

Minutes of the Ordinary Meeting of Council



Held on the 17 April 2023

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

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The Meeting opened at 7.02pm

Acknowledgement of the Traditional Custodians

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

Inclusive Banyule 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 Elizabeth Nealy, Cr Rick Garotti, Cr Alison Champion, Cr Peter Dimarelos, Cr Mark Di Pasquale, Cr Tom Melican,

Allison Beckwith – Chief Executive Officer, Marc Giglio – Director Corporate Services, Natasha Swan – Director City Development, Darren Bennett – Director Assets & City Services, Kath Brackett – Director Community Wellbeing, Krysten Forte – Governance Coordinator, Linda Chapple - Governance & Council Business Specialist, David Johnstone - Jets Youth Programs Officer, Casey Martin – Youth Outreach & Program Worker, Sukhpreet Sidhu – IT Technical Analyst,

Apologies

Cr Fiona Mitsinikos

Leave of Absence Motion

Councillor Dimarelos declared a material conflict of interest and left the Chamber at 7.07pm.

That Council grant A Leave of Absence for Cr Dimarelos for the period Monday 24 April – Tuesday 23 May 2023.

Moved: Cr Rick Garotti

Seconded: Cr Alida McKern

CARRIED

Councillor Dimarelos returned to the Chamber at 7.08pm and was not present for the vote

Confirmation of Minutes

That the following Minutes be confirmed:

Ordinary Meeting of Council held 20 March 2023

Moved: Cr Rick Garotti

Seconded: Cr Elizabeth Nealy

CARRIED

Disclosure of Interests

The Chief Executive Officer, Ms Allison Beckwith declared a material Conflict of Interest for item 11.1 – Outcomes from the CEO Employment Matters Committee Meeting held on 13 February 2023 Report that was listed for the Confidential Council Meeting – 17 April 2023 and advised that she will not be present when Council considers this item.

Cr Peter Dimarelos declared a material Conflict of Interest for Leave of Absence Motion and was not present for the vote.

Presentation

Nil

2. PETITIONS

Nil

3. OUR TRUSTED AND RESPONSIVE LEADERSHIP

3.1 AWARDING OF CONTRACT - MAV ES8111 - ICT PROFESSIONAL & LEASING SERVICES

Kevan Hill from Banyule Ratepayers Action Group addressed Council in person and spoke FOR the recommendation.

SUMMARY

1. This Report is for Council to consider the awarding of Contract No. MAV – ES8111 – 2021.
2. In 2016, Banyule opted into the Municipal Association of Victoria (MAV) Procurement & National Procurement (NPN) contracts for various IT services.
3. The MAV-ES8111-2016 contract was refreshed in September 2021 and Council again opted to be party to the tender process.
4. Council has accessed some of the panel services on a Request for Quote basis since April 2022 and are now seeking to execute the contract with the MAV.
5. These contracts provide benefits of collective purchasing and to improve efficiency in the procurement process of Council's IT infrastructure and services.
6. The MAV – ES8111 contract covers most aspects of IT software, hardware, leasing and consulting services.
7. MAV panel received tenders from a total of 117 companies.
8. The contract term shall be for an initial period of 3 years with the option to extend for further periods of any duration up to a maximum extension period of 4 years based on satisfactory performance and meeting Council objectives.
9. The Tender Evaluation Panel (TEP) has recommended awarding the contract to MAV in accordance with the tender and conditions as determined by Council.
10. The confidential MAV tender evaluation report can be found in **Attachment 1**.

Resolution (CO2023/52)

That Council:

1. Award the head agreement of panel suppliers for Contract No. MAV – ES8111 for an estimated spend of \$3,500,000 (ex. G.S.T) for an initial period of 3 years with the option to extend for further periods of any duration up to a maximum extension period of 4 years, commencing 1 September 2021.
2. Authorise the Director Corporate Services to sign the contract and any other associated documents in regard to Contract No. MAV – ES8111.

3. Authorise the Director Corporate Services to award extensions of this Contract, subject to review of the Contractor's performance and Council's business needs, at the conclusion of the initial 3-year contract term and extension periods.

Moved: Cr Rick Garotti

Seconded: Cr Peter Dimarelos

CARRIED

3.2 AWARD OF CONTRACT NO. 1244-2022 IMPLEMENTATION OF MICROSOFT AZURE MIDDLEWARE PLATFORM

SUMMARY

1. This report is for Council to consider the awarding of Contract No. 1244-2022 – Implementation of Microsoft Azure Integration Services (AIS) Middleware Platform.
2. In alignment with Council's Digital Transformation strategy, IT & Digital Transformation Department will be implementing a Middleware Platform for integrating and connecting disparate systems across Banyule's applications landscape. Banyule's current applications landscape is comprised of a core business management system, Authority and several other systems.
3. The Tender Evaluation Panel (TEP) recommends awarding the contract to Fusion5 to implement Microsoft Azure Integration Services as the Middleware platform, in accordance with the tender and conditions as determined by Council.
4. Tenders were received from two (2) companies.
5. The contract is scheduled to commence in April 2023. The Initial Contract Term shall be for initial period of one (1) year with the option to extend for further periods of any duration up to a maximum extension period of two (2) years based on satisfactory performance and meeting Council objectives.

Resolution (CO2023/53)

That Council:

1. Award Contract No. 1244-2022- Implementation of Microsoft Azure Integration Services and Managed Services to Fusion5 for \$1,033,305.48 (ex. G.S.T) for a period of 1 year with an option to extend for a maximum of 2 years.
2. Authorise the Director Corporate Services to sign the contract and any other associated documents regarding Contract No. 1244-2022.
3. Authorise the Director Corporate Services to award extensions of this Contract, subject to review of the Contractor's performance and Council's business needs, at the conclusion of the initial 1-year contract term and extension periods regarding Award Contract No. 1244-2022.

Moved: Cr Peter Dimarelos

Seconded: Cr Rick Garotti

CARRIED

3.3 AWARDING OF CONTRACT NO: 1234-2022

PROVISION OF A PANEL FOR COACHING, FACILITATION, CAPABILITY AND COMPLIANCE

SUMMARY

1. This report is for Council to consider the awarding of Contract No. 1234-2022 – Provision of a Panel for Coaching, Facilitation, Capability and Compliance
2. The Tender Evaluation Panel (TEP) has recommended awarding the contract to 10 tenderers across 3 categories in accordance with the tender and conditions as determined by Council.
3. Tenders were received from 20 companies for the following Consultancy Services categories:
 - o Coaching
 - o Training Workshop Development and Facilitation
 - o Team/ Leadership Capability Development
 - o Compliance and OHS Training
4. The contract is scheduled to commence on 15 May 2023. The initial contract term shall be for an initial period of three (3) years with the option to extend for further periods of any duration up to a maximum extension period of one (1) plus one (1) year at the Council's discretion.

Resolution (CO2023/54)

That Council:

1. Award Contract No. 1234-2022 – Provision of a Panel for Coaching, Facilitation, Capability and Compliance, for an initial period of three (3) years with the option to extend for further periods of any duration up to a maximum extension period of one (1) plus one (1) year at Council's discretion, to the following:
 - a. Category A- Coaching
 - i. Bendelta Pty Ltd
 - ii. People Tank
 - iii. Progenuity Pty Ltd
 - iv. Robert Brennan & Associates
 - v. SafeAssure Pty Ltd
 - vi. TMS Consulting
 - b. Category B – Training Workshop Development and Facilitation
 - i. Bendelta Pty Ltd
 - ii. ICML Pty Ltd
 - iii. LKA Group t/as Wise Workplace Training
 - iv. People Tank
 - v. Time2Talk
 - vi. TMS Consulting
 - c. Category C – Team/ Leadership Capability Development
 - i. Bendelta Pty Ltd
 - ii. LKA Group t/as Wise Workplace Training
 - iii. People Tank
 - iv. SafeAssure Pty Ltd

- v. The Hub for Learning Pty Ltd
- vi. Time2Talk
- vii. TMS Consulting

d. Category D – Compliance and OH&S Training

- i. The TEP panel decided not to proceed with this category.

