

Minutes of the Ordinary Meeting of Council



Held on the 26 June 2023

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

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The Meeting opened at 7:01pm

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

Allison Beckwith – Chief Executive Officer, Darren Bennett – Director Assets & City Services, Kath Brackett – Director Community Wellbeing, Marc Giglio – Director Corporate Services, Natasha Swan – Director City Development, Krysten Forte – Governance Coordinator, Linda Chapple - Governance & Council Business Specialist, David Johnstone – Jets Youth Program Officer, Joe Schipano – IT Infrastructure Engineer, Rachael Hudson – Council Business Officer

Apologies

Cr. Elizabeth Nealy (Council granted Leave of Absence)

Leave of Absence

Nil

Confirmation of Minutes

That the following Minutes be confirmed:

Ordinary Meeting of Council held 29 May 2023

Moved: Cr Fiona Mitsinikos

Seconded: Cr Rick Garotti

CARRIED

Disclosure of Interests

Nil

Presentation

Director Corporate Services, Marc Giglio presented a high-level overview of the budget at item 3.6

1. URGENT BUSINESS

Nil

2. PETITIONS**2.1 PETITION: BANYULE COUNCIL TO PROVIDE A COMMUNITY CENTRE FOR THE EAGLEMONT COMMUNITY**

John Walkley from Friends of Eaglemont Village addressed Council in person and was FOR the officer recommendation.

SUMMARY

1. A petition with the title 'Council to Provide a Community Centre for the Eaglemont Community' was received and signed by 258 signatories in support of this petition.
2. The breakdown of the 258 signatories is set out in the table in the body of this report.
3. The Petition request is summaries as per below:

"We, the undersigned, petition or request Council to: Provide a community facility in or near the Eaglemont Village Activity Centre that is suitable for a range of community development activities".

RECOMMENDATION

That Council:

1. Receives and notes the petition.
2. Refers the petition to the Sport Recreation and Community Infrastructure Team.
3. Advise the primary petitioner of this resolution.

Resolution (CO2023/101)

That Council:

1. Receives and notes the petition.
2. Refers the petition to the Sport Recreation and Community Infrastructure Team.
3. Advise the primary petitioner of this resolution.

Moved: Cr Alida McKern

Seconded: Cr Peter Dimarelos

CARRIED

3. OUR TRUSTED AND RESPONSIVE LEADERSHIP**3.1 GOVERNANCE RULES STAGE 2 REVIEW**

Brian Grace from Good Governance Banyule addressed Council in person and was FOR the officer recommendation

SUMMARY

1. In September 2022 a review of the Governance Rules was undertaken as required by the *Regulatory Legislation Amendment (Reform) Bill 2021*.
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2. Community consultation was undertaken, and feedback was provided on key changes, resulting in an amended set of Governance Rules (the Rules) which were adopted in November 2022.
3. At that time, Council made a commitment to undertake a Stage 2 Review of the Rules with a sole focus on community participation in Council meetings. As such, the review process has now commenced.
4. It is important to note that for the purpose of the Stage 2 Review, the way the community 'participates' in Council meetings refers to making formal submissions (or 'Requests to Speak', these two terms are used interchangeably), lodgement of a public question, and submitting a petition.
5. All other sections of the Rules are not included in this Stage 2 Review and are considered out of scope.
6. A new chapter will be inserted into the existing Rules under the creation of Chapter 3 Public Participation. This chapter will incorporate all information from our current Rules, relating to public participation and display all suggested changes, in addition there will be updated criteria and suggested new criteria for consideration and consultation.
7. Chapter 3 will be a 'one stop' source of information for our community on how to participate in Council meetings, as opposed to the current format in which information is sporadically distributed throughout the document. Therefore, making the information more accessible and easier to locate.
8. Under section 60(4) of the *Local Government Act 2020*, Council is required to engage with the community on any proposed changes to the Rules and as a result, a community consultation period will occur between Thursday 29 June and Thursday 20 July 2023.
9. A community engagement plan has been prepared setting out methodologies and timeframes and is included in the body of this report.
10. Under section 9 of the *Gender Equality Act 2020*, Council is considered a defined entity and must conduct a formal Gender Impact Assessment. An assessment has been conducted and considerations are included throughout the body of this report.

RECOMMENDATION

That Council:

1. Endorses the Banyule City Council Draft Chapter 3 of the Governance Rules attached to this report.
2. Approves community consultation on the Draft Chapter 3 of the Governance Rules to commence from Thursday 29 June 2023 to Thursday 20 July 2023 pursuant to section 60(4) of the *Local Government Act 2020* and Council's Community Engagement Policy.
3. Notes officer findings from the preliminary Gender Impact Assessment conducted pursuant to section 9 of the *Gender Equality Act 2020*; and
4. Notes a report will be presented to Council in September 2023 for Council to consider and adopt the final Banyule City Council Chapter 3 Governance Rules under section 60 of the *Local Government Act 2020*.

MOTION

That Council:

1. Endorses the Banyule City Council Draft Chapter 3 of the Governance Rules attached to this report with an amendment to:

- Part 68, Rule 9 to remove Rule 9 and not prescribe that a public question submitter needs to attend the Council Meeting for the question and response to be read out at the Council Meeting and

- Part 68, Rule 13, subrule (d) and (k) to remove the sub rule (d) and (k) and not prescribe the requirement that the question would be disallowed if the question has been asked and answered in the last 12 months through a formal public question and deals with a subject matter already answered at the Council meeting.

2. Approves community consultation on the Draft Chapter 3 of the Governance Rules to commence from Thursday 29 June 2023 to Thursday 20 July 2023 pursuant to section 60(4) of the *Local Government Act 2020* and Council's Community Engagement Policy.

3. Notes officer findings from the preliminary Gender Impact Assessment conducted pursuant to section 9 of the *Gender Equality Act 2020*; and

4. Notes a report will be presented to Council in September 2023 for Council to consider and adopt the final Banyule City Council Chapter 3 Governance Rules under section 60 of the *Local Government Act 2020*.

Moved: Cr Alida McKern

Seconded: Cr Mark DiPasquale

LOST

Resolution (CO2023/102)

That Council:

1. Endorses the Banyule City Council Draft Chapter 3 of the Governance Rules attached to this report.
2. Approves community consultation on the Draft Chapter 3 of the Governance Rules to commence from Thursday 29 June 2023 to Thursday 20 July 2023 pursuant to section 60(4) of the *Local Government Act 2020* and Council's Community Engagement Policy.
3. Notes officer findings from the preliminary Gender Impact Assessment conducted pursuant to section 9 of the *Gender Equality Act 2020*; and
4. Notes a report will be presented to Council in September 2023 for Council to consider and adopt the final Banyule City Council Chapter 3 Governance Rules under section 60 of the *Local Government Act 2020*.

