |                            |                          |
| Nathan S   |                            |                          |

|                              |     |
|------------------------------|-----|
| <b>Conflict of Interest:</b> | Nil |
|------------------------------|-----|

|  |  |                              |
|--|--|------------------------------|
| <b>7</b>   | <b>Date of Meeting:</b>  | 6 December 2021              |
|  | <b>Type of Meeting:</b>  | Council Meeting Pre-briefing |
|  | <b>Matters Considered:</b>   |                              |
|  | 3.1 Working for Victoria Program Review                            |                              |
|  | 4.1 Draft Banyule Weed Management Strategy - For Public Exhibition |                              |
|  | 4.2 State of the Environment Report 2020-2021                      |                              |
|  | 5.1 Exhibition Outcome - Planning Scheme Amendment C1197           |                              |
| 5.2 Major Transport Projects Update  |  |                              |
| 5.3 Final Heidelberg Structure Plan6.  |  |                              |
| 6.1 Supervised Children's Crossings - Update                                       |  |                              |
| 6.2 Viewbank Tennis Club - LED Lighting Upgrade                                    |  |                              |
| 6.3 North East Link Project - Sporting Infrastructure Outcomes and Club Transition |  |                              |
| 7.1 2021/22 Economic Support Package - Status Update                               |  |                              |
| 8.1 Provision of Concrete and Asphalt Maintenance Works 20                         |  |                              |
| 8.2 Award of contract for 1166-2022 Assembly & Logistics for FOGO Bin Distribution |  |                              |
| 8.3 Review of Governance Local Law No. 2   |  |                              |
| 8.4 50 Chapman Street, Macleod - Renewal of Telecommunications Lease with Telstra  |  |                              |
| 8.5 Chief Executive Officer Remuneration Policy                                    |  |                              |
| <b>Councillors Present:</b>  |  |                              |
| Peter Castaldo   |  | Alida McKern                 |
| Alison Champion  |  | Tom Melican                  |
| Peter Dimarelos  |  | Fiona Mitsinikos             |
| Mark Di Pasquale   |  | Elizabeth Nealy              |
| Rick Garotti   |  |                              |
| <b>Staff Present:</b>  |  |                              |
| Allison Beckwith - <i>Chief Executive Officer</i>                                  |  |                              |
| Darren Bennett – <i>Director Assets &amp; City Services</i>                        |  |                              |
| Marc Giglio – <i>Director Corporate Services</i>                                   |  |                              |
| Kath Brackett – <i>Director Community Programs</i>                                 |  |                              |
| Jonathan Risby – <i>Acting Director City Development</i>                           |  |                              |
| Gina Burden – <i>Manager Governance &amp; Communication</i>                        |  |                              |
| Emily Outlaw – <i>Council Business Team Leader</i>                                 |  |                              |
| Kerryn Woods – <i>Executive &amp; Councillors Team Leader</i>                      |  |                              |
| Nicholas Van – <i>Council Business Officer</i>                                     |  |                              |
| Dave Pascolo - <i>IT Infrastructure Technical Analyst</i>                          |  |                              |
| Duncan Stephen - <i>Jets Facility &amp; Technical Administrator</i>                |  |                              |
| Jay Mifsud – <i>Youth Program Officer</i>  |  |                              |
| Frances Biggar - <i>Jets Creative Technical Assistant</i>                          |  |                              |
| <b>Others Present:</b>   |  |                              |
| <b>Conflict of Interest:</b>   | Nil  |                              |

|          |                         |                                 |
|----------|-------------------------|---------------------------------|
| <b>8</b> | <b>Date of Meeting:</b> | 8 December 2021                 |
|          | <b>Type of Meeting:</b> | Multicultural Committee Meeting |

|  |     |
|--|-----|
| <b>Matters Considered:</b>   |     |
| 22 Multicultural Plan<br>23 Advocacy<br>24 Inclusive Banyule<br>25 Communication<br>26 Meeting structure<br>27 Consultation update – website accessibility   |     |
| <b>Councillors Present:</b>  |     |
| Fiona Mitsinikos   |     |
| <b>Staff Present:</b>  |     |
| Cheree Hunter – <i>Acting Manager Health &amp; Aged Community Planning</i><br>Theonie Tacticos – <i>Community &amp; Social Planning Coordinator</i><br>Lisa King – <i>Community &amp; Social Planner</i> |     |
| <b>Others Present:</b>   |     |
| 28 Ansum Sadik<br>29 Baljit Singh<br>30 Ginger (Lan) Jiang<br>31 Jeyarajah (Raj) Ramanathan<br>32 Linda Liwewe<br>33 Louisa Ong<br>34 Samira Liban<br>35 Susan Zhou<br>36 Suzanne Crenlin                |     |
| <b>Conflict of Interest:</b>   | Nil |