2. Authorise the Director Corporate Services to sign the contract and any other associated documents in relation to Contract No. 1234-2022.
3. Authorise the Director Corporate Services to award extensions of this Contract, subject to review of the Contractor's performance and Council's business needs, at the conclusion of the initial 3-year contract term and extension periods in relation to Contract No. 1234-2022.

Moved: Cr Rick Garotti

Seconded: Cr Peter Dimarelos

CARRIED

3.4 COUNCILLOR PROFESSIONAL DEVELOPMENT OPPORTUNITIES

SUMMARY

1. The Banyule Council Expense Policy [Councillor Expense Policy | Banyule Council](#) provides the opportunity for Councillors to attend conferences and training sessions to enhance their knowledge and skills to help them make informed decisions and improve effective community representation and advocacy.
2. In accordance with the Policy, Councillors are required to provide a brief report on their attendance after undertaking a major professional development activity.
3. The Australian Institute of Company Directors (AICD) are an independent and trusted organisation established for directors and business leaders, dedicated to improving the quality of governance and directorship.
4. Councillor Peter Castaldo attended the Company Director Courses facilitated and delivered by AICD on 16 September 2021.
5. Municipal Association Victoria (MAV) is a membership association and the legislated peak body for local government in Victoria.
6. Councillors Peter Dimarelos and Elizabeth Nealy attended the Company Director Courses facilitated and delivered by MAV on 4 June 2021 and 6 June 2022 respectively.
7. Another professional development program, Cranlana Centre for Ethical Leadership is available to Councillors and is a partnership between Monash University, The Myer Foundation and The Vincent Fairfax Family Foundation. It aims to assist organisations and individuals become effective and ethical agents for change, and to strengthen their capacities to "leading with courage and wisdom".
8. Councillor Alida McKern attended Monash University on 8th and 9th March 2023 and undertook a course in Executive Ethics.
9. Accordingly, a report has been prepared by Officers detailing the professional development opportunities Councillors have undertaken recently.
10. **Attachment 1** provides for accounts from Councillors Peter Castaldo, Elizabeth Nealy, Peter Dimarelos, and Alida McKern detailing their feedback and learnings on the respective courses.

Resolution (CO2023/55)

That Council:

1. In accordance with section 9.1.5 of Council's adopted Council Expenses Policy, receive and note this report regarding Councillor Professional Development Opportunities 2021-current.

Moved: Cr Rick Garotti

Seconded: Cr Elizabeth Nealy

CARRIED

3.5 RECORD OF COUNCILLOR MEETINGS

Roger Fyfe addressed Council in person and spoke AGAINST the recommendation.

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:	13 February 2023 6:30pm
	Type of Meeting:	CEO Employment Matters Committee
	Matters Considered:	
	<ul style="list-style-type: none"> • 6-month CEO Performance Review • CEO Contract • CEO Annual Performance Review meeting & date & other preparations. 	
	Councillors Present:	
Mayor Cr Peter Castaldo Cr Alison Champion Cr Mark Di Pasquale Cr Rick Garotti Cr Tom Melican Cr Fiona Mitsinikos		
Staff Present:		
Allison Beckwith – <i>Chief Executive Officer</i> (only present for the CEO 6-month performance review conversation/ presentation & not present for contract and annual performance conversation). Present from 6.35pm – 7.35pm.		
Others Present:		

	Allan Bawden – Independent Advisor and Chair – CEO Employment Matters Committee	
	Conflict of Interest:	Nil
2	Date of Meeting:	9 March 2023 6pm
	Type of Meeting:	Banyule Environment and Climate Action Advisory Committee Meeting
	Matters Considered:	
	<ul style="list-style-type: none"> • Urban Forest Strategic Plan • Waste Plan • Advocacy Priorities • ICLEI Membership • Urban Food Strategy 	
	Councillors Present:	
	Mayor Cr Peter Castaldo – arrived 6:30pm Deputy Mayor Cr Alida McKern – arrived 7:15pm	
3	Staff Present:	
	<ul style="list-style-type: none"> • Jonathan Risby – Manager Transport & Environment • Damien Harrison - Environment Coordinator • Ellie Hall - Community Climate Action Lead Environmental Sustainability • Cameron Schmelitschek - Urban Forestry Strategic Officer • Michele Purtle - Advocacy Lead • Andrew Croft - Waste Management Coordinator • Alana Shepherd - Senior Team Leader Waste Education & Facilitation 	
	Others Present:	
	Banyule Environment & Climate Action Advisory Committee Members: Paul Gale Baker Vicky Rowe Alex Tzikas Trivess Moore Sarah Bandey	
	Conflict of Interest:	Nil
3	Date of Meeting:	20 March 2023 5:30pm
	Type of Meeting:	Pre-Council Brief
	Matters Considered:	
The Agenda for the Council Meeting – 20 March 2023 including: <ul style="list-style-type: none"> • Petition - Request to Review the Incorrect "rezoning" to high impact growth zone of Liberty Parade, Bellfield • Petition - Reducing the current speed limit, adding pedestrian refuge islands and upgrading the old bus stations • Report on Property Transactions for Six Months Ending 31 December 2022 • Banyule Cemeteries Trust - Financial Statement • Banyule Cemeteries Trust - Operations Report • Council Plan 2021-25 Progress Report July to December 2022 • Record of Councillor Meetings 		

	<ul style="list-style-type: none"> • Reconciliation Action Plan 2022 Review • 2022-2023 Banyule Community, Environment and Arts and Culture Project Grant Allocations • Neighbourhood House Partnership Framework • International Campaign to Abolish Nuclear Weapons • Response to Banyule Blitz Notice of Motion • Banyule Residential Parking Permit Policy • Ivanhoe Grammar School - Public Access • Tree removal associated with the Watsonia Town Square redevelopment - P105/2023 • 118 Karingal Drive Greensborough - Telecommunications lease with Amplitel Pty Limited • Ivanhoe Sports Precinct Masterplan - Implementation Plan • Montmorency Community Hub: 1 - 3 Mountain View Road, Montmorency • Supply Chain Integrity 		
	<p>Councillors Present:</p> <p>Mayor Cr Peter Castaldo Deputy Mayor Cr Alida McKern Cr Alison Champion Cr Peter Dimarelos – arrived 5:37pm Cr Mark Di Pasquale Cr Rick Garotti – arrived 5:47pm Cr Tom Melican Cr Fiona Mitsinikos</p>		
	<p>Staff Present:</p> <p>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> Amy Woollcombe – <i>Council Business Officer</i></p>		
	<p>Others Present:</p> <p>Nil</p>		
	<table border="1" style="width: 100%;"> <tr> <td style="width: 35%;">Conflict of Interest:</td> <td>Yes Cr Peter Dimarelos for item 6.3 - Ivanhoe Grammar School - Public Access</td> </tr> </table>	Conflict of Interest:	Yes Cr Peter Dimarelos for item 6.3 - Ivanhoe Grammar School - Public Access
Conflict of Interest:	Yes Cr Peter Dimarelos for item 6.3 - Ivanhoe Grammar School - Public Access		

