

COUNCIL MEETING

MINUTES



(Open to the public)

Monday 23 May 2022

Council Chamber, 8 Inglesby Road, Camberwell.

Commencement 6.33 pm

Attendance Councillor Jane Addis (Mayor)
Councillor Jim Parke
Councillor Felicity Sinfield
Councillor Victor Franco
Councillor Wes Gault
Councillor Di Gillies
Councillor Lisa Hollingsworth
Councillor Susan Biggar
Councillor Garry Thompson
Councillor Nick Stavrou

Apologies Councillor Cynthia Watson

Officers

Phillip Storer	Chief Executive Officer
Daniel Freer	Director Places and Spaces
Carolyn McClean	Director Community Support
Mans Bassi	Director Customer and Transformation
Bryan Wee	Manager Governance and Legal
David Shepard	Manager Environmental Sustainability and Open Space
Kirstin Ritchie	Coordinator Governance
Christian Wilmsen	Coordinator Strategic Planning
Rebecca Dewar	Acting Coordinator Revenue and Property Services

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1. Adoption and confirmation of the minutes**MOTION****Moved Councillor Sinfield****Seconded Councillor Biggar****That the minutes of the Council meeting held on 26 April 2022 be adopted and confirmed.****CARRIED****2. Declaration of conflict of interest of any councillor or council officer**

Refer to Item 8.1 of General Business - Leave of Absence - Councillor Garry Thompson, Councillor Di Gillies, Councillor Susan Biggar and Councillor Lisa Hollingsworth.

3. Deputations, presentations, petitions and public submissions**3.1 Petitions**

Council has received one (1) petition. Details of the petition are set out below.

1	CAS-1178064	Petition " <i>opposing the intrusion of a new car park zone into the green space of Willsmere Park</i> "	23	DP&S
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Legend:

DCS Director Community Support
DC&T Director Customer and Transformation

DUL Director Urban Living
DP&S Director Places & Spaces
GOV Governance & Legal

MOTION**Moved Councillor Sinfield****Seconded Councillor Franco****That Council resolve:**

- 1. To receive and note the petition.**
- 2. To note that the petition has been referred to the relevant director for consideration.**
- 3. That the first named signatory to the petition will receive a written response in due course advising of Council's action in response to the request.**

CARRIED

4. Informal Meetings of Councillors

Chapter 6 of Council's Governance Rules requires that a summary of matters discussed at Informal Meetings of Councillors be reported to a Council meeting as soon as practicable.

The attached summary of Informal Meetings of Councillors (**Attachment 1**) is reported to Council in accordance with the requirements of the Governance Rules.

MOTION

Moved Councillor Gault

Seconded Councillor Hollingsworth

That Council resolve to receive and note the summary of Informal Meetings of Councillors, as annexed to the minutes.

CARRIED

5. Public question time

PQT1 Tony Yacono of Kew East - Draft Bicycle Strategy

The **Mayor, Councillor Addis** read the following question submitted with notice:

" Why was the cycle path "project" not conducted together with Manager Open Space? "

The question was allowed in accordance with Chapter 2 of the Governance Rules. The question had previously been put in writing to a Councillor or a member of Council staff more than 10 working days before the Council meeting at which the question was submitted.

The **Director Places and Spaces** responded as follows:

- It is understood the concerns raised relate to who at Council will take responsibility in the event that a park user is hurt by a cyclist or for aggressive behaviour between cyclists and pedestrians and other hypothetical scenarios.

It is not prudent to respond to these hypothetical scenarios as responsibility for any cases will be determined by the facts at the time.

Council's role is to provide services and infrastructure for the benefit and wellbeing of the broader community. Amongst many wide-ranging responsibilities under the Victorian legislation, Council is also responsible for land use planning and development of relevant local laws and enforcement in line with powers given to Council.

In line with the above, Council has developed and adopted an Amenity Local Law which guides residents of their roles and responsibilities and Council officers in managing Council managed land.

The Victorian Road Safety Road Rules (2017) establishes rules and specify behaviour for all road and path users to support the safe and efficient use of roads and paths in Victoria. Council however, is not empowered to enforce moving violations such as those involving cyclists riding fast on shared paths. This responsibility rests with Victoria Police.

In order to promote safer use of our footpaths and shared path network and to educate users of their roles and responsibilities, Council officers install various regulatory and behavioural message signs.