|  |   |  |
|--|---|--|
| 9  | <b>Date of Meeting:</b>   | 13 December 2021   |
|  | <b>Type of Meeting:</b>   | Councillor Briefing  |
|  | <b>Matters Considered:</b>  |  |
|  | <ul style="list-style-type: none"> <li>• Inclusive Employment program 2021/22 FY update</li> <li>• FOGO Update</li> <li>• State of Sport Report</li> <li>• Capital Works Program</li> </ul> |  |
|  | <b>Councillors Present:</b>   |  |
| Peter Castaldo<br>Alison Champion<br>Peter Dimarelos<br>Rick Garotti   |   | Alida McKern<br>Tom Melican<br>Fiona Mitsinikos<br>Elizabeth Nealy |
| <b>Staff Present:</b>  |   |  |
| Allison Beckwith - <i>Chief Executive Officer</i><br>Darren Bennett – <i>Director Assets &amp; City Services</i><br>Marc Giglio – <i>Director Corporate Services</i><br>Kath Brackett – <i>Director Community Programs</i><br>Jonathan Risby – <i>Acting Director City Development</i><br>Kerry Woods – <i>Executive &amp; Councillors Team Leader</i><br>Jane Nixon – <i>Strategic Development Office</i><br>Kathy Hynes – <i>Manager Operations</i><br>Nicole Maslin – <i>Manager Leisure Recreation &amp; Culture</i> |   |  |

|  |  |     |
|--|--|-----|
|  | Melinda Ramsay - <i>Sport Leisure Arts &amp; Cultural Serv Coordinator</i><br>Greg Gale - <i>Manager Delivery &amp; Assets</i> |     |
|  | <b>Others Present:</b>   |     |
|  | <b>Conflict of Interest:</b>   | Nil |

**Resolution (CO2022/19)**

That the Record of Councillor meetings report be received.

Moved: Cr Tom Melican

Seconded: Cr Fiona Mitsinikos

**CARRIED**



**9. SEALING OF DOCUMENTS**

Nil

**10. NOTICES OF MOTION**

Nil

**11. GENERAL BUSINESS****11.1 BINNAK PARK**

On behalf of resident Rick Norwood, Cr Rick Garotti acknowledged Council's delivery of quality customer service in undertaking risk minimisation measures at Binnak Park to make a path safer to walk on.

**11.2 DAVID AND JAN BRYAR RECEIVE OAM MEDALS**

Cr Tom Melican congratulated Banyule residents David and Jan Bryar on receiving their Medals of the Order of Australia.

**11.3 CHRISTINE MCKENZIE RECEIVES AM AWARD**

Cr Tom Melican congratulated former Yarra Plenty Regional Library CEO Christine McKenzie on her Member award of the Order of Australia.

**11.4 CITIZENSHIP CEREMONY**

Cr Alida McKern acknowledged the 2022 in-person Banyule citizenship ceremony which inducted new citizens from 26 different countries. This ceremony was attended by Cr Elizabeth Nealy, Cr Alison Champion as well as Kate Thwaites MP and Anthony Carbines MP.

**11.5 COMMENTS MADE AT COUNCIL MEETING 6 DECEMBER 2021**

Cr Alida McKern apologised for a misspoken sentence when speaking to 8.3 – Review of Governance Local Law No. 2, at the Council meeting held on 6 December 2021. She made reference to 'the Gallery', which was said in error and she retracted her statement.

**11.6 PRIDE MARCH 2022**

Cr Elizabeth Nealy acknowledged the 2022 Annual Pride March which she attended. Cr Elizabeth Nealy also acknowledged Banyule's own LGBTQIA+ allegiance and associated events.

**Closure of Meeting**

**Resolution (CO2022/20)**

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 the confidential matters in item 12.1

Moved: Cr Alison Champion

Seconded: Cr Alida McKern

**CARRIED**

The Meeting was closed at 7.54pm to the public.

DATED: ..... DAY OF ..... 2022

.....  
MAYOR

*The next Ordinary Meeting of Council will be held on Monday, 28 February 2022 .*

## PUBLIC QUESTION TIME

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| <b>1</b> | <p><b>Name &amp; Suburb</b></p> <p>Daniel Salera, Rosanna</p>   |
|          | <p><b>Question:</b></p> <p>With the current shortage of housing in Melbourne, why is the Banyule council so reluctant to grant planning permits on properties that meet all of the council guidelines?</p>  |
|          | <p><b>Response:</b></p> <p><i>Natasha Swan – Director City Development</i></p> <p>Banyule’s Planning Scheme recognises the need for urban consolidation in appropriate locations. Multi dwelling applications are assessed on their merits having regard to Council’s Residential Areas Framework, the Residential Neighborhood Character Strategy and any Overlay that apply to the land. Proposals must be seen to achieve a balance in a number of competing objectives.</p> |

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| <b>2</b> | <p><b>Name &amp; Suburb</b></p> <p>Rowan Harrison, Eaglemont</p>  |
|          | <p><b>Question:</b></p> <p>321 Lower Heidelberg Road/ 1 Maltravers Road, Ivanhoe East Proposed Development.</p> <p>The Banyule City Council (representing the Ratepayers) is an owner of land benefitting by a single dwelling covenant that is part of the same subdivision as the 7 (single dwelling covenant) lots that make up the 321 Lower Heidelberg Road and 1 Maltravers Road address. Given that TLC, the developer, has now made application to the Victorian Planning Minister for priority planning approval for this development (that was previously opposed by a large number of residents, and the Planning Application was refused by Banyule City Council in 2019), what are Council's plans to protect the interests of ratepayers as beneficiaries of this covenant?</p> |
|          | <p><b>Response:</b></p> <p><i>Natasha Swan – Director City Development</i></p>  |

An urgent business item on this evening’s agenda outlines an action in relation to this proposal and Council will also consider a submission to DEWLP in relation to the proposal at a future Council meeting. While Council can also respond in its capacity as a landowner and beneficiary of the covenant, it is considered that the submission to the proposal will be the lead mechanism for advocating Council’s position on this matter.

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| <b>3</b> | <b>Name &amp; Suburb</b> |
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|  | Karen Joy McColl, Heidelberg Heights   |
|  | <p><b>Question:</b></p> <p>When are you going to fix footpath/Gutter at bus stop near our hub building buses can't get low enough for people to get on or off it's very dangerous</p>  |
|  | <p><b>Response:</b></p> <p><i>Darren Bennett – Director – Assets &amp; City Services</i></p> <p>Council allocates capital funding to a Public Transport Infrastructure program each year to undertake improvements to bus stops, shelters and alike across the municipality. Whilst funds for this financial year are already committed to other works, improvements at this location will be considered as part of the 2022/23 program.</p> |

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| 4 | <p><b>Name &amp; Suburb</b></p> <p>Anonymous</p>   |
|   | <p><b>Question:</b></p> <p>Under the Road Safety Rules 2017 s197 it is an offense to park on a nature strip or footpath; so why does Banyule City Council continue to ignore the 20+ cars that park on the nature strip of Grand Boulevard Montmorency on a daily basis? These vehicles are obstructing pedestrians, parking illegally, a danger to pedestrians, damaging Council infrastructure (footpaths), damaging the environment and killing mature trees. When will Council start issuing sanctions for illegal parking and not only say they are protecting the environment, but also actually taking action to protect the environment?</p>   |
|   | <p><b>Response:</b></p> <p><i>Natasha Swan – Director City Development</i></p> <p>Council's Traffic Enforcement officers regularly attend Grand Boulevard, Montmorency, both as part of our regular patrolling and also in response to complaints received by residents. Officers have not observed the level of illegal parking described in this question. Residents are encouraged to report any illegal parking to Council and officers can attend outside of the regular patrol schedule. Appropriate enforcement, including the issuing of infringements, is undertaken when vehicles are parking on or blocking footpaths or damaging Council assets which includes street trees.</p> |

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| <b>5</b> | <b>Name &amp; Suburb</b><br><br>Sheldon Williams, Rosanna   |
|          | <b>Question:</b><br><br>Does Council allocate grants to non incorporated groups and, if so, is it not opening itself up to any legal liability should a claim be brought against such a group?  |
|          | <b>Response:</b><br><br><i>Kath Brackett – Director Community Programs</i><br><br>Council's 'Banyule Grants Program Policy' stipulates that grant applicants must be incorporated entities or have an auspice arrangement in place where an incorporated organisation will take on the financial and acquittal responsibilities to be eligible for a grant. This is a basic eligibility criterion that is assessed on receipt of the grant application, prior to the grants being allocated to assessment panels/officer. |