4	<p>Date of Meeting: 24 March 2023 10am</p> <p>Type of Meeting: Audit and Risk Committee</p>
	<p>Matters Considered:</p> <ul style="list-style-type: none"> • VAGO - Draft Audit Strategy for the Financial Year Ending 30 June 2023 • Updated Fraud and Corruption Control Policy • Pitcher Partners - Internal Audit Status Report - March 2023 • Pitcher Partners - Business Function Risk Assurance Map - March 2023 • Pitcher Partners - Internal Audit Plan - 1 March 2023 to 30 September 2023 • PR5 Status Update Report

	<ul style="list-style-type: none"> • Directors Presentation - Kath Brackett – Director Community Wellbeing • Victorian Auditor General's Office: Results of 2021-22 Local Government Audits • Follow Up Actions arising from the Committee meeting held Friday 9 December 2022 • HRIS Audit Requirements • Annual Work Plan - March 2023 • Status Report - Internal Audit and Self-Assessment Recommendations as of 1 March 2023 • Integrity Agencies - Self Assessment Status Report as of 1 March 2023 • Safety Metrics Report - 1 November 2022 to 28 February 2023 • December 2022 Quarterly Financial Management Report • Computer Assisted Audit Techniques (CAAT's) - Quarterly Report
	<p>Councillors Present:</p> <p>Mayor Cr Peter Castaldo Cr Peter Dimarelos Cr Elizabeth Nealy</p>
	<p>Staff Present:</p> <p>Allison Beckwith – <i>Chief Executive Officer</i> Darren Bennett – <i>Director Assets & City Services</i> Marc Giglio - <i>Director Corporate Services</i> Kath Brackett – <i>Director Community Wellbeing</i> Natasha Swan – <i>Director City Development</i> Tania O'Reilly – <i>Manager Finance & Procurement</i> Toni Toaldo – <i>Manager People & Culture</i> Kat Rainham - <i>Risk & Assurance Coordinator</i> Paul Wilson – <i>Risk & Assurance Advisor (Minute Taker)</i></p>
	<p>Others Present:</p> <p>Dr Irene Irvine - <i>Chairperson</i> Prof Stuart Kells – <i>Independent Representative</i> Mr Gregory Rimmer-Hollyman – <i>Independent Representative</i> Graham Noriskin – <i>Pitcher Partners (Internal Audit)</i> Richard Wilson – <i>Pitcher Partners (Internal Audit)</i> Nick Walker – <i>HLB Mann Judd</i></p>
	<p>Conflict of Interest: Nil</p>

5	Date of Meeting:	27 March 2023 5pm
	Type of Meeting:	Meeting Procedure Training for Councillors
	Matters Considered:	Meeting Procedure Training under the Governance Rules
	Councillors Present:	Mayor Cr Peter Castaldo Deputy Mayor Cr Alida McKern Cr Elizabeth Nealy Cr Tom Melican Cr Fiona Mitsinikos
	Staff Present:	

Allison Beckwith – <i>Chief Executive Officer</i> Darren Bennett – <i>Director Assets & City Services</i> Marc Giglio - <i>Director Corporate Services</i> Kath Brackett – <i>Director Community Wellbeing</i> Natasha Swan – <i>Director City Development</i> Krysten Forte – <i>Governance Coordinator</i> Linda Chapple - <i>Governance & Council Business Specialist</i> Amy Woollcombe – <i>Council Business Officer</i>	
Others Present: Nil	
Conflict of Interest:	Nil

6	Date of Meeting:	27 March 2023 6:48pm
	Type of Meeting:	Councillor Briefing
	Matters Considered:	
	<ul style="list-style-type: none"> • Quarterly Strategic Waste Update • Strategic Property Projects - History and Overview • Heidelberg & Greensborough – Strategic Site Assessment • Budget 2023/24 - including EFT, Fees and charges, Capex and Initiative • VAGO Report on Swimming Pool Regulation Council Performance • Urban Food Strategy: Project Update • Lighting at Price Park Dog Park 	
	Councillors Present:	
	Mayor Cr Peter Castaldo Deputy Mayor Cr Alida McKern Cr Elizabeth Nealy Cr Tom Melican Cr Fiona Mitsinikos Cr Mark Di Pasquale – left at 9.10pm Cr. Peter Dimarelos – arrived at 7pm.	
Staff Present:		
Allison Beckwith – <i>Chief Executive Officer</i> Darren Bennett – <i>Director Assets & City Services</i> Marc Giglio - <i>Director Corporate Services</i> Kath Brackett – <i>Director Community Wellbeing</i> Natasha Swan – <i>Director City Development</i> Krysten Forte – <i>Governance Coordinator</i> Kathy Hynes - <i>Manager Operations</i> Lucy Rasdell - <i>Manager Strategic Properties & Projects</i> Daniel Fantin - <i>Major Property Projects Coordinator</i> Tania O'Reilly - <i>Manager Finance & Procurement</i> Andrew Croft - <i>Waste Management Coordinator</i> Mohammad Rashid – <i>City Assets Coordinator</i>		
Others Present: Nil		
Conflict of Interest:	Nil	

7	Date of Meeting:	3 April 2023, 6:41pm
	Type of Meeting:	Councillor Briefing
Matters Considered:		
<ul style="list-style-type: none"> • 2022 Household survey and comparison against Liveability Survey • Community Consultation - Officer comments and recommendations - Budget 2023-27 and Council Plan 2021-2025 Year 3 actions • Community Consultation - Budget 2023-27 and Council Plan 2021-2025 Year 3 feedback • General Business - Meeting opportunities for Improvement 		
Councillors Present:		
<p>Mayor Cr Peter Castaldo Cr Elizabeth Nealy – arrived 7:01pm Cr Tom Melican Cr Fiona Mitsinikos Cr Mark Di Pasquale Cr Rick Garotti Cr Alison Champion</p>		
Staff Present:		
<p>Allison Beckwith – <i>Chief Executive Officer</i> Darren Bennett – <i>Director Assets & City Services</i> Marc Giglio - <i>Director Corporate Services</i> Kath Brackett – <i>Director Community Wellbeing</i> Natasha Swan – <i>Director City Development</i> Megan Kemp - <i>Strategic Executive Assistant to CEO & Mayor</i> Karen Leader - <i>Manager City Futures</i> Sherryn Prinzi - <i>Community Impact Coordinator</i> Andrew Whalley - <i>Social Research & Community Outcomes Officer</i> Tania O'Reilly - <i>Manager Finance & Procurement</i> Michael Fan - <i>Financial Planning & Performance Coordinator</i></p>		
Others Present:		
<p>Lucie Holden Genevieve Speechley Julie Johnston Mark Favetta Jasdip Singh Janelle Dunstan Rhonda West Karen Fitzsimons</p>		
Conflict of Interest:		Nil

Resolution (CO2023/56)

That Council receives and notes the Record of Councillor Meetings report with an amendment to be made to the record of councillor attendance for the Council pre brief meeting held on 20 March 2023 to reflect that the Banyule Residential Parking Permit Policy (BRPPP) was discussed in the meeting.

Moved: Cr Rick Garotti

Seconded: Cr Alison Champion

CARRIED

4. OUR INCLUSIVE AND CONNECTED COMMUNITY**4.1 MINUTES FROM THE AUDIT & RISK COMMITTEE MEETING HELD 24 MARCH 2023**

Kevan Hill from Banyule Ratepayers Action Group addressed Council in person spoke FOR the recommendation.

SUMMARY

1. The Audit & Risk Committee acts as an advisory committee of Council, 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. In line with the Audit & Risk Committee Charter, the minutes of each Audit & Risk Committee meeting are required to be reported to an Ordinary Council Meeting.
3. Accordingly, the minutes of the meeting held on the 24 March 2023 are presented in this report for noting by Council.
4. These minutes are subject to confirmation by the Audit & Risk Committee at its next meeting scheduled for 23 June 2023.