Compliance with standards involving, inspecting, maintaining and if required, renewing our infrastructure is also undertaken in line with funding allocations.

In summary, Council does what it can to mitigate risks in our parks and open spaces, however, it cannot eliminate all risks in parks, open spaces or for that matter roads and other public spaces

- The development of a new Boroondara Bicycle Strategy commenced with an initial phase of community and stakeholder engagement undertaken during the 2019/2020 financial year as well as drawing on the advice and input from various internal departments including our Environmental Sustainability and Open Space Department in the development of the draft strategy.

In relation to inviting the Manager of Open Spaces (ES&OS) to the residents' site meeting, Council's Traffic and Transport Department initiated the meeting given that the development of the strategy is managed by the Traffic and Transport Department.

There was a request by a resident for an officer from Council's Parks and Gardens department to also attend the meeting.

This request could not be achieved given the limited notice and that one of the officers had contracted COVID-19 and the other officer was already committed to another meeting. This was conveyed at the meeting by the officers in attendance and an offer was also made that a further meeting could be arranged, if needed.

The **Mayor, Councillor Addis** informed the meeting all councillors had received a copy of the question and a written response would be provided to Mr Yacono in due course.

PQT2 Carol Hunt of Balwyn - Draft Bicycle Strategy

The **Mayor, Councillor Addis** read the following question submitted with notice:

"Can Council guarantee that Hislop Park will retain its designated dog off lead status?"

The question was allowed in accordance with Chapter 2 of the Governance Rules. The question had previously been put in writing to a Councillor or a member of Council staff more than 10 working days before the Council meeting at which the question was submitted.

The **Director Places and Spaces** responded as follows:

A cycleway, by definition, is a special path created for cyclists to use, and this is not what was proposed in Hislop Park in the draft Bicycle Strategy. The proposal was to investigate provision of a gravel shared path to be used by both pedestrians and cyclists.

There are no plans to change the designated dog off-lead status in Hislop Park.

The revised draft strategy will consider all community and stakeholder feedback and return to Council for formal consideration at a future meeting.

The **Mayor, Councillor Addis** informed the meeting all councillors had received a copy of the question and a written response would be provided to Ms Hunt in due course.

PQT3 Geraldine Hopper of Kew East - Disallowed

This question was disallowed as it did not relate to an item listed on the Council agenda for the evening and the question was not submitted more than 10 working days before the Council meeting at which the question was submitted in accordance with Chapter 2 of the Governance Rules.

The **Mayor, Councillor Addis** informed the meeting all councillors had received a copy of the question and a written response would be provided to the submitter in due course.

PQT4 Franklin Rosenfeldt of Balwyn North - Greythorn Park Masterplan

The **Mayor, Councillor Addis** read the following question submitted with notice:

" How will you avoid the disruptions to the two playgrounds one in Jacka St park and and the other in Greythorn park that are right next to the widened path."

The question was allowed in accordance with Chapter 2 of the Governance Rules. The question relates to a matter or matters regarding Item 7.2 - Gardiners Creek Draft Masterplan on the Council agenda and was therefore allowed in accordance with Chapter 2 of the Governance Rules.

The **Director Places and Spaces** responded as follows:

The existing paths in these reserves typically cater for local access and are not suitable as cycling commuter routes due to:

- Mix of on road and off road sections.
- The link is indirect with several road crossings of major roads.
- With the exception of schools, there are no major trip generating destinations in the area that would encourage commuter cyclists to use this path or corridor.
- Provision of existing direct on road bicycle lanes in Belmore Road and to the north in the Koonung Trail.

The proposal included in the draft Bicycle Strategy would involve assessing and upgrading existing paths used by both pedestrians and cyclists through Greythorn Park and Jacka Street Reserve to provide unsealed (gravel) paths at a width of 3 metres in line with current design standards.

However, given further work undertaken by Council officers an upgrade of the path through Greythorn Park is unlikely to be achievable. As such this consideration of its removal from the revised draft strategy is being given and will be subject formal consideration by Council at a future meeting.

The existing concrete path through Jacka Street Reserve is narrow (1.5m) but in good condition with a long expected lifespan. Given this, consideration of the proposal to explore future opportunities to reconstruct the path as an unsealed gravel path at a 3 metre width is some time away.

The revised draft strategy will consider all community and stakeholder feedback and return to Council for formal consideration at a future meeting.