Moved: Cr Rick Garotti

Seconded: Cr Peter Dimarelos

CARRIED

3.2 PROPOSED ANNUAL BUDGET 2023-2027 - DECLARATIONS OF CONFLICTS INTEREST**SUMMARY**

1. The Proposed Budget 2023-2027 has been prepared to deliver the overall strategic direction for Banyule.
2. Council's Budget comprises services, initiatives and capital works across the municipality.
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 decision making process (proposed Budget and final Budget) 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 specified 'Budget Declarations' process.
5. If a Councillor declares a conflict of interest, they must outline the nature of the interest, the type of interest that they have (material or general) and leave the Chamber at the request of the Mayor/Chairperson.
6. The conflict of interest regime is prescribed under the *Local Government Act 2020* (the Act) and in the *Local Government (Governance and Integrity) Regulations 2020* (the Regulations). It is also set out in the Governance Rules.
7. Managing conflicts of interest is about ensuring the integrity and transparency of decision making and ensuring that a person's private interest does not impacting their public duty.
8. Providing the opportunity to declare before the adoption of the proposed budget strengthens these principles.
9. Under the *Local Government Act 2020*, there are two (2) types of conflicts of interest that are defined, general conflict of interest (s 127) and material conflict of interest (s 128).
10. 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 2023-2027.
11. This report provides an opportunity for Councillors to disclose any conflicts in relation to the proposed Budget 2023 – 2027 prior to public exhibition.

RECOMMENDATION

That:

1. The Mayor invite Councillors to disclose any conflicts of interest (material or general) in relation to adoption of the proposed Budget 2023-2027 to be released for public exhibition describing the nature of the interest in accordance with the *Local Government Act 2020* and the Banyule Governance Rules.
 2. Following each disclosure, Council consider and determine upon the relevant project and the associated funding in the Budget 2022-2027. Prior to the proposed budget 2022 – 2027 adoption.
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Resolution (CO2023/103)

That:

1. The Mayor invite Councillors to disclose any conflicts of interest (material or general) in relation to adoption of the proposed Budget 2023-2027 to be released for public exhibition describing the nature of the interest in accordance with the *Local Government Act 2020* and the Banyule Governance Rules.
2. Following each disclosure, Council consider and determine upon the relevant project and the associated funding in the Budget 2022-2027. Prior to the proposed budget 2022 – 2027 adoption.

Moved: Cr Mark Di Pasquale

Seconded: Cr Rick Garotti

CARRIED

3.3 COUNCIL PLAN 2021-2025 - ADOPTION OF YEAR 3 ANNUAL ACTION PLAN 2023/2024**SUMMARY**

1. This report presents the Year 3 Annual Action Plan of the Banyule's Council Plan for adoption.
2. The Council Plan 2021-2025 - Draft Year 3 Annual Action Plan 2023/24 (Attachment 1):
 - 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 2022 – March 2023, which were closely linked to annual review of the Budget, Capital Works and 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.
3. The proposed Council Plan 2021-2025 - Year 3 Annual Action Plan 2023/24 was made available on Council's website for public feedback through Council's engagement platform, Shaping Banyule from 30 May to 6 June 2023. In addition, written responses were invited during this period.
4. Having considered all feedback received only minor adjustments have been made to strengthen the Action Plan and increase areas of emphasis in response to the valuable comments and suggestions received.

RECOMMENDATION

That Council:

1. Adopt the Council Plan 2021-2025 - Draft Year 3 Annual Action Plan 2023/24 (Attachment 1).
2. Notes the community feedback, valuable comments and suggestions provided during the community engagement activities and extends thanks and appreciation to the

community members who participated in the integrated planning community engagement activities.

3. Make the Council Plan 2021-2025 Year 3 Annual Action Plan 2023/24 available on Council's website and promote it via the Banyule Banner magazine.
4. Note this report is in accordance with Section 90 of the *Local Government Act 2020* and Council's annual review of the Council Plan.

Resolution (CO2023/104)

That Council:

1. Adopt the Council Plan 2021-2025 - Draft Year 3 Annual Action Plan 2023/24 (Attachment 1).
2. Notes the community feedback, valuable comments and suggestions provided during the community engagement activities and extends thanks and appreciation to the community members who participated in the integrated planning community engagement activities.
3. Make the Council Plan 2021-2025 Year 3 Annual Action Plan 2023/24 available on Council's website and promote it via the Banyule Banner magazine.
4. 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 Tom Melican

CARRIED

3.4 ADOPTION OF REVENUE AND RATING PLAN 2024-2027**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 draft Revenue and Rating Plan 2023-2027 (the Plan) has been publicly exhibited and has received comment in relation to the waste rates and the cultural and recreational lands methodology.
 3. It is presented to Council for adoption with one change. All current revisions to the Cultural and Recreational Lands methodology will be removed from the Policy for 2023-2027 and considered further against property valuation and zoning data verifications in 2024.
 4. There are no changes in the general structure to Council's revenue model from the Revenue and Rating Plan 2022-2026.
 5. Municipal concessions funded by the Victorian Government to holders of pension cards have not increased with CPI as they have in previous years.
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RECOMMENDATION

That Council:

1. Note the Cultural and Recreational Lands methodology will be reviewed in 2024.
2. Adopt the Revenue and Rating Plan 2023-2027 without the proposed revision to the Cultural and Recreational Lands methodology.
3. Thank the members of the community that have provided feedback on the Draft Revenue and Rating Plan 2023-2027.
4. Publish the Revenue and Rating Plan 2023-2027 on Council's website.
5. Write to the Hon. Lizzie Blandthorn, Minister for Disability, Ageing and Carers and Minister for Child Protection and Family Services, Vicki Ward MLC, Hon. Colin Brooks MLC and Hon. Anthony Carbines MLC expressing Council's concern with the non-indexation of the municipal concession for the 2023/24 financial year and the subsequent stress this will place on pensioners in Banyule.

Resolution (CO2023/105)

That Council:

1. Note the Cultural and Recreational Lands methodology will be reviewed in 2024.
2. Adopt the Revenue and Rating Plan 2023-2027 without the proposed revision to the Cultural and Recreational Lands methodology.
3. Thank the members of the community that have provided feedback on the Draft Revenue and Rating Plan 2023-2027.
4. Publish the Revenue and Rating Plan 2023-2027 on Council's website.
5. Write to the Hon. Lizzie Blandthorn, Minister for Disability, Ageing and Carers and Minister for Child Protection and Family Services, Vicki Ward MLC, Hon. Colin Brooks MLC and Hon. Anthony Carbines MLC expressing Council's concern with the non-indexation of the municipal concession for the 2023/24 financial year and the subsequent stress this will place on pensioners in Banyule.

Moved: Cr Rick Garotti

Seconded: Cr Peter Dimarelos

CARRIED

3.5 ADOPTION OF RATES HARDSHIP ASSISTANCE POLICY 2023-2024**SUMMARY**

1. Council's existing Rates Financial Hardship Assistance Policy has been reviewed and this report outlines the proposed changes to the Rates Financial Hardship Assistance Policy for the period 1 July 2023 to 30 June 2024 for adoption by Council.
2. The Rates Financial Hardship Assistance Policy 2023/24 (the Policy) outlines the process of applying for and assessing hardship applications as well as the assistance available to ratepayers in hardship.
3. Minor changes from the prior year have been made to the Policy to clarify eligibility, allowing for waivers for compassionate grounds and to re-enforce Council's desire for ratepayers in hardship to be seeking financial counselling.
4. The draft Policy was exhibited through Shaping Banyule from 30 May to 6 June 2023 and has now been finalised and made available, without change, for council to consider its adoption.