Resolution (CO2023/57)

That Council:

1. Note the unconfirmed meeting minutes of the Audit & Risk Committee meeting that was held on the 24 March 2023 before presentation to the Audit and Risk Committee for confirmation at its scheduled meeting for 23 June 2023.

Moved: Cr Peter Dimarelos

Seconded: Cr Elizabeth Nealy

CARRIED

4.2 ADVISORY AND POPULATION COMMITTEES REPORT - FEBRUARY - MARCH 2023**SUMMARY**

1. Advisory committees are made up of Councillors and Community members.
2. They have set terms of references (TOR) and meet to discuss relevant issues, advise Council on specific matters based on the committee's purpose and objectives, and oversee the implementation of Council's strategic plan for their respective focus.
3. Advisory Committees provide important linkages between Council, Community, State agencies and interest groups. Following each advisory committee meeting, a report is

submitted to Council to note the minutes from the committee meetings held during that previous period (for this period it is February-March 2023) and to draw attention to specific recommendations that each advisory committee wishes to bring to the attention of Council.

4. Where there have been actions requested or recommendations made by the committee, officer comments have been provided in the report.
5. Where there may be resource, workforce or project implications recommendations call for a further report to be presented back to Council or to the Committee on the impacts of such.
6. The following minutes are presented to Council for noting and are attached to the body of this report.
 - Inclusive Banyule Advisory Committee – Meeting held on 1 March 2023
 - Reconciliation Action Plan Advisory Committee – Meeting held on 15 February 2023
 - Banyule Environment and Climate Action Committee – Meeting held on 9 March 2023
 - Multicultural Committee – Meeting held on 15 February 2023
 - Banyule Disability and Inclusion Committee – Meeting held on 22 February 2023
 - LGBTIQ+ Committee – Meeting held on 9 February 2023
 - Age Friendly Committee – Meeting held on 23 March 2023

Resolution (CO2023/58)

That Council:

1. Notes the following meeting minutes and reports:
 - a) Inclusive Banyule Advisory Committee – Meeting held on 1 March 2023
 - b) Reconciliation Action Plan (RAP) Advisory Committee – Meeting held on 15 February 2023
 - c) Banyule Environment and Climate Action Committee – Meeting held on 9 March 2023
 - d) Multicultural Committee – Meeting held on 15 February 2023
 - e) Banyule Disability and Inclusion Committee – Meeting held on 22 February 2023
 - f) LGBTIQ+ Committee – Meeting held on 9 February 2023
 - g) Age Friendly Committee – Meeting held on 23 March 2023
2. Note the Reconciliation Advisory Committee (RAP) supports the Aboriginal and Torres Strait Islander Employment Pathways Research Report that has been undertaken.
3. In line with recommendation 2, request officers prepare a further report on the Aboriginal and Torres Strait Islander Employment Pathways Research Report and the viability and resource implications of the recommendations and its impacts on Council's Inclusive Employment Program, noting that this report will also be shared with the RAP and all other Population and Advisory Committee.

4. Note the recommendation from the Banyule Environment & Climate Action Advisory Committee (BECAAC) is that Council pursue membership of Local Government for Sustainability Oceania (ICLEI) for a trial year of 2023/24.
5. Note that in line with recommendation 4, request that the Banyule Environment & Climate Action Advisory Committee receives an activity and evaluation report before a recommendation is made on continued membership and additionally provide these recommendations to Council at a future Council meeting.
6. Note the Age Friendly Committee recommendations request that:
 - a) That there is no monetary charge associated for attendance at the Banyule Volunteer Celebration scheduled 17 May 2023 for individual volunteers.
 - b) That community events that are not age specific are scheduled to be held during the daytime as opposed to night-time, as night-time is often not as accessible for older adults.
7. Note the officer recommendations and responses to the above recommendations are as follows:
 - a) That Council does not intend for individual volunteers to be charged the full amount of a ticket for the Banyule Volunteer Celebration, however note that volunteers and not-for-profit organisations would be expected to make a small contribution currently set at \$10 for their ticket towards the ticket for the event.
 - b) In the instances where volunteer groups or organisations do not have the ability to pay for a ticket due to limited funds or special circumstances, Council will make available free tickets to individual volunteers.
 - c) In relation to the recommendation at 6(b) note that as part of annual event planning processes for events officers will plan for more community events to be held during the daytime to accommodate greater participation.

Moved: Cr Alida McKern
Seconded: Cr Tom Melican

CARRIED

4.3 DEVELOPMENT OF AN ABORIGINAL ACTION PLAN

Uncle Charles Pakana addressed Council in person and spoke FOR the recommendation.

SUMMARY

1. Council's Innovate Reconciliation Action Plan (RAP) 2020-2022 set a vision, desired outcomes and guided actions related to advancing reconciliation in Banyule until 2022.
2. The RAP expired in September 2022 and as such Council has undertaken a review of the RAP to consider its success and key learnings for future strategic reconciliation planning with the RAP Final Report being adopted at the 20 March 2023 Council meeting.

3. Following the completion of Council's RAP, Council alongside the RAP Advisory Committee considered how Council is best placed to strategically advance Council's Reconciliation efforts with our First Nation community.
4. Two (2) options were considered; developing a localised Aboriginal, self-determination strategy that aligns with the core pillars of the new Victorian Aboriginal Local Government Strategy or developing a new Reconciliation Action Plan (RAP).
5. At the 5 December 2022 Council meeting, Council noted the recommendation from Council's RAP Advisory Committee for Council to develop an Aboriginal Action Plan (Strategy) using the Victorian Aboriginal Government Strategy as the new strategic way forward for reconciliation and resolved to receive a further report on the matter.

Resolution (CO2023/59)

That Council:

1. Having considered the recommendation from the RAP Advisory Committee, endorse the development of an Aboriginal Action Plan (Strategy) using the Victorian Aboriginal Local Government Strategy.

Moved: Cr Elizabeth Nealy

Seconded: Cr Peter Dimarelos

CARRIED

4.4 COMMUNITY CONSULTATION - FEEDBACK RECOMMENDATIONS FOR COUNCIL CONSIDERATION ON BUDGET 2023-27 AND COUNCIL PLAN 2021-2025 YEAR 3 ACTIONS

In line with the Community Feedback Forum held on 7 March 2023 – there was no further submissions or opportunities to speak on this item as prior opportunity to speak to the Councillors on these items had been provided.

SUMMARY

- This report is to enable Council to formally consider community engagement feedback on the draft integrated planning documents - Budget 2023-2027 (comprising the Budget Principles, Capital works and Initiatives program) and the Council Plan 2021-2025 Year 3 Action Plan.
- Community engagement occurred from mid-December 2022 to mid-March 2023 for the draft annual Capital Works and Initiatives Program Year 1 2023/24 and high-level financial principles. The draft Council Plan 2021 – 2025, Year 3 Action Plan was out for community engagement from February 16 to 2 March 2023.
- Feedback has been sought via Council's engagement platform, Shaping Banyule, two online information sessions on 13/14 December 2022 and two community drop-in sessions in February 2023.
- Eighty-six (86) pieces of feedback were received from sixty-eight (68) individuals and organisations on the financial principles being used by Council to develop the draft Budget 2023-27, the draft Capital Works Program, and the draft Initiatives Program. Forty-three (43) of the submitters were individuals and twenty-five (25) represented organisations or community groups.
- Fifteen community members provided feedback on the draft Council Plan - Year 3 Action Plan via Shaping Banyule.
- The Councillor feedback forum on 7 March 2023 was undertaken as an opportunity for people that submitted feedback to have their feedback heard by Councillors, prior to Council formally considering all the feedback received at the 17 April Council meeting.