The **Mayor, Councillor Addis** informed the meeting all councillors had received a copy of the question and a written response would be provided to Mr Rosenfeldt in due course.

PQT5 David Crawford of Balwyn - Draft Bicycle Strategy

The **Mayor, Councillor Addis** read the following question submitted with notice:

“Does the Council have any indication of the likely increase in usage by cyclists of the shared pathway in the King Street chain section of the proposed 2022 Draft Boroondara Bicycle Strategy once it is established?”

The question was allowed in accordance with Chapter 2 of the Governance Rules. The question had previously been put in writing to a Councillor or a member of Council staff more than 10 working days before the Council meeting at which the question was submitted.

The **Director Places and Spaces** responded as follows:

The proposal for the King Street Chain in the draft Bicycle Strategy essentially involves maintenance of the existing gravel paths. The existing gravel paths in these parks and reserves are not intended to be sealed. Instead, the emphasis will be on maintaining these gravel paths as gravel paths to ensure that they are fit for purpose.

For the King Street Chain this would include inspecting, assessing, and renewing (where required) approximately 800m of existing unsealed path from Burke Road to Gordon Street in the form of an unsealed gravel path 3.0m wide with composite edging to prevent path washout (where possible). The existing path widths vary in each reserve, typically 1.5m to 3.5m with the path width in the reserve between Belmore Road to Burke Road, narrower between 1m to 1.8m.

While it is difficult to accurately predict the likely increase in cyclist usage of these paths, the proposals are focused on maintenance of the existing unsealed paths and as such are not expected to attract a large increase in cycling activity.

A comparison of cyclist numbers on the Anniversary Trail near Chandler Highway and at Whitehorse Road, a popular formal shared path during the period 2010 to 2019 revealed annual increases in the order of 0.8% to 2.5%.

The **Mayor, Councillor Addis** informed the meeting all councillors had received a copy of the question and a written response would be provided to Mr Crawford in due course.

PQT6 Ian Hundley of Balwyn North - Disallowed

This question was disallowed as it did not relate to an item listed on the Council agenda for the evening and the question was not submitted more than 10 working days before the Council meeting at which the question was submitted in accordance with Chapter 2 of the Governance Rules.

The **Mayor, Councillor Addis** informed the meeting all councillors had received a copy of the question and a written response would be provided to the submitter in due course.

PQT7 Ian Hundley of Balwyn North - Disallowed

This question was disallowed as it did not relate to an item listed on the Council agenda for the evening and the question was not submitted more than 10 working days before the Council meeting at which the question was submitted in accordance with Chapter 2 of the Governance Rules.

The **Mayor, Councillor Addis** informed the meeting all councillors had received a copy of the question and a written response would be provided to the submitter in due course.

6. Notices of motion

Nil

7. Presentation of officer reports

7.1 Amendment C333boro Part 1 and 2 - Glen Iris Heritage Gap Study - Adoption and abandonment

Purpose

The purpose of this report is to seek Council's adoption of Amendment C333boro Part 2 and abandonment of Amendment C333boro Part 1 to the Boroondara Planning Scheme following the Urban Planning Delegated Committee (UPDC) decision at its meeting on 2 May 2022.

Background

Amendment C333boro to the Boroondara Planning Scheme seeks to implement the recommendations of the Glen Iris Heritage Gap Study (the Study).

As exhibited, the amendment proposed to apply the Heritage Overlay (HO) to 15 individual heritage places and four (4) heritage precinct on a permanent basis.

The Amendment was formally exhibited under section 19 of the *Planning and Environment Act 1987* from 12 February to 12 March 2021. Council received 166 submissions to the Amendment (including six late submissions) which comprised 42 supporting, 115 opposing, 9 partially supporting and 2 neutral submissions.

On 6 September 2021, the UPDC resolved (amongst other things) to request the appointment of an independent panel to consider submissions to the amendment. The UPDC also endorsed changes to the Glen Iris Heritage Gap Study and amendment.

A Panel hearing to consider the submissions received to Amendment C333boro was held over four days from 29 November to 3 December 2021. 22 parties presented at the Panel hearing with most presenters arguing against the application of the Heritage Overlay.