RECOMMENDATION

That Council:

1. Adopt the Rates Financial Hardship Assistance Policy 2023/24.
2. Note the transparent and simple financial hardship application process and criteria to be used to assess the eligibility for a partial rate waiver and/or interest waiver.
3. Continue to publicise the assistance available through rates notices, budget brochures and Council's website.
4. Continue to report on the number and extent of hardship applications received and processed within the quarterly financial management report.

Resolution (CO2023/106)

That Council:

1. Adopt the Rates Financial Hardship Assistance Policy 2023/24.
2. Note the transparent and simple financial hardship application process and criteria to be used to assess the eligibility for a partial rate waiver and/or interest waiver.
3. Continue to publicise the assistance available through rates notices, budget brochures and Council's website.
4. Continue to report on the number and extent of hardship applications received and processed within the quarterly financial management report.

Moved: Cr Rick Garotti
Seconded: Cr Tom Melican

CARRIED

3.6 ADOPTION OF BANYULE CITY COUNCIL BUDGET 2023-2027

SUMMARY

1. This report is presented for the adoption of Banyule City Council's Proposed Budget for 2023-2027 in accordance with the *Local Government Act 2020* and *Local Government (Planning and Reporting) Regulations 2020*.
2. The Proposed Budget 2023-2027 (Proposed Budget) 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 formulated its Proposed Budget with a primary focus on long-term financial sustainability, taking into consideration the extended recovery from the impacts of COVID-19 on Council's services. The Proposed Budget aims to maintain the sustainability of Council's finances while allocating appropriate resources to address the community's service and capital needs.
4. This Proposed 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 (Mid-December 2022 to Mid-March 2023), the supported feedback has been incorporated into the Proposed Budget (attached).
5. The Proposed Budget was made available on Council's website for public exhibition and feedback was encouraged through our engagement platform, Shaping Banyule, from 30 May to 6 June 2023. This ensures that the budget remains aligned with the community's preferences and needs.
6. No changes have been made to the Proposed Budget since public exhibition as a result of the feedback received.
7. Council has been slow to recover from the financial impacts of COVID-19, and as a recovery proposed budget will continue to adapt its services to provide support to the community.
8. The Proposed Budget has been amended for minor reassessment of fees and charges and other insignificant formatting updates with changes outlined in this report.

RECOMMENDATION

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 2023-2027 with the modifications on 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 2023 and ending 30 June 2024 as detailed in the Proposed Budget 2023-2027.
 3. Writes to all organisations funded in the Proposed Budget 2023-2027 regarding the funding they will receive.
 4. Makes the adopted Proposed Budget 2023-2027 available through Council's website and that the Minister for Local Government be advised.
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5. Resign and withdraw Council's membership with the Victorian Local Governance Association (VLGA) and authorise the Chief Executive Officer or Council delegate to inform the VLGA of the membership cancellation immediately, noting that it does not take effect until 6 months after the VLGA have received the resignation.

Resolution (CO2023/107)

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 2023-2027 with the modifications on fees & charges and amending 57 municipal laws council fees to increase between 0.00% and 3.90% (average 2.87%) across animal management, filming fees, Local law permits, release fees and construction management.
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 2023 and ending 30 June 2024 as detailed in the Proposed Budget 2023-2027.
3. Writes to all organisations funded in the Proposed Budget 2023-2027 regarding the funding they will receive.
4. Makes the adopted Proposed Budget 2023-2027 available through Council's website and that the Minister for Local Government be advised.
5. Resign and withdraw Council's membership with the Victorian Local Governance Association (VLGA) and authorise the Chief Executive Officer or Council delegate to inform the VLGA of the membership cancellation immediately, noting that it does not take effect until 6 months after the VLGA have received the resignation.

Moved: Cr Rick Garotti

Seconded: Cr Tom Melican

CARRIED

3.7 AWARD OF CONTRACT NO. MAV NPN04-13 SUPPLY OF WASTE TRUCKS

SUMMARY

1. This report is to consider the awarding of Contract No. MAV NPN04-13 Supply of Trucks, with the engagement of contractors from another MAV contract Specialised Truck Bodies ST20092, combining the cab-chassis and compactor to deliver complete waste trucks to Council.
2. Council previously approved the use of Municipal Association of Victoria (MAV) Procurement, National Procurement (NPN) contracts. These contracts provide benefits of collective purchasing and to improve efficiency in the procurement process for Council's Fleet.
3. Tender submissions were received from four companies in total.
4. During the tender evaluation process, an opportunity arose to expedite the purchase of two (2) new waste collection trucks. Given the worldwide supply chain issues currently being experienced, this was considered an attractive proposition.
5. Therefore, although the tender was for nine (9) trucks, the Tender Evaluation Panel (TEP) has recommended awarding the partial contract of seven (7) waste trucks to

Isuzu Australia Ltd in accordance with the tender and conditions as determined by Council.

6. The seven (7) waste trucks are expected to be available for delivery to Council in the third quarter (Q3) of 2024.
7. The procurement of the two (2) new waste collection trucks available in 2023 under exemption, will be considered under a separate report within this agenda titled *Direct Purchase of Two (2) Waste Trucks*.

RECOMMENDATION

That Council:

1. Award Contract No. MAV NPN04-13 Supply of Trucks to Isuzu Australia Ltd for \$3,591,730.89 (ex. G.S.T)
2. Authorise the Chief Executive Officer or delegate to sign the contract and any other associated documents.

Resolution (CO2023/108)

That Council:

1. Award Contract No. MAV NPN04-13 Supply of Trucks to Isuzu Australia Ltd for \$3,591,730.89 (ex. G.S.T)
2. Authorise the Chief Executive Officer or delegate to sign the contract and any other associated documents.
3. Amend its Procurement Policy to require that a Best and Final Offer (BAFO) process is undertaken for all tenders.
4. Note the purchase of further fossil fuel vehicles could result in Council failing to deliver on its Carbon Neutrality target of 2028.
5. Request a further report which outlines a strategy to achieve Banyule's target of net zero emissions by 2028, as stated in the Council Plan and Corporate Emissions Reduction Plan.
6. The above-mentioned report to include a focus on Councils heavy fleet vehicles which considers:
 - a) A summary of actions undertaken since adopting the Corporate Emissions Reduction Plan.
 - b) Market analysis of the industry and research undertaken to date.
 - c) A strategy to encourage zero emission heavy vehicle options to market.
 - d) Options to enable Banyule's waste services to be undertaken by zero emission fleet.
 - e) Options to enable a transition to occur which meets our target.
 - f) Any other elements important to deliver on Banyule's Council Plan and environmental commitments.

Moved: Cr Alida McKern
Seconded: Cr Peter Castaldo

CARRIED

3.8 DIRECT PURCHASE OF TWO (2) WASTE TRUCKS

SUMMARY

1. This report is to consider the purchase of two (2) Iveco Waste trucks under MAV NPN04-13, with the engagement of contractors from another MAV contract Specialised Truck Bodies ST20092, combining the cab-chassis and compactor to deliver complete waste trucks to Council.
2. Council previously approved the use of Municipal Association of Victoria (MAV) Procurement, National Procurement (NPN) contracts, Procurement Australia (PA) and State Government Contracts. These contracts provide benefits of collective purchasing and to improve efficiency in the procurement process of Council's Fleet.
3. The report is seeking endorsement to purchase two (2) new waste collection trucks from Iveco/Adtrans Truck Centre Pty Ltd for delivery in 2023.
4. The expedited purchase of two (2) waste trucks separate to the tender process outlined in the previous report is recommended given some of Council's current waste fleet is overdue for renewal.
5. The supply of these trucks is in accordance with the tender and conditions as determined by Council.