- Of the twenty-two (22) people that initially requested to speak to twenty-three (23) pieces of feedback, sixteen (16) attended on the evening of Tuesday 7 March 2023 and spoke in support of their feedback.
- The community engagement feedback received on the draft integrated planning documents is presented in the Report *Community consultation – Budget 2023-27 and Council Plan 2021-2025 Year 3 Feedback - 'Results from Shaping Banyule and in-person engagement'* (refer attached) and reported against the draft:
 - Council Plan 2021-2025 - Year 3 Action Plan 2023/24
 - Budget 2023-2027
 - Financial Principles
 - Budget 2023/24 Capital works program
 - Budget 2023/24 Initiatives program
- This Council report provides a summary of the review of feedback for each of the integrated planning documents and identifies where there is a financial impact to the Budget.
- In summary, the financial impact on the Budget 2023-2027 from the Integrated Planning feedback and supported by officers is:
 - 1-year impact: \$1.531m for specific budget requests made
 - 4-year impact: \$1.671m for specific budget requests made
- Should Councillors have any conflicts of interest, they will need to be declared at the Council Meeting on 17 April 2023 and before any discussion is undertaken.
- The Draft Budget 2023-2027, Draft Council Plan 2021-2025 - Year 3 Action Plan 2023/24 and Draft Revenue and Rating Plan will then be developed and presented to Council on 29 May 2023 for final exhibition.
- Proposed adoption of the Budget and associated plans is scheduled for the 26 June 2023 Ordinary Council Meeting.

Resolution (CO2023/60)

That Council:

1. Note the community engagement component on the draft Integrated Planning documents has now concluded and the results from this consultation are attached to this report.
2. Having considered the Integrated Planning Community Engagement results in respect of Council's intention to adopt the Council Plan Year 3 Annual Action Plan 2023/24 in accordance with section 90 of the *Local Government Act 2020*:
 - a. Notes participants are supportive of Council's strategic direction for the future.
 - b. Notes minor changes, as identified from the feedback received, will be incorporated into the Year 3 Annual Action Plan 2023/24 as required.
3. Having considered the Integrated Planning Community Engagement results in respect of Council's intention to adopt the Budget 2023-2027 in accordance with section 94 of the *Local Government Act 2020*:
 - a. Notes participants are generally supportive of Council's financial principles.
 - b. Notes the feedback, issues, concerns and or support from budget feedback.

- c. Endorses changes to the Budget 2023-2027 draft capital works or draft initiatives program detailed in the attached '*Budget Feedback Recommendations for Council Consideration*' for Budget Feedback items 22, 25, 38, 44, 46, 47, 50 and 52.
 - d. Notes that no changes be made to the Budget 2023-2027 draft capital works and initiatives program for Budget Feedback items 1-21, 23, 24, 26-37, 39-43, 45, 48, 49, and 51 as either the feedback has been noted without any specific funding required, has funding support in the budget, or the request for funding is not feasible at this present time and will be referred to a future budget (*refer to the attached 'Budget Feedback Recommendations for Council Consideration'*)
4. Supports officers to commence development of the integrated planning documents for public exhibition at the ordinary Meeting of Council on Monday 29 May 2023.
 5. Advise all draft Budget 2023-2027 submitters who requested specific funding changes of the outcome of their specific budget request.
 6. Note that the following plans will be considered for adoption by Council at the Ordinary meeting of Council on Monday 26 June 2023.
 - a. Council Plan 2021-2025 - Year 3 Annual Action Plan 2023/24
 - b. Budget 2023-2027
 - c. Revenue and Rating Plan 2023-2027

Moved: Cr Rick Garotti

Seconded: Cr Elizabeth Nealy

CARRIED

5. OUR SUSTAINABLE ENVIRONMENT

Nil

6. OUR WELL-BUILT CITY

6.1 HURSTBRIDGE RAIL FEASIBILITY STUDY - IMPLEMENTATION PLAN

Alicia Curry addressed Council in person and spoke FOR the recommendation
SUMMARY

1. The Hurstbridge Rail Feasibility Study (HFS), incorporating community and stakeholder feedback was presented to Council on 5 September 2022. Council resolved to receive a future report to identify the process and resources to undertake an implementation plan that sets out priority projects for referral to future budgets.
2. It is considered appropriate to implement the HFS using its existing section-by-section approach and undertaking deeper investigations into each of its eight sections. This includes development of the identified issues and opportunities into landscaping and civil concept plans and online community engagement.
3. As this project aligns with other similar projects from the Banyule Bicycle and Walking Strategies, existing transport planning staff resources would be available. They would

undertake high level project planning, engagement and management of consultants, facilitation of community engagement, development of advocacy collateral and/or capital works budget bids as capacity and competing priorities allow. This is envisioned as being at a minimum one section completed per year. The maximum pace is estimated to be two sections per year. The overall project will require 4 to 8 years.

4. Resources above the existing transport planning staff resource are required to appoint external consultants to analyse each rail corridor section and prepare the concept plans and their refinement following community consultation.
5. Funding of approximately \$640,000 would be required over the life of the project for the preparation of the implementation plans.

Resolution (CO2023/61)

That Council:

1. Endorse the Hurstbridge Rail Feasibility Study – Implementation Plan as outlined in this report.
2. Refers any costs associated with the outcome of proceeding with preparation of Implementation Plans in various sections to the relevant annual budget processes.
3. Advocate for funding in line with the opportunities identified in the Hurstbridge Rail Feasibility Study with the state and federal governments.

Moved: Cr Tom Melican

Seconded: Cr Rick Garotti

CARRIED

6.2 PROPOSED AMENDMENT C172 TO THE BANYULE PLANNING SCHEME (IMPLEMENTATION OF THE HEIDELBERG MAJOR ACTIVITY CENTRE STRUCTURE PLAN)

Councillor Garotti left the Chamber at 8:36pm.

Councillor Garotti returned to the Chamber at 8:42pm and was present for the vote.

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

SUMMARY

1. The purpose of this report is to seek approval from Council to commence a planning scheme amendment that will implement an updated Heidelberg Structure Plan through the Banyule Planning Scheme.
2. On 6 December 2021, Council approved a new version of the Heidelberg Structure Plan, which was informed and shaped by a significant amount of community consultation and establishes a place-based framework to coordinate and guide future work and investment in the Heidelberg Major Activity Centre.

3. To be effective, the Structure Plan needs to be implemented through an amendment to the Banyule Planning Scheme. Consequently, Council's resolution of 6 December 2021 to approve the Plan also requested that officers present a proposed planning scheme amendment for Council to consider.
4. Since Council's resolution, officers have drafted minor changes to the Heidelberg Structure Plan to improve its clarity in support of proposed Planning Scheme Amendment C172. The revised Heidelberg Structure Plan (April 2023) is provided as **Attachment 1**.
5. To progress with Amendment C172 Council is required to request Ministerial authorisation to commence and exhibit the amendment.

Resolution (CO2023/62)

That Council:

1. Approves the Heidelberg Structure Plan (April 2023).
2. Requests the Minister for Planning to authorise the preparation and exhibition of Amendment C172 to the Banyule Planning Scheme, in accordance with the *Planning and Environment Act 1987*, which proposes planning scheme changes outlined in this report to implement the Heidelberg Structure Plan (April 2023).
3. Notes that a report will be presented to Council after public exhibition of Amendment C172 to the Banyule Planning Scheme and that the report will consider all submissions received.

Moved: Cr Peter Dimarelos

Seconded: Cr Alida McKern

CARRIED

Cr Mark Di Pasquale called for Division after the motion was carried.