Key Issues

On 20 January 2022, Council received the Panel's report generally supporting the amendment and recommending the amendment be adopted subject to the following key changes:

- *Individually significant heritage places:* The Panel supported all individually significant places and recommended changes to the heritage citations for 14 and 29 Alfred Road and 148 Summerhill Road, Glen Iris consistent with Council's submission to the Panel.

The UPDC supported the changes as recommended by the Panel.

- *Mont Iris Estate and Environs Precinct:* The Panel recommended abandoning this precinct due to a lack of coherence and a high degree of non-contributory properties in some sections that undermine the overall integrity of the precinct. Recognising there are very coherent parts of the precinct that would warrant inclusion in the Heritage Overlay, the Panel recommended a further review and assessment of the precinct as part of a separate process.

Council's heritage consultant agreed with some of the Panel's key conclusions and acknowledged that a further comprehensive review is warranted to determine whether one or more smaller precincts can be identified to protect the most intact groups of Interwar housing in this area. Identification of new precinct(s) will include the preparation of new heritage citations (including further comparative analysis) and would therefore be considered a transformative change to the amendment. Accordingly, the review needs to be carried out as a separate process.

The UPDC accepted the Panel's recommendation to abandon the precinct (Part 1 of the amendment) and undertake a further review of the Mont Iris Estate and Environs Precinct through a separate process.

- *Summerhill Estate Precinct:* The Panel considered the Summerhill Estate to be the most coherent of the proposed precincts and supports its inclusion in the Heritage Overlay. The Panel recommended excluding some non-contributory properties located at the edge of the precinct where it considers future redevelopment will not detrimentally impact the precinct. Council's heritage consultant supported the exclusion of 1 Hortense Street, 2 and 4 Prosper Parade, 2 Montana Street, 67 and 69 Celia Street, 70 and 72 Florizel Street, Glen Iris, 64 Brandon Street, Glen Iris from the precinct.

However, the removal of 11 to 17 Adrian Street, Glen Iris is not supported. Council's heritage consultant did not accept the Panel's conclusion that these properties are in an edge location where future development would have limited impact on the precinct. Instead, their location in the centre of a street otherwise covered by the Heritage Overlay, means that future redevelopment on these sites could have significant detrimental visual impact on adjoining contributory properties (9, 19, 8 & 14 Adrian Street) and heritage streetscape. Without the Heritage Overlay, Council will have no means of ensuring development is sympathetic to its heritage context.

The UPDC accepted the Panel's recommendation except the removal of 11, 13, 15 and 17 Adrian Street, Glen Iris from the precinct.

- *Summerhill Estate Precinct:* The Panel recommended re-grading several properties to non-contributory including 38 and 40 Brandon Street, 69 Florizel Street and 23 Montana Street, Glen Iris consistent with Council's submission to the Panel.

However, Council's heritage consultant did not support re-grading 56 Hortense Street, Glen Iris to non-contributory. Council's heritage consultant did not agree that this place is predominantly post-war in form and design and considered it almost identical to other contributory houses in the street where the Panel does not question their grading. While the Summerhill Estate is predominantly interwar, postwar houses retain a strong continuity of styles, forms and materials.

The UPDC accepted the Panel's recommendation except for the re-grading of 56 Hortense Street, Glen Iris to non-contributory.

- *Violet Farm Estate:* The Panel supported the inclusion of the Violet Farm Estate Precinct in the Heritage Overlay but recommended the re-grading of 21 Parkin Street to non-contributory consistent with Council's submission to the Panel (the dwelling has been legally demolished).

The UPDC accepted the Panel's recommendation.



Next Steps

Officers recommend Council abandons the Mont Iris Estate and Environs Precinct (C333boro Part 1) and adopts Part 2 of the amendment as shown in Attachments 1-5 consistent with the resolution of the UPDC and submits the amendment to the Minister for Planning for final approval.

Officers will prepare a report on the outcomes of the further review of the Mont Iris Estate and Environs Precinct for consideration by the Urban Planning Delegated Committee following completion of the formal exhibition process associated with a planning scheme amendment seeking to implement the review recommendations.