RECOMMENDATION

That Council:

1. Award the direct purchase under exemption for the Supply of two (2) Trucks from Iveco/Adtrans Truck Centre Pty Ltd for \$961,500.16 (ex. G.S.T).
2. Authorise the Chief Executive Officer or delegate to sign the contract and any other associated documents.

Resolution (CO2023/109)

That Council:

1. Award the direct purchase under exemption for the Supply of two (2) Trucks from Iveco/Adtrans Truck Centre Pty Ltd for \$961,500.16 (ex. G.S.T).
2. Authorise the Chief Executive Officer or delegate to sign the contract and any other associated documents.

Moved: Cr Rick Garotti
Seconded: Cr Peter Dimarelos

CARRIED

3.9 RECORD OF COUNCILLOR MEETINGS**SUMMARY**

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

If there is a meeting of Councillors that:

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

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

Record of Meetings

1	Date of Meeting:	22 May 2023, 6:30pm
	Type of Meeting:	Councillor Development Workshop
	Matters Considered:	
	Councillor Development	
	Councillors Present:	
	Mayor Cr Peter Castaldo Deputy Mayor Cr Alida McKern Cr Alison Champion Cr Mark Di Pasquale Cr Rick Garotti Cr Tom Melican Cr Fiona Mitsinikos Cr Elizabeth Nealy	
	Staff Present:	
Allison Beckwith - <i>Chief Executive Officer</i>		
Others Present: Nil		
Conflict of Interest:		Nil

2	Date of Meeting:	29 May 2023, 5:34pm
	Type of Meeting:	Pre-Brief
	Matters Considered:	
2.1 Provide a Local Park West of the Eaglemont Village Activity Centre		
3.1 Record of Councillor Meetings		
3.2 Instrument of Delegation from Council to the Chief Executive Officer		

<p>3.3 Instrument of Delegation from Council to Members of Council Staff 3.4 Instrument of Sub -Delegation and Appointment and Authorisation- Environment Protection Act 2017 3.5 Instrument of Appointment to Authorised Officers under the Planning and Environment Act 1987 3.6 Proposed Budget 2023-2027 - Declarations of Conflicts Interest 3.7 Public Exhibition - Integrated Planning Documents for the period 2023/24 3.8 Quarterly Financial Management Report - December 2022 3.9 Quarterly Financial Management Report - March 2023 3.10 Proposed Sale of 78-80 Hawdon Street, Heidelberg 3.11 Award of Contract No. 1273-2023 - Panel for Construction of Sportsfield and Carpark Lighting Projects 4.1 Older Adults Strategic Plan 2017 - 2021 Achievements Report 5.1 Nomination for Climate Emergency Australia Executive 6.1 180 Upper Heidelberg Road Ivanhoe - Amendment to an Existing Licensed Premises (P674/2018) 6.2 103 Marshall Street, Ivanhoe - Cafe, Gym, and Store in existing building (P765/2022) 6.3 East Ivanhoe Village Streetscape Upgrade - Final Concept Plan 6.4 Various Parking matters 7.1 Banyule Art Collection - Recommendation to Acquire New Art Works 7.2 50 Banyule Road, Rosanna (Banyule Primary School) - Proposed Part Road Discontinuance and Sale of Land 7.3 Proposed Discontinuance of Road (part RW223) and Sale of Land 8.1 Proposed Adoption of Banyule Economic Development Strategy 2023 - 2028 9.1 Notice of Motion - Pest animal management - Control of foxes within the City of Banyule and exploration of options to minimise impact to biodiversity within an urban context</p>	
<p>Councillors Present: Mayor Cr Peter Castaldo Deputy Mayor Cr Alida McKern – arrived 5:37pm Cr Alison Champion Cr Peter Dimarelos Cr Mark Di Pasquale – arrived 5:45pm Cr Rick Garotti – arrived 5:51pm Cr Tom Melican Cr Elizabeth Nealy</p>	
<p>Staff Present: Allison Beckwith - <i>Chief Executive Officer</i> Darren Bennett – <i>Director Assets & City Services</i> Marc Giglio – <i>Director Corporate Services</i> Natasha Swan – <i>Director City Development</i> Kath Brackett – <i>Director Community Wellbeing</i> Krysten Forte – <i>Governance Coordinator</i> Linda Chapple - <i>Governance & Council Business Specialist</i> Joel Elbourne – <i>Manager Planning, Building & Laws</i></p>	
<p>Others Present: Nil</p>	
<p>Conflict of Interest:</p>	<p>Nil</p>

3	Date of Meeting:	5 June 2023, 6:33pm
	Type of Meeting:	Councillor Briefing
	Matters Considered:	
	1.1 Housing Discussion Paper' and 'Interim Social and Affordable Housing Policy 1.2 Urban Food Strategy Presentation 1.3 Gambling and Harm Minimisation Policy Position 1.4 Banyule Cemeteries Trust – Future Management Options 2.1 Environment Grants 2022/2023 Round 2 Assessment 2.2 Parklets and Outdoor Dining Permits – Update 2.3 Ivanhoe Golf Course – Upgrade & Resurfacing	
	Upcoming ALGA conference – seeking tips from previous participants	
	Councillors Present:	
	Mayor Cr Peter Castaldo Deputy Mayor Cr Alida McKern Cr Alison Champion Cr Peter Dimarelos Cr Fiona Mitsinikos Cr 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> Kath Brackett – <i>Director Community Wellbeing</i> Michael Tanner– <i>Acting Director Assets & City Services</i> Krysten Forte – <i>Governance Coordinator</i> Linda Chapple - <i>Governance & Council Business Specialist</i> Karen Leeder - <i>Manager City Futures</i> Fae Ballingal - <i>Strategic Planning & Urban Design Coordinator</i> Emily Harriss – <i>Strategic Planner</i> Jo Wilson – <i>Manager Resilient and Connected Communities</i> Danielle Clarke – <i>Social Policy & Planner Team Leader</i> Jan Richardson - <i>Cemetery Administration and Support Officer</i> Stephen Coulthard – <i>Financial Accounting Coordinator</i>		
Others Present:		
Nick Rose - Sustain: The Australian Food Network Director		
Conflict of Interest:	Nil	

RECOMMENDATION

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

Resolution (CO2023/110)

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

Moved: Cr Mark Di Pasquale

Seconded: Cr Fiona Mitsinikos

CARRIED

4. OUR INCLUSIVE AND CONNECTED COMMUNITY**4.1 PUBLIC HEALTH CONCERNS SURROUNDING THE RETAIL OF E-CIGARETTES AND VAPES AND COUNCIL'S ADVOCACY OPTIONS****SUMMARY**