FOR: Cr Rick Garotti, Cr Tom Melican, Cr Peter Castaldo, Cr Alison Champion, Cr Peter Dimarelos, Cr Elizabeth Nealy Cr Alida McKern

AGAINST: Cr Mark Di Pasquale

CARRIED

6.3 NORTH EAST LINK - CENTRAL PACKAGE - URBAN DESIGN AND LANDSCAPE PLAN - MINISTER ENDORSEMENT

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

SUMMARY

1. Council provided a submission to the North East Link (NEL) Central Package Urban Design Landscape Plan (UDLP) public exhibition process following its meeting of 27 June 2022.
2. Council's most prominent comment related to a concern that the termination of the Central Package UDLP south of Watsonia locks in restrictions to the design of the adjoining Northern Package including limiting opportunity to avoid an open NEL trench in Watsonia.
3. Council's submission also included comments on the proposed design based on the outstanding items on Council's endorsed Transport Advocacy List including improved

and further provision of pedestrian and cyclist paths, safe road design at the Lower Plenty Road/ Greensborough Road intersection, improved community open space facilities, public art, and high-quality landscaping.

4. On 3 February 2023 the Central Package Urban Design Landscape Plan (UDLP) was endorsed by the Minister for Planning. The endorsed UDLP has been updated to take the public exhibition feedback into account and includes:
5. Changes to the Shared User Path bridge over Lower Plenty Road to improve safety and access.
6. A new wildlife crossing under Lower Plenty Road between Borlase Reserve and Banyule Flats.
7. Additional screen planting around the northern tunnel ventilation structure.
8. A new fence along the east side of Borlase Reserve to provide residents with greater privacy.
9. Opportunities noted to increase the density of planting throughout the project, including with the species requested by Banyule Council.
10. The endorsed UDLP has not supported Council's submission for:
 - o An extension of the NEL tunnels north of Watsonia.
 - o The realignment of the NEL shared user path (SUP) east of the Lower Plenty Road Interchange Structure to avoid at grade road crossings.
 - o The retention of a roadway connection between Drysdale Street and Coleen Street in Yallambie.
 - o Consideration of significant improvements to recreational facilities on Winsor Reserve after its seven year occupation by NELP.
 - o Improvement to the Main Yarra Trial Banksia Street underpass in Heidelberg.
 - o Continuation of the East West Trail SUP through Drysdale Reserve and along Lower Plenty Road to the Plenty River Trail as specified in the Urban Design Strategy.

Resolution (CO2023/63)

That Council:

1. Continue to advocate for the best outcomes for the Banyule community in relation to the construction of the North East Link including following up on matters raised in Council's North East Link Central Package Urban Design and Landscape Plan submission to the North East Link Program in regular Council officer interface meetings and in the design development reviewing process.
2. Write to the North East Link Program, SPARK, the Minister for Planning, and the Minister for Transport and Infrastructure thanking the State Government for the improvements to the NEL Central Package UDLP and requesting:
 - a) Close collaboration between Council and the North East Link Program and SPARK for the delivery of more tree canopy cover both inside and outside the North East Link project boundary in accordance with the North East Link Program's revegetation requirements and the aims of the draft Banyule Urban Forest Strategy.

-
- b) Provision of an upgraded Banksia Street underpass and connections to the Main Yarra Trail to improve cyclist safety and accessibility as part of the North East Link project.
 - c) Reconsideration of a continuous shared user path to avoid the road crossings at the Lower Plenty Road interchange by using a route via the east of the interchange structure.
 - d) That cyclist accessibility and connectivity is maintained with appropriate detours at all impacted locations during the North East Link construction period.
 - e) Consideration of an early delivery of the Drysdale Reserve shared user path to connect Borlase Street to Lower Plenty Road and the Plenty River Trail to compensate for cyclist disruption as part of the Central Package works.
 - f) Further discussion on the returned facilities on Winsor Reserve to adequately meet the future recreational needs of the local community.
 - g) The development of the North East Link Northern Package Urban Design and Landscape Plan includes:
 - Further consideration of design options at the Watsonia interface for improved local uplift and amenity, and future proofed east-west vehicular, public transport, walking, and cycling connectivity, that do not trigger the need for either more private land acquisition or the construction of another ventilation structure.
 - Inclusion of a fully grade separated shared user path connection from Frensham Reserve to Watsonia Station carpark to better meet the connectivity aims of the North East Link Urban Design Strategy.
3. Write to the Minister for Planning and the Minister for Transport and Infrastructure seeking the development of the North East Link Northern Package Urban Design and Landscape Plan to include:
- Further consideration of design options at the Watsonia interface for improved local uplift and amenity, and future proofed east-west vehicular, public transport, walking, and cycling connectivity, that do not trigger the need for either more private land acquisition or the construction of another ventilation structure.
 - Inclusion of a fully grade separated shared user path connection from Frensham Reserve to Watsonia Station carpark to better meet the connectivity aims of the North East Link Urban Design Strategy.

Moved: Cr Mark Di Pasquale

Seconded: Cr Rick Garotti

CARRIED

6.4 ABANDONMENT OF PLANNING SCHEME AMENDMENT C107 - TREETOP ADVENTURE PARK IN YARRA FLATS

David Gentle from Save Yarra Flats Park, Inc addressed Council in person and spoke FOR the recommendation.

Andrew Lees from Friends of Yarra Flats Park addressed Council in person and spoke FOR the recommendation.

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

George Paras addressed Council in person and spoke FOR the recommendation.

Kevin Biaggini addressed Council in person and spoke AGAINST the recommendation.

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

Barnaby McIlrath from PE Law addressed Council in person and spoke AGAINST the recommendation.

SUMMARY

1. Banyule Planning Scheme Amendment C107 (C107) was requested by Ecoline Pty Ltd to facilitate the use and development of Parks Victoria land in Yarra Flats Park, Ivanhoe East for an outdoor recreation facility (Treetops Adventure Park). Under the proposal, Ecoline would operate the facility under a lease from Parks Victoria. Parks Victoria chose the site for the proposed activity and is the sponsor of the proposal.
2. C107 was exhibited between 29 October and 10 December 2020. A total of 217 submissions were received and Council resolved at its meeting of 1 March 2021 to refer all submissions to an independent Planning Panel.
3. The Planning Panel was held between 5 July – 9 July 2021. The Panel Report recommended the C107 be adopted subject to conditions including further discussion with Traditional Owners and consideration of cultural heritage impacts.
4. Council considered the Panel Report at its meeting of 4 October 2021 and resolved to adopt C107, subject to satisfactory progress being made with the Wurundjeri Woiwurrung Cultural Heritage Aboriginal Corporation (WWCHAC) to resolve cultural heritage matters.
5. Discussions between Parks Victoria, Ecoline and WWCHAC progressed slowly. As C107 was due to lapse on 29 October 2022, an extension to the lapse date was requested to allow further time to work towards an agreed cultural heritage outcome. The request was submitted to the Minister for Planning on 27 September 2022 and an extension approved until 29 October 2023.
6. The WWCHAC have now advised Council they remain opposed to C107 due to its impacts on the sensitive cultural heritage values of the area and have requested the amendment no longer be pursued.
7. Given a key condition of the 4 October 2021 Council resolution has not been achieved and to give proper respect to the role of the Traditional Owners as custodians of the Yarra River it is recommended Council abandons the amendment.

Resolution (CO2023/64)

That Council:

1. Abandon Banyule Planning Scheme Amendment C107 pursuant to section 28 of the *Planning and Environment Act 1987*.

2. Write to Ecoline, Parks Victoria, Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation and the Minister for Planning to inform them of Council's decision.
3. Write to all submitters to Amendment C107 to advise them of Council's decision.