MOTION

Moved Councillor Thompson

Seconded Councillor Franco

That Council resolve to:

1. **Abandon Amendment C333boro Part 1 in accordance with Section 23(1)(c) of the *Planning and Environment Act 1987*.**
2. **Write to the Minister for Planning in accordance with Section 28(1) of the *Planning and Environment Act 1987* advising of Council's decision to abandon Amendment C333boro Part 1.**
3. **Adopt Amendment C333boro Part 2 to the Boroondara Planning Scheme, as shown in Attachments 1 to 6, in accordance with Section 29(1) of the *Planning and Environment Act 1987*.**
4. **Submit Amendment C333boro Part 2 to the Minister for Planning for approval in accordance with Section 31(1) of the *Planning and Environment Act 1987*.**
5. **Following the Minister's approval of Amendment C333boro Part 2, update two (2) background documents to the Boroondara Planning Scheme (the *Boroondara Schedule of Gradings Map* and *Boroondara Heritage Property Database*) to include heritage gradings and relevant heritage citations for properties affected by Amendment C333boro Part 2.**
6. **Authorise the Director Urban Living to undertake administrative changes to the amendment and associated planning controls that do not change the intent of the controls.**

CARRIED

7.2 Gardiners Creek Draft Masterplan

Purpose

To seek Council approval to release the draft Gardiners Creek (Kooyongkoot) Master Plan for public consultation.

Background

Gardiners Creek is a key waterway, vegetation and active transport corridor along Boroondara's southern boundary. Funding was allocated this financial year (2021-22) to support the development of a master plan to define the ongoing management of the Gardiners Creek catchment within Boroondara.

The draft Gardiners Creek (Kooyongkoot) Master Plan (refer **Attachment 1**) was developed in consideration of substantial recent consultations, including the Boroondara Community Plan, the Climate Action Plan and Stonnington's Gardiners Creek Masterplan. Community consultation will now be undertaken on the draft master plan.

Key Issues

The draft master plan seeks to improve the consistency in our future actions for the corridor to ensure continued support for our growing community and to support environmental health and strengthen biodiversity.

Next Steps

Pending Council endorsement of the draft master plan, the Plan will be released for public consultation. An updated draft master plan will be prepared for further consideration by Council and endorsement at a future Council meeting.

MOTION

Moved Councillor Thompson

Seconded Councillor Biggar

That Council:

- 1. Endorse the draft Gardiners Creek (Kooyongkoot) Master Plan as at Attachment 1 for community consultation.**
- 2. Receive a report detailing submissions and any proposed amendments to the Draft Gardiners Creek (Kooyongkoot) Master Plan at a future Services Delegated Committee meeting.**

CARRIED

7.3 Discontinuance of Roads and Reserves Policy

Purpose

The purpose of the Discontinuance of Roads and Reserves Policy (the Policy) is to set out Council's approach to the discontinuance and disposal of roads and reserves.

Background

The policy documents how roads and reserves no longer reasonably required for access, no longer required for the purpose for which they were originally set aside or roads being closed for any other purpose, will be discontinued and sold or transferred.

The policy is important to ensure transparency, equity and consistency in this process.

The Discontinuance of Roads and Reserves Policy was first adopted in 1998 and most recently in December 2021.

The policy has been updated to recognise parcels of land at the frontage of sites also need to be included. Additionally, the method of disposing of land no longer required has been expanded to contemplate both a more competitive financial return and a means of resolving disagreements between and with neighbours as prospective purchasers.

Key Issues

The current policy does not adequately address the means of dealing with road reserves fronting properties and the best method of disposing of discontinued roads where neighbours disagree with each other or with Council's offering.

Next Steps

It is recommended the revised Discontinuance of Roads and Reserves Policy (**Attachment 1**), be approved by Council.

MOTION

Moved Councillor Parke

Seconded Councillor Sinfield

That Council resolve to defer the adoption of the Discontinuance of Roads and Reserves Policy to a future meeting of Council.

CARRIED

7.4 Recommendations of Audit and Risk Committee Meeting

Purpose

This report presents the recommendations of the most recent Audit and Risk Committee meeting for consideration by Council. A schedule of reports and committee recommendations is presented as an attachment to this report.

Background

The most recent meeting of the Audit and Risk Committee was held on 30 March 2022. This report presents the findings and recommendations from that meeting for consideration by Council.