1. This report is in response to the Council resolution of 17 April 2023 Ordinary Council Meeting regarding the Notice of Motion Report relating to regulations concerning the retail of e-cigarettes and vapes and Council's advocacy options.
2. The resolution from the 17 April 2023 Council Meeting is outlined as follows:
 - A Report be presented to Council on or before 30 June 2023 regarding regulations and requirements on retailers concerning the selling and advertising of e-cigarettes and vapes, and Councils advocacy options to State & Federal Government.
3. The Report is to detail the current health crisis faced in the community from exposure and use of e-cigarettes and vapes and Council's role in promoting and protecting the health and wellbeing of the Community.
4. This report is in response to the Notice of Motion from the 17 April 2023 Council Meeting and details the current health crisis facing the community and more specifically children and adolescents, from exposure and/or use of e-cigarettes and Council's subsequent role in promoting and protecting the health and wellbeing of the Community.
5. The use of vapes and e-cigarettes among children and adolescents in Australia poses significant challenges and risks.
6. This report will further explore and provide a summary and background of the issues faced by young people, including the illegal trade of illicit vaping liquid containing nicotine and falsely labelled products.
7. The prevalence of vaping amongst young people has increased significantly in recent years. Young people aged 18-24 are the single highest users of e-cigarettes in Australia.
8. The use of e-cigarettes among young people has several short and long-term harms, including increased risks of tobacco and substance use, impeding brain development, mental health problems, pulmonary and cardiovascular disease, and unintentional injuries.

9. There has been significant community, government and media focus on the issues of e-cigarette usage and retail and potential steps to regulate in this space.

RECOMMENDATION

That Council:

1. Notes that this Report is in response to the Notice of Motion that Council resolved on the 17 April 2023 titled 'Public Health Concerns – the regulations concerning the retail of e-cigarettes and vapes and Council's advocacy options'.
2. Notes that the use of e-cigarettes across community and specifically by young people is a significant public health and wellbeing issue faced in the Banyule community that necessitates immediate action to address the associated risks and harms; and -
3. Writes to the Hon Mark Butler MP, Minister for Health and Aged Care and the Hon. Mary-Anne Thomas, Minister for Health, Health Infrastructure, Medical Research to highlight the urgent the need for comprehensive measures to protect children and adolescents from the negative consequences of vaping and to:
 - a. Advocate for the amendment of legislation to include vaping when and wherever smoke-free policies apply.
 - b. Advocate for the regulation of the selling of all types of e-cigarettes to minors regardless of nicotine content.
 - c. Support education for young people and families about the risks of:
 - exposure to first-hand and second-hand vaping aerosols
 - ingesting vaping substances
 - malfunctioning vaping devices
 - and using unregulated vaping products.

Resolution (CO2023/111)

That Council:

1. Notes that this Report is in response to the Notice of Motion that Council resolved on the 17 April 2023 titled 'Public Health Concerns – the regulations concerning the retail of e-cigarettes and vapes and Council's advocacy options'.
 2. Notes that the use of e-cigarettes across community and specifically by young people is a significant public health and wellbeing issue faced in the Banyule community that necessitates immediate action to address the associated risks and harms; and -
 3. Writes to the Hon Mark Butler MP, Minister for Health and Aged Care and the Hon. Mary-Anne Thomas, Minister for Health, Health Infrastructure, Medical Research to:
 - a. Acknowledge the 2023/2024 Federal budget allocation of \$737 million to address the harmful effects of vaping and the intention to legislate to ban all disposable vapes, ban the import of non-prescription vapes and limit nicotine levels, aiming for the sale of vapes to be confined to helping smokers quit.
 - b. To highlight the urgent the need for comprehensive measures to protect children and adolescents from the negative consequences of vaping and to: .
-

(i) Advocate for the amendment of legislation to include vaping when and wherever smoke-free policies apply.

(ii) Advocate for the regulation of the selling of all types of e-cigarettes to minors regardless of nicotine content.

(iii) Support education for young people and families about the risks of:

- exposure to first-hand and second-hand vaping aerosols
- ingesting vaping substances
- malfunctioning vaping devices
- and using unregulated vaping products

4. Note that once legislation has been finalised, a further report is to be presented to Council outlining the implications for Council and community.

Moved: Cr Rick Garotti

Seconded: Cr Mark Di Pasquale

CARRIED

5. OUR SUSTAINABLE ENVIRONMENT

5.1 DRAFT URBAN FOOD STRATEGY: ENDORSEMENT FOR PUBLIC EXHIBITION SUMMARY

1. The purpose of this paper is to seek Council endorsement for the Draft Urban Food Strategy Technical Report (**Attachment 1**) and action plan (**Attachment 2**) to proceed to public exhibition commencing on 3rd July 2023.
2. In the 2022/23 Budget, Council endorsed an initiative to develop an Urban Food Strategy and Framework. This budget was adopted by Council on 27 June 2022.
3. The Urban Food Strategy and Action Plan has been developed after extensive internal and external consultation through a co-design process.
4. Initial community consultation occurred between November 2022 and January 2023. This consultation invited community members, groups and organisations to comment on the current state of Banyule's urban food system, generate ideas and gather initial recommendations for consideration.
5. An Urban Food Strategy Working Group, consisting of 12 individuals and chaired by Councillor Alida McKern, was established to inform the development of the Urban Food Strategy.
6. Over 700 participants engaged in a range of consultation opportunities that included a survey, pop-up community sessions, kitchen table talks and workshops.
7. Public exhibition, pending endorsement, will commence on 3rd July 2023 for a period of four weeks, providing a further opportunity to give feedback and commentary to help finalise the Final Draft Urban Food Strategy and Action Plan for adoption. The Urban Food Strategy Working Group will also be re-convened for final feedback and suggested changes.

- Adoption of the final draft Urban Food Strategy and Action Plan will be sought on 28 August 2023, with an official launch tentatively scheduled for October 2023.

RECOMMENDATION

That Council:

- Endorse the Draft Urban Food Strategy Technical Report (**Attachment 1**) and Action Plan (**Attachment 2**) for a public exhibition period of four weeks commencing 3rd July 2023 and concluded on 30th July 2023.
- Note that the Urban Food Strategy and Action Plan will be presented back to Council for adoption after the community consultation process has concluded for final adoption.

Resolution (CO2023/112)

That Council:

- Endorse the Draft Urban Food Strategy Technical Report (**Attachment 1**) and Action Plan (**Attachment 2**) for a public exhibition period of four weeks commencing 3rd July 2023 and concluded on 30th July 2023.
- Note that the public exhibition will include a community survey that will be live on Shaping Banyule from July 3rd 2023.
- Note that the Urban Food Strategy and Action Plan will be presented back to Council for consideration and final adoption after the community consultation process has concluded.

Moved: Cr Alida McKern

Seconded: Cr Alison Champion

CARRIED

6. OUR WELL-BUILT CITY**6.1 INTERIM SOCIAL AND AFFORDABLE HOUSING POLICY**

Alicia Curry addressed Council in person and was AGAINST the officer recommendation. A written statement was read out on behalf of Robyn Roberts from Banyule Planning Network by Alicia Curry and was AGAINST the officer recommendation.