Moved: Cr Alida McKern

Seconded: Cr Tom Melican

CARRIED

7. OUR VALUED COMMUNITY ASSETS AND FACILITIES

Nil

8. OUR THRIVING LOCAL ECONOMY

8.1 NOTICE OF INTENTION TO DECLARE A SPECIAL RATE AND CHARGE - IVANHOE SHOPPING CENTRE

SUMMARY

1. Ivanhoe Shopping Centre is one of eleven (11) retail precincts located in the City of Banyule that benefits from a special rate or charge program, which enables traditional shopping strips and the trader associations and businesses located within them to strategically plan, market and manage as a collective group. Unlike the East Ivanhoe Village scheme also up for renewal in 2023 which collects a flat fee levy otherwise known as a charge, the Ivanhoe scheme adopts both a rate levy (calculated on the Capital Improved Value of a property) and a minimum charge.
2. Operating since 2003, the current five (5) year program for Ivanhoe Shopping Centre is set to expire on 30 June 2023. Accordingly, Council has received formal correspondence from the Ivanhoe Traders' Association (ITA) requesting that Council declare, by way of renewal, a new Special Rate and Charge scheme for a period of five years, raising \$140,000 annually, \$20,000 more than what is being levied in the current 2018-2023 scheme.
3. The proposed scheme will involve 247 rateable properties, including nine new properties considered to satisfy the criteria for inclusion in the scheme.
4. The ITA further requests Council's continued support by way of a Council contribution amount of \$100,000 per annum to supplement the amount raised by the proposed Scheme.
5. The continuation of a Special Rate and Charge Scheme will aim to achieve the following:
 - Collective marketing and promotion of the Centre as a whole, which will assist in raising the profile of the area, including what it has to offer to the community and its customers,
 - A resourced and supported Traders Association that coordinates the daily management of activities and drives the overall strategic direction of the Centre with the support of Council, and
 - Enhanced property values and improved use, enjoyment and occupation of properties and overall business goodwill within the Shopping Centre.
6. To declare a Special Rate and Charge Scheme, Council is required to comply with the statutory process under the *Local Government Act 1989* (the Act) and the *Local Government Act 2020*. The statutory process provides the community with the

opportunity to make a submission and/or an objection to the Council on the proposed Scheme. Council will consider any submissions and take into account any objections in accordance with the Act prior to making a final decision.

7. Council is currently undertaking a pilot program that enhances collaboration with our Trader Associations. The new Funding Agreement will see Council increase its support to the ITA over a 17-month period.

Resolution (CO2023/65)

That Council:

1. Commences the statutory process under the *Local Government Act 1989* and *2020* to reintroduce a Special Rate and Charge in the defined Ivanhoe Shopping Centre.
2. Increases the levy from \$120,000 to \$140,000 per annum and the minimum charge from \$200 to \$300 per annum for a period of five years, commencing on 1 July 2023 and ending on 30 June 2028.
3. Publishes a public notice in *The Age* newspaper of the intention of Council to declare a Special Rate and Charge at its ordinary meeting on 7 August 2023 in accordance with the Proposed Declaration of Special Rate and Charge (being **Attachment 1**).
4. Issues separate letters to owners and occupiers, enclosing a copy of the public notice and advising:
 - of the intention of Council to declare the Special Rate and Charge at its ordinary meeting on 7 August 2023,
 - the amount for which the property owner or the occupier will be charged, and
 - that submissions and/or objections in writing in relation to the Proposed Declaration of a Special Rate and Charge will be considered by Council in accordance with the Act.
5. Consider Council funding allocation \$100,000 as part of Council's 2023/2024 and subsequent budget processes.
6. Authorises the appropriate members of Council's staff:
 - to carry out administrative procedures necessary to enable Council to carry out its functions under the Act; and
 - to prepare a funding agreement between Council and the Traders Association to formalise the Special Rate and Charge.
7. Reviews the funding agreement, and if satisfied, approves and signs (by a delegated authority) before funds are paid to the Traders Association.

Moved: Cr Alida McKern

Seconded: Cr Mark Di Pasquale

CARRIED

8.2 NOTICE OF INTENTION TO DECLARE A SPECIAL CHARGE - EAST IVANHOE VILLAGE

SUMMARY

1. The East Ivanhoe Village is one of eleven retail Centers located in the City of Banyule that benefits from a Special Rate or Charge program, which enables traditional shopping strips and the trader associations and businesses located within them to strategically plan, market and manage as a collective group. Unlike the Ivanhoe Shopping Centre scheme also up for renewal in 2023 which adopts both a rate levy (calculated on the Capital Improved Value of a property) and a minimum charge (flat fee), the East Ivanhoe scheme collects a charge only.
2. Operating since the late 1990's over a number of schemes, East Ivanhoe Village's current five-year program is set to expire on 30 June 2023. In response, Council has received a letter from the East Ivanhoe Business Association requesting that Council declare, by way of renewal, a new Special Charge Scheme for a period of five years, raising \$48,125 annually.
3. The proposed scheme will involve 77 rateable properties including one additional property not previously included that is now considered to satisfy the criteria for inclusion in the new scheme.
4. The East Ivanhoe Business Association further requests Council's continued support by way of a Council contribution amount of \$37,000 per annum to supplement the amount raised by the proposed Scheme.
5. The continuation of a Special Charge Scheme will aim to achieve the following:
 - Collective marketing and promotion of the Centre as a whole, which will assist in raising the profile of the area, including what it has to offer to the community and its customers,
 - A resourced and supported Business Association that coordinates the daily management of activities and drives the overall strategic direction of the Centre with the support of Council, and
 - Enhanced property values and improved use, enjoyment and occupation of properties and overall business goodwill within the Shopping Centre.
6. To declare a Special Charge Scheme, Council is required to comply with the statutory process under the *Local Government Act 1989* (the Act) and the *Local Government Act 2020*. The statutory process provides the community with the opportunity to make a submission and/or an objection to the Council on the proposed Scheme. Council will consider any submissions and take into account any objections in accordance with the Act prior to making a final decision.
7. Council is currently undertaking a pilot program that enhances collaboration with our Traders Associations. The new Funding Agreement will see Council increase its support to the East Ivanhoe Business Association over a 17-month period.

Resolution (CO2023/66)

That Council:

1. Commences the statutory process under the *Local Government Act 1989* and *2020* to reintroduce a Special Charge in the defined East Ivanhoe Village.
2. Increases the levy to \$48,125 per annum for a period of five years, commencing on 1 July 2023 and ending on 30 June 2028.
3. Publishes a public notice in *The Age* newspaper of the intention of Council to declare a Special Charge at its ordinary meeting on 7 August 2023 in accordance with the Proposed Declaration of Special Charge (being **Attachment 1**).

4. Issues separate letters to owners and occupiers, enclosing a copy of the public notice and advising:
 - of the intention of Council to declare the Special Charge at its ordinary meeting on 7 August 2023,
 - the amount for which the property owner or the occupier will be charged, and
 - that submissions and/or objections in writing in relation to the Proposed Declaration of a Special Charge will be considered by Council in accordance with the Act.
5. Consider Council funding allocation of \$37,000 as part of Council's 2023/2024 and subsequent budget processes.
6. Authorises the appropriate members of Council's staff:
 - to carry out administrative procedures necessary to enable Council to carry out its functions under the Act; and
 - to prepare a funding agreement between Council and the Business Association to formalise the Special Charge.
7. Reviews the funding agreement, and if satisfied, approves and signs (by a delegated authority) before funds are paid to the Business Association.

Moved: Cr Mark Di Pasquale

Seconded: Cr Rick Garotti

CARRIED

9. NOTICES OF MOTION

9.1 PUBLIC HEALTH CONCERNS – THE REGULATIONS CONCERNING THE RETAIL OF E-CIGARETTES AND VAPES AND COUNCIL'S ADVOCACY OPTIONS

TAKE NOTICE that it is my intention to move:

Resolution (CO2023/67)

1. 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 Council's advocacy options to State & Federal Government.
2. 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.