Key Issues

As recorded in the minutes of the Audit and Risk Committee meeting held on 30 March 2022 the following reports were tabled:

- A5.1 Standard Questions for Tabling at the Audit and Risk Committee Meetings
- A5.2 Business Arising
- A5.3 Audit and Risk Committee Administrative Matters
- A5.4 Internal Audit report - Building Inspections and Swimming Pool Registrations
- A5.5 COVID-19 Update
- A5.6 Internal Audit report - Records Management
- A5.7 Three Year Strategic Internal Audit Plan 2022-25
- A5.8 Internal Audit Update
- A5.9 Reports to Parliament by VAGO and other regulatory authorities
- A5.10 Risk Management Update - Risk Management Framework
- A5.11 Update - Business Continuity Planning
- A5.12 Annual IT Security Testing Update - March 2022

A summary of the content of the reports tabled and identification of the required Council action is contained in **Attachment 1**.

Next Steps

The next meeting of Council's Audit and Risk Committee will be held 1 June 2022.

MOTION

Moved Councillor Stavrou

Seconded Councillor Thompson

That Council resolve to adopt the resolutions recommended to Council contained in Attachment 1 (as annexed to the minutes) reflecting the recommendations from the Audit and Risk Committee meeting held on 30 March 2022.

CARRIED

7.5 Proposed City of Boroondara Motions for the Municipal Association of Victoria (MAV) State Council on 24 June 2022

This report informs councillors of two proposed motions to be put forward to the Municipal Association of Victoria (MAV) State Council meeting on Friday 24 June 2022.

Motions that are carried at the MAV State Council become Resolutions. These resolutions are then considered by the MAV Board when setting the strategic workplan for the MAV.

MOTION

Moved Councillor Holingsworth

Seconded Councillor Sinfield

That Council:

- 1. Adopt each motion, as annexed to the Minutes, to be put forward to the Municipal Association of Victoria (MAV) State Council meeting on 24 June 2022.**
- 2. Resubmit its motion presented to the Municipal Association of Victoria (MAV) State Council on 21 May 2021 regarding Electric Safety (Electric Line Clearance), and in doing so seek that the Municipal Association of Victoria advocate to the State Government for a moratorium to the implementation of fines to local governments impacted by the relevant State legislation.**

CARRIED

8. General business

8.1 Leave of Absence

Councillor Thompson declared a General Conflict of Interest in Item 8.1 General Business in accordance with section 127 of the Local Government 2020 and the Governance Rules.

Councillor Thompson advised that the nature of the interest was "I have a conflict of interest in this matter as it relates to my personal circumstances."

Councillor Gillies declared a General Conflict of Interest in Item 8.1 General Business in accordance with section 127 of the Local Government 2020 and the Governance Rules.

Councillor Gillies advised that the nature of the interest was "the request is for personal leave for dates requested."

Councillor Biggar declared a General Conflict of Interest in Item 8.1 General Business in accordance with section 127 of the Local Government 2020 and the Governance Rules.

Councillor Biggar advised that the nature of the interest was "I am requesting a period of leave of absence."

Councillor Hollingsworth declared a General Conflict of Interest in Item 8.1 General Business in accordance with section 127 of the Local Government 2020 and the Governance Rules.

Councillor Hollingsworth advised that the nature of the interest was "I will be attending ALGA in Canberra representing Boroondara as MAV delegate."

Councillor Thompson, Councillor Gillies, Councillor Biggar and Councillor Hollingsworth left the chamber at 7.39 pm prior to the consideration and vote on this item.

MOTION

Moved Councillor Parke

Seconded Councillor Sinfield

That Council resolve to grant:

- 1. Councillor Thompson a leave of absence from Council for Monday 20 June 2022;**
- 2. Councillor Gillies a leave of absence from Council for Wednesday 1 June to Friday 10 June 2022 inclusive;**
- 3. Councillor Biggar a leave of absence from Council for Tuesday 31 May to Monday 13 June 2022 inclusive; and**
- 4. Councillor Hollingsworth a leave of absence from Council for Monday 20 June 2022.**

CARRIED

Councillor Thompson, Councillor Gillies, Councillor Biggar and Councillor Hollingsworth entered the chamber at 7.40 pm and resumed their seats

9. Urgent business

Nil

10. Confidential business

Nil

The meeting concluded at 7.40pm

Confirmed

Chairperson



Date





MINUTES ATTACHMENTS



Council

Monday 23 May 2022

Attachments annexed to the minutes for the following items:

- 4. Informal Meetings of Councillors
- 7.4 Recommendations of Audit and Risk Committee Meeting
- 7.5 Proposed City of Boroondara Motions for the Municipal Association of Victoria (MAV) State Council on 24 June 2022

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Record of Informal Meetings of Councillors

Assembly details	Councillor attendees	Officer attendees	Matters discussed	Conflict of Interest disclosures
Councillor Briefing & Discussion 11 April 2022	Cr Jane Addis Cr Jim Parke Cr Felicity Sinfield Cr Wes Gault Cr Di Gillies Cr Lisa Hollingsworth Cr Cynthia Watson Cr Victor Franco Cr Susan Biggar Cr Nick Stavrou	Phillip Storer (CEO) Christine White (aDPS) Gail Power (aDCS) Mans Bassi (DCT) Scott Walker (DUL) Amy Montalti (CFO) Ashlee Camm (aEMPCD) Paul Mitchelmore (MCS) Adele Thyer (aG&L) Tina Bourekas (MLS) Mathew Dixon (CES) Michelle Forster (AAL) Rebecca Dewar (SPMO) David Cowan (MS&SP) Elizabeth Manou (SGO) Dianne Yans (P&SO) Brendan Burke (SLA) Nick Brennan (SSP)	<ul style="list-style-type: none"> Discontinuance and sale of road reserves Musca Street Reserve Gardiners Creek Elevating Targets Environmentally Sustainable Design 	Nil
Councillor Briefing & Discussion 26 April 2022	Cr Jane Addis Cr Jim Parke Cr Felicity Sinfield Cr Wes Gault Cr Di Gillies Cr Lisa Hollingsworth Cr Cynthia Watson Cr Susan Biggar Cr Garry Thompson Cr Nick Stavrou	Phillip Storer (CEO) Daniel Freer (DPS) Carolyn McClean (DCS) Scott Walker (DUL) Mans Bassi (DCT) Amy Montalti (CFO) David Shepard (MES&OS) Jim Hondrakis (MT&T) Andrea Lomdahl (STP) Adele Thyer (aG&L) Kirstin Ritchie (COG) Clare Davey (SCTA) Helen Pavlidis (SGO)	<ul style="list-style-type: none"> North East Link Electric vehicle uptake Returning to office 	Nil

MINUTES ATTACHMENTS



Council

Monday 23 May 2022

Attachments as annexed to the resolution:

7.4 Recommendations of Audit and Risk Committee Meeting

2

Summary of reports tabled at Audit and Risk Committee meeting held 30 March 2022

Agenda No	Report Title	Summary of Content	Recommended Council Resolution
4	Chief Executive Officer Update	<p>The Chief Executive Officer informed the Audit and Risk Committee of a recent proposal by the State Government to assign responsibility to Councils for the auditing high risk combustible cladding buildings. This proposal presents a serious risk for Councils to manage and mitigate. The Chief Executive Officer updated the Committee on advocacy underway to highlight the deficiencies in the State Government's proposal and assured the Committee of Council's position regarding the proposal.</p> <p>The Chief Executive Officer also noted the State Government is considering changes to Building Regulations that would see Councils forced to assume responsibility for so called 'Orphan Permits' issued prior to a Private Building Surveyor's retirement or cessation of activity.</p> <p>The Chief Executive Officer concluded his update by advising the Committee of a project underway by the State Government which aims to codify Occupational Health & Safety practices regarding mental health in the workplace. The Chief Executive Officer noted Council Officers harbour some concerns regarding the project and undertook to keep the Committee updated as the project progresses.</p>	<p>The Audit and Risk Committee noted the Chief Executive Officer's update regarding the State Government's proposal for the auditing of combustible cladding on buildings and asked that the Meeting Minutes note the Committee recognises the risk the proposal would transfer to Council and that these risks are, at this point in time, unmeasurable and unquantifiable. The Committee strongly supports the advocacy work being undertaken on this matter.</p> <p>The Audit and Risk Committee noted the Chief Executive Officer's update regarding the State Government's proposal for the reassigning of responsibility for so called 'Orphan Building Permits' and asked that the Meeting Minutes note the Committee recognises the risk the proposal would transfer to Council and that these risks, are at this point in time, unmeasurable and unquantifiable. The Committee strongly supports the advocacy work being undertaken on this matter.</p>
A5.1	Standard Questions for Tabling at the Audit and Risk Committee meetings.	<p>Audit and Risk Committee Members were given the opportunity to:</p> <ol style="list-style-type: none"> 1. Ask Auditors present, if their work had been obstructed in any way. Auditors present responded that no