SUMMARY

- Banyule Council is currently reviewing and updating its Housing and Neighbourhood Character Strategies.
- As this project progresses, the research, technical analysis and initial community feedback has highlighted the urgent and increasing challenge of housing affordability in Banyule.
- A draft Interim Social and Affordable Housing Policy (the Interim Policy) has been prepared (**Attachment 1**) in direct response to this and acknowledges Council's role in enabling, advocating for, and improving the supply, quality and access to social and affordable housing.
- While the Interim Policy is mostly guiding internal Council process and priorities, making it a publicly adopted document will ensure transparency and clarity on Council's general position regarding social and affordable housing.

5. The Interim Policy will be finalised over the course of 2023/2024 and ultimately help direct Council's affordable housing activities, including partnering with State Government agencies, affordable housing providers and developers.

RECOMMENDATION

That Council:

1. Adopt the Interim Social and Affordable Housing Policy 2023.
2. Note that the Interim Social and Affordable Housing Policy 2023 is to be in place while a Banyule specific and final position on social and affordable housing is developed as Council continues to review and update its Housing and Neighbourhood Character Strategies.
3. Note that this Interim Policy has been developed with the intent to guide Council's affordable housing activities and give clarity on Council's general position regarding social and affordable housing.

Resolution (CO2023/113)

That Council:

1. Adopt the Interim Social and Affordable Housing Policy 2023.
2. Note that the Interim Social and Affordable Housing Policy 2023 is to be in place while a Banyule specific and final position on social and affordable housing is developed as Council continues to review and update its Housing and Neighbourhood Character Strategies.
3. Note that this Interim Policy has been developed with the intent to guide Council's affordable housing activities and give clarity on Council's general position regarding social and affordable housing.
4. Develop meaningful targets for the delivery of social and affordable housing as part of the final adopted Banyule Housing Strategy and Social and Affordable Housing Policy.
5. Any proposal to sell Council land for social or affordable housing be referred to Council for approval.

Moved: Cr Rick Garotti

Seconded: Cr Peter Dimarelos

Cr Alida McKern foreshadowed an amended motion which resulted in the addition of point 5.

CARRIED

6.2 HOUSING DISCUSSION PAPER

Councillor Garotti left the Chamber at 9:01pm

Councillor Garotti returned to the Chamber at 9:04pm and was present for the vote.

SUMMARY

1. Council's adopted Community Vision 2041 includes clear objectives to focus on housing diversity and affordability and how to meet the community's future housing needs.
2. Council is addressing this through a coordinated review and update of the Banyule Housing and Neighbourhood Character Strategies.
3. The project commenced in mid-2022 and included a Preliminary Discussion Paper to facilitate an initial, high-level dialogue with the community on their housing priorities, neighbourhood character values and aspirations.
4. These insights, along with specialist research, analysis and modelling have informed the next key input into the project, a Housing Discussion Paper (the Paper).
5. The Paper (Attachment 1) explains Banyule's current and emerging housing needs and to prompt a conversation with the community on what these might mean for Banyule's housing future.
6. The Paper is based around three strategic pillars:
 - o Driving housing for all
 - o Elevating good design
 - o Valuing preferred neighbourhood character
7. The Paper will serve as the focal point for the next stage of community engagement. This will run from 17 July to 31 August 2023 and provide an extensive program of activities and opportunities to participate.
8. The outcomes of this engagement will directly inform the next stage of the project, the drafting of new housing and neighbourhood character strategies.

RECOMMENDATION

That Council:

1. Endorse the Housing Discussion Paper for community engagement as attached to this report (Attachment 1).
2. Note that Council will receive a further report with a summary of engagement outcomes and directions which will in turn inform the draft Housing and Neighbourhood Character Strategies.
3. Note that the summary will be made available for the Community on Shaping Banyule, along with updates on the next stage of the project.

Resolution (CO2023/114)

That Council:

1. Endorse the Housing Discussion Paper for community engagement as attached to this report (Attachment 1).

2. Note that Council will receive a further report with a summary of engagement outcomes and directions which will in turn inform the draft Housing and Neighbourhood Character Strategies.
3. Note that the summary will be made available for the Community on Shaping Banyule, along with updates on the next stage of the project.

Moved: Cr Rick Garotti

Seconded: Cr Alison Champion

CARRIED.

Cr Alida McKern called for a Division after the vote was Carried.

FOR: Cr Mark Di Pasquale, Cr Rick Garotti, Cr Tom Melican, Cr Peter Castaldo, Cr Alison Champion, Cr Peter Dimarelos, Cr Fiona Mitsinikos

AGAINST: Cr Alida McKern

CARRIED

7. OUR VALUED COMMUNITY ASSETS AND FACILITIES

7.1 COMMUNITY INFRASTRUCTURE PLAN

Alicia Curry addressed Council in person and was AGAINST the officer recommendation
SUMMARY

1. The purpose of this report is to present the outcomes of the consultation and engagement undertaken in developing the Community Infrastructure Plan (CIP) and present a final plan for adoption. **(Attachment 1)**
2. Council adopted the Social Infrastructure Framework 2022-2032 in July 2022 which has informed the development of the CIP 2023 – 2032.
3. Population and benchmarking analysis, opportunities assessment and identified community needs have driven the planning and investment priorities in the Plan.
4. Council resolved to release a Draft Community Infrastructure Plan for broad community consultation at its meeting on 5 December 2022.
5. The consultation period concluded on 12 February 2023 with a range of consultation opportunities delivered over the 12-week period. A placed based approach was used to engage residents from across Banyule and total of 303 participated in the engagement activities.
6. The Consultation and Engagement Findings Report **(Attachment 2)** presents summary data and key feedback from the consultation to help inform the plan.
7. This consultation and engagement included: formal pop-up sessions, in person meetings and telephone conversations with residents and community groups, email and letter submissions, Councillor workshop, targeted Youth online survey and Shaping Banyule surveys.
8. The consultation tested the draft actions by asking the extent to which people agreed or disagreed as well as providing the opportunity for general feedback. The community could also comment on City wide draft actions and/or provide feedback on any of the seven precincts in Banyule. Overall, there was positive supportive of the actions Council proposed in the Draft Community Infrastructure Plan.

9. Key themes that emerged from feedback from the Community Consultation include:

- Importance of creating well located and inclusive buildings that provide opportunities for improved health and wellbeing, learning and social connection.
- Importance of multi-purpose meeting spaces with appropriate amenities in different types of community buildings that can be accessed by community service organisations, groups and residents.
- Need for Hire fees and charges of Council owned buildings to be affordable to community service organisations, groups and residents to enable the delivery of a diverse range of services, activities and events.

10. As result of the feedback, analysis, benchmarking data and opportunities assessment the CIP presents key actions that focus on the following:

- Strengthening our Community Neighbourhood House networks
- Improving our existing community infrastructure where existing is not meeting benchmark standards or there is a current or future lack of community infrastructure to meet community needs
- Making better use of existing facilities to support service delivery with innovative models.
- Creating additional spaces to support creative industries and community groups with arts and cultural opportunities
- Strengthening the value and offer of community hubs and precincts through co-location of like services and activation of spaces and places
- Planning for our future kindergarten infrastructure with the recently announced Victorian Government Early Childhood Reform

RECOMMENDATION

That Council:

1. Having considered the community feedback Council adopts the Community Infrastructure Plan 2023-2033 (CIP) (**Attachment 1**).
2. Note the CIP Community Consultation Report (**Attachment 2**) that includes a summary of community feedback, comments and suggestions received during the community consultation period.
3. Note the Implementation Plan Year 1 and Year 2 that outlines priority projects and funding (**Attachment 3**)

Resolution (CO2023/115)

That Council:

1. Having considered the community feedback Council adopts the Community Infrastructure Plan 2023-2033 (CIP) (**Attachment 1**).
2. Note the CIP Community Consultation Report (**Attachment 2**) that includes a summary of community feedback, comments and suggestions received during the community consultation period.
3. Note the Implementation Plan Year 1 and Year 2 that outlines priority projects and funding (**Attachment 3**)

4. Amend the South Precinct short term action plan to include:

- (a) Explore opportunities for community use of sports pavilions at Chelsworth Park Pavilion outside of non-peak sporting club use times.
- (b) Advocate for improved accessibility of Ivanhoe Rail Station as identified in Banyule Transport Advocacy Projects List (2022).

Moved: Cr Alida McKern

Seconded: Cr Tom Melican

CARRIED

7.2 ADOPTION OF BANYULE AQUATIC STRATEGY

SUMMARY

1. Council's vision for its aquatic facilities is to create a network of complementary, accessible, and contemporary aquatic facilities that offer a diverse range of programs and services to maximise participation and impact positively on Banyule's health and wellbeing outcomes.
2. The purpose of the Banyule Aquatic Strategy (the Strategy) is to guide decision-making around Council's four aquatic facilities – Ivanhoe Aquatic Centre, Watermarc, Watsonia Pool and Olympic Leisure Centre and to ensure that amenities, programs and services reflect the current and emerging needs of the Banyule community. The Final Strategy is found at, **Attachment 1**.
3. The Strategy takes into consideration current performance and utilisation of the facilities, the Banyule communities' health and wellbeing needs, forecasted population growth, evolving demographic shifts, planned asset renewals and Council's challenging financial landscape.
4. These facilities require significant investment, resources and maintenance programs to ensure that they meet customer expectations, community needs and can adapt to changing consumer demands.
5. The Strategy recommends the adoption of an aquatic facility hierarchy that aligns with a service level to help guide future direction and development.
6. During 2021/22 nearly 1 million visits were made across the four facilities.
7. Covid-19 and the resulting mandates significantly impacted the operation of Council's four aquatic and leisure facilities. Since the facilities reopened and programs and services recommenced in late 2021, demand for aquatic programs and services, including learn-to-swim enrolments, school and carnival bookings and lap swimming have been strong.

RECOMMENDATION

That Council:

1. Adopts the Banyule Aquatic Strategy 2023 – 2026 at **Attachment 1** to this report.
2. Receives a further report in June 2024 to report on annual progress of the Banyule Aquatic Strategy 2023-2026.

Resolution (CO2023/116)

That Council:

1. Adopts the Banyule Aquatic Strategy 2023 – 2026 at **Attachment 1** to this report.
2. Receives a further report in June 2024 to report on annual progress of the Banyule Aquatic Strategy 2023-2026.

Moved: Cr Peter Dimarelos

Seconded: Cr Mark Di Pasquale

CARRIED

8. OUR THRIVING LOCAL ECONOMY

8.1 UPDATE ON PARKLETS PROGRAM AND ADOPTION OF PARKLET POLICY

Councillor Champion left the Chamber at 9:33pm did not return to the Chamber and was not present for the vote.

Councillor Di Pasquale left the Chamber at 9:33pm.

Councillor Di Pasquale returned to the Chamber at 9:36pm and was present for the vote.

SUMMARY

1. This report is to update Council on the status of the temporary and future parklets.
2. The parklets were delivered as part of the State Governments emergency support packages to assist businesses during and after the COVID19 restrictions.
3. Council received a report on 27 June 2022 with recommendations to support the existing parklets program.
4. Several actions have been undertaken by Council Officers in response to Council's resolutions. These relate primarily to the long-term future of the parklets.

RECOMMENDATION

That Council:

1. Receive and update on the Parklets Program
2. Adopt the Parklet Policy at Attachment 1 to this report.
3. Note that a further report will be received in response to the Department of Transport & Planning's parklet permit provisions with options to remove or retain existing temporary parklets.

Resolution (CO2023/117)

That Council:

1. Receive and update on the Parklets Program
2. Adopt the Parklet Policy at Attachment 1 to this report.
3. Note that a further report will be received in response to the Department of Transport & Planning's parklet permit provisions with options to remove or retain existing temporary parklets.

4. Note that any costs associated with the construction of permanent kerb outstands in place of temporary parklets will be considered in a separate report in the 2023/24 financial year.

Moved: Cr Alida McKern
Seconded: Cr Tom Melican

CARRIED

8.2 UPDATE ON EXTENDED OUTDOOR DINING PERMITS

Cr Alison Champion did not return to the chamber during debate on this item and was not present for the vote.

SUMMARY

1. This report is to update Council on the status of the temporary extended outdoor dining permits.
2. The extended outdoor dining permit exemptions were part of the State Governments emergency support packages to assist businesses during and after the COVID19 restrictions.
3. These included temporary exemptions being introduced to the planning scheme to allow for outdoor dining (and associated buildings and works) on land without the need for a planning permit /or to comply with conditions of current permits.
4. Council received a report on 27 June 2022 with the recommendation to extend the outdoor dining permits for another 12 months, in line with the State Government's extended pandemic declaration.
5. Council Officers have been assisting impacted businesses understand and prepare for the planning, health, local laws, and liquor licencing requirements as the exemptions period ends.
6. Engagement has found that extended outdoor dining, including parklets, continues to have a positive impact on Banyule's activity centres, supporting the local economy and bringing more vibrancy to these areas.
7. Currently the Banyule Footpath Trading Policy (Local Law No. 1) prohibits extended footpath trading areas and will require a minor update for this to continue.

RECOMMENDATION

That Council:

1. Note that the temporary permit exemptions for extended outdoor dining are ending.
2. Support minor changes to the Banyule Footpath Trading Policy to allow for an extended trading area and to include reference to an adopted Banyule Parklet Policy.

Resolution (CO2023/118)

That Council:

1. Note that the temporary permit exemptions for extended outdoor dining are ending.
2. Support minor changes to the Banyule Footpath Trading Policy to allow for an extended trading area and to include reference to an adopted Banyule Parklet Policy.

Moved: Cr Rick Garotti
Seconded: Cr Alida McKern

CARRIED

9. NOTICES OF MOTION

9.1 ADVOCACY OPTIONS FOR COUNCIL REGARDING STATUTORY PLANNING MATTERS UNDER THE PLANNING & ENVIRONMENT ACT 1987

Councillor Champion returned to the Chamber at 9:40pm and was present for the vote.

A written statement was read out on behalf of Robyn Roberts from Banyule Planning Network and was FOR the officer recommendation.

TAKE NOTICE that it is my intention to move:

That Council:

1. Note that the Independent Broad-based Anti-corruption Commission's (IBAC) Operation Sandon Final Report is likely to be released to the sector in the near future that will include a range of recommendations and outcomes that may impact the local government sector and its delegated authority under the *Planning & Environment Act 1987* as it relates to statutory planning applications.
2. Request a report to be presented back to the Council meeting scheduled directly after the release of the IBAC Operation Sandon Final Report detailing the relevant and appropriate advocacy and action that Council may be able to take regarding the potential outcomes and recommendations arising out of the Independent Broad-based Anti-corruption Commission's (IBAC) Operation Sandon final report.
3. Request that the report presented back to Council details other avenues that officers can investigate for Council to advocate collectively with other councils across the sector and to the Community including the Northern Councils Alliance and other Regional Planning Directors regarding the outcomes and recommendations.

Resolution (CO2023/119)

That Council:

1. Note that the Independent Broad-based Anti-corruption Commission's (IBAC) Operation Sandon Final Report is likely to be released to the sector in the near future that will include a range of recommendations and outcomes that may impact the local government sector and its delegated authority under the *Planning & Environment Act 1987* as it relates to statutory planning applications.
2. Request a report to be presented back to the Council meeting scheduled directly after the release of the IBAC Operation Sandon Final Report detailing the relevant and appropriate advocacy and action that Council may be able to take regarding the potential outcomes and recommendations arising out of the Independent Broad-based Anti-corruption Commission's (IBAC) Operation Sandon final report.
3. Request that the report presented back to Council details other avenues that officers can investigate for Council to advocate collectively with other councils across the sector and to the Community including the Northern Councils Alliance and other Regional Planning Directors regarding the outcomes and recommendations.

Moved: Cr Alida McKern
Seconded: Cr Rick Garotti

CARRIED

10. GENERAL BUSINESS

National Tree Day Activities

Cr McKern promoted the upcoming planting day along the Hurstbridge railway line, around Sherwood Road/Ashby Grove. This activity is run by the Friends of Eaglemont Village. Those who would like to be involved are encouraged to visit the Planet Arc website.

Bellfield Winter Solstice Event

On Sunday 25 June 2023, Cr McKern attended the Winter Solstice Event at Bellfield Community Garden and Hub. Cr McKern shared that it was well-attended and was thoroughly enjoyed by all who attended.

ALGA Conference

Cr Melican and Cr McKern both attended the annual Australian Local Governance Association (ALGA) National General Assembly (NGA) Conference. Cr Melican reflected on the three (3) day conference which was held from Tuesday 13 June 2023 to Thursday 15 June 2023 in Canberra.

Cr Melican shared that over 1100 Councillor delegates across Australia attended the conference with various topics and subjects discussed that impact local government.. One of the many highlights was the presentation from the Hon. Catherine King MP.

QWere St Festival

Cr Champion reflected on the annual Qwere St Festival held on Saturday, 3 June 2023. The festival catered for all age groups with entertainment, activities and musical performances from mid-afternoon to late evening. Traditionally held as part of the MidSumma Festival in February, this year there was a slight variation on the theme and held in Pride Month instead. Cr Champion shared a special acknowledgement for the the Montmorency Traders Association, various Banyule Council Officers who supported the event and especially to Councils LGBTIQA+ Advisory and Population Committee for running this event.

Out Art Exhibition at Ivanhoe Library and Cultural Hub (ILCH)

Cr Champion shared that she attended the art exhibition titled, "Missing Once In, Reborn Once" by Syrian refugee and artist, Miream Salameh and "Brain Blink" by Jodie Ohm Zuttat ILCH recently.

Cr Champion highlighted that the exhibition was a moving, educational and at times confronting, as the artworks addressed the horrors inflicted by a corrupt government upon it's own people.

Cr Champion reflected that the "Brain Blink exhibits will run until 13th July 2023 in Loft 275, while "Missing Once In" can be seen in Gallery 275 until July 30th 2023.

Cr Champion shared many thanks to Banyule our local artists as well as Councils Arts and Culture Team for bringing these works to us.

Multicultural Committee Meeting with Special Guest Mursal Sadat

Cr Mitsinikos chaired the Multicultural Committee Meeting on Wednesday, 21 June 2023 with special guest speaker Mursal Sadat.

Cr Mitsinikos shared that Mursal is a current player for the Melbourne Victory Afghani Team and reflected on her tough, courageous and emotional journey leaving behind her home and family in Afghanistan.

Cr Mitsinikos reflected that the Melbourne Victory Afghani Team need support to continue playing a game they love and welcomed attendance from the Community. The next game is on Sunday 9 July 2023 at Ron Barassi Senior Reserve One located in Docklands.

OAM Awarded to Shiek Alaa

Cr Mitsinikos congratulated Shiek Alaa on receiving an Order of Australia (OAM) that was awarded to him for ongoing service to the Islamic community, Imam Alaa Elzokm from Roxburgh Park, which was given to him at the King's Birthday 2023 Honour List (12 June 2023).

Shiek Alaa has received many awards over years, such as "Man of the Year" which he received from the Australian Muslim Achievement Awards in 2022 and Premier's Award for Community Harmony in 2020. Cr Mitsinikos formally congratulated Shiek Alaa and commended this achievement to Council.

Banyule Community Grants

Cr Di Pasquale announced that the upcoming annual Community Grants for Banyule are now open where up to \$10,000 in grants are available for various categories. To apply or for more information please visit Banyule's Facebook page <https://www.facebook.com/banyulecouncil/> and website page <https://www.banyule.vic.gov.au/About-us/Grants-programs/Community-grants>

Voice to Parliament Referendum Panel Discussion

Cr Di Pasquale announced that Council will be hosting the Voice to Parliament Referendum Panel discussion providing information on The Voice for the community. This will be held on Thursday, 29 June 2023 from 6pm-7.30pm at Ivanhoe Library Cultural Hub (ILCH).

Citizenship Ceremony 7 June 2023

The Mayor Cr Castaldo highlighted the recent Citizenship Ceremony that was held in the Great Hall at the Centre of Ivanhoe on Wednesday 7 June 2023. , noting that it was another successful ceremony with over 150 Banyule residents becoming Australian citizens.

Best Business Awards in Banyule 2023

The Mayor Cr Castaldo acknowledged the recent awards for Best Business in Banyule where there were hundreds of nominations to choose from. The winners were announced on 15 June 2023 and recommended to the community that more information can be sought at Council's Facebook page for a list of winners <https://www.facebook.com/banyulecouncil/> .

PUBLIC QUESTION TIME

1	Name & Suburb
	Michael Seymour – Suburb not provided
	Question:

	<p>Will the Council work with the RSPCA and lobby the government to get a better system of animal welfare and protection from neighbours who own nuisance dogs?”.</p>
	<p>Response:</p> <p>Reports of alleged animal welfare concerns are responded to and investigated by the RSPCA in accordance with the Prevention of Cruelty to Animals Act 1986.</p> <p>There are provisions in the Domestic Animals Act 1994 and Council’s Local Law, in relation to managing reported noise issues with dog owners. In practice, Council’s Municipal Laws team relies on information provided by neighbours impacted by barking dogs to work with dog owners to change behaviour. Detailed information such as logs of barking dogs can assist greatly if matters need to escalate through fines and to the Magistrates Court. It is noted that that Council’s Local Law will be reviewed in 2024</p> <p>Natasha Swan – Director City Development</p>

Closure of Meeting

The Meeting was closed at 10:01pm.

The next Ordinary Meeting of Council will be held on Monday, 17 July 2023

Minutes Confirmed: 17th Day of July 2023

Signed by Mayor: Cr Peter Castaldo

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