Moved: Cr Rick Garotti

Seconded: Cr Elizabeth Nealy

CARRIED

10. GENERAL BUSINESS

50th Anniversary of Trading McLoughlin Shoes in the Bell Street Mall

Cr Melican and Cr Champion attended the 50th Anniversary of the 'McLoughlin Shoes' located in the Bell Street Mall.

Cr Melican spoke about Rona McLoughlin and her late husband Ian who had built the business that has served the community and thrived for 50 years.

Cr Melican highlighted that the milestone business anniversary is a testament to their hard work and excellent customer service that has built a loyal customer base, a very successful local business,

Cr Melican Congratulated Rona & the broader family as well as the dedicated staff who work at McLoughlin Shoes on this significant milestone.

Biodiversity Plan Community Working Group Commencement

Cr McKern acknowledged the commencement of the Biodiversity Plan Community Working Group which is a community based reference group.

To follow the development of the plan interested persons can visit the Shaping Banyule website <https://shaping.banyule.vic.gov.au/> or contact Cr McKern via email for further details.

Public Lecture via University of the Third Age on "Life as a Councillor"

Cr McKern reflected on the upcoming presentation that she will be facilitating for the Banyule University Third Age (U3A) on the topic "Life as a Councillor".

The lecture will be held on Monday 24 April 2023 at 2pm at Ivanhoe Library and Cultural Hub (ILHC).

Entry is free however and registrations are required through either Banyule U3A or directly emailed to Cr McKern.

Iftar Dinner

Cr McKern and the Mayor, Cr Castaldo reflected on the Iftar dinner that was held on Thursday 13 April 2023 at Elsedeaq Heidelberg Mosque.

Both Cr McKern & Cr Castaldo shared their experience and enjoyed the opportunity to connect with Banyule's local Islamic community.

Cr McKern also reflected on the end of Ramadan and expressed well wishes to those celebrating Eid which is on Friday 21 April 2023.

Northern Councils Alliance

The Mayor, Cr Castaldo attended the Northern Councils Alliance on Thursday 30 March 2023.

He highlighted that the Northern Councils Alliance advocated to the opposition party of Victoria and discussed important matters across the region like the northeast link.

Trans Day of Visibility and Alphabet Soup Event

On Friday 31 March 2023 The Mayor, Cr Castaldo attended the flag raising event for 'Trans Day of Visibility'.

The Mayor Cr Castaldo also attended the Alphabet Soup event on Saturday 1 April 2023 which he reflected were both important events that encourage the public to reflect on the challenges and hopes of Banyule's trans community.

V - Centre Veteran Empowerment Program

The Mayor Cr Castaldo reflected on his attendance at the V-Centre Veteran Empowerment Program on Tuesday 4 April 2023. The program has been receiving funding for housing to provide support for service people experiencing homelessness.

The Mayor Cr Castaldo enjoyed the opportunity to connect with this important group in the community which has recently been connected with Banyule's Inclusive Employment Program.

PUBLIC QUESTIONS

1	<p>Name & Suburb</p> <p>Anonymous</p> <p>Question: Page 9 of March 22 edition of the Banyule Banner talks about parking improvements in Heidelberg on the Cartmell Street parking area. Currently this carpark is free I.e. no parking meters or ticket machines. Can Council advise if one of the parking improvements being proposed is paid parking once this development is finished?</p> <p>Response:</p> <p>As part of the development of the land, it is anticipated that 183 public parking spaces will be provided. This is an increase of 89 parking spaces. No decision has been made about any parking restrictions that will be applied to these spaces. The Heidelberg Central and Bell Street Mall Parking Plan indicates that consideration should be given to paid long term parking if a multi-deck carpark was developed at this location. Prior to Council considering this, community consultation would need to occur.</p> <p><i>Natasha Swan – Director City Development</i></p>
2	<p>Name & Suburb</p> <p>Llewellyn Stevens, Heidelberg</p>

	<p>Question: Noting that neighbouring Yarra City Council has commenced a project on recognising LGBTIQA+ heritage, what is Banyule City Council doing to recognise places, buildings and objects that are historically important to local LGBTIQA+ communities?</p>
	<p>Response: This issue has not been raised as a key project by the Council's LGBTIQA+ Advisory Committee. Following this public question officers will raise it with the committee. A key project the LGBTIQA+ Committee are currently progressing is a feasibility of a memorial in the North to people lost to discrimination and AIDS. <i>Kath Brackett – Director Community Wellbeing</i></p>
3	<p>Name & Suburb Roger Fyfe, Ivanhoe</p> <p>Question: Markings on the South-West side of Waterdale Road immediately prior to the Rail Underpass need explanation. When Council approved the Tender for the one-way section of Waterdale Pocket Park, the officer report indicated that the extension adjacent to the Railway line and access to Woolworths and Quest Apartments had been abandoned. Please confirm that the apron is not being reduced, as it is even more important to maintain clear sight lines at the intersection with Norman Street and the traffic flow along the one-way section of Waterdale Road.</p> <p>Response: Works associated with the Waterdale Road Pocket Park project are limited to the section of Waterdale Road between Norman Street and Upper Heidelberg Road. There are no works occurring south of Norman Street and accordingly no reduction in the road width of this street. A plan showing the project area is available on Shaping Banyule. <i>Natasha Swan – Director City Development</i></p>

Closure of Meeting to the Public

That in accordance with Section 66(2)(a) of the Local Government Act 2020, That Council close the Meeting to members of the public prior to considering the confidential matters detailed at 11.1. Outcomes from the CEO Employment Matters Committee Meeting held on 13 February 2023 and 11.2 Public Notification of Strategic Acquisitions.

11.1 Outcomes from the CEO Employment Matters Committee Meeting held on 13 February 2023

This item was designated as confidential pursuant to section 3(1)(f) of *the Local Government Act 2020* as it contained confidential information relating to personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

The information within the report relates to the employment and performance review of the Chief Executive Officer.

11.2 Public Notification of Strategic Acquisitions –

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

Moved: Cr Rick Garotti

Seconded: Cr Elizabeth Nealy

CARRIED

Closure of Meeting

The Ordinary Council Meeting was closed to the public at 9:52pm.

The Confidential Council Meeting opened at 10:01pm in order to deal with items 11.1 and 11.2 and closed at 10:07pm. The meeting did not re open to the public.

In the Confidential Council Meeting, Council resolved to release the following information from the confidential reports for items 11.2 and 11.2 including the resolution for item 11.2.

11.1 Outcomes from the CEO Employment Matters Committee Meeting held on 13 February 2023

That Council

1. Notes that the CEO Employment Matters Committee (“the Committee”) Meeting was held on Monday 13 February 2023 to undertake the Chief Executive Officer 6-month performance review.
2. Notes the minutes and recommendations from the Committee meeting as well as officer advice on the recommendations.
3. Requests that, in future, the Committee Chair circulate draft minutes of the Committee meetings within two weeks of the meeting.
4. Notes that the next CEO Employment Matters Committee Meeting is scheduled for Monday 14 August 2023 which will include, but not be limited to, the 12 Month Performance Review of the Chief Executive Officer.
5. Endorse the CEO’s officer delegates – Manager People and Culture and/or Council’s Governance Coordinator to communicate the resolution to the extent necessary to enable its implementation.

11.2 Public Notification of Strategic Acquisitions

That Council

1. Removes confidentiality around the purchase of 74 Watsonia Road, Watsonia, and 7 Wellington Street, Montmorency so it can undertake its Community Engagement obligations under S112 of the Local Government Act 2020 at a suitable time.
Further information will be placed on our website - <https://www.banyule.vic.gov.au>

The next Ordinary Meeting of Council will be held on Monday, 8 May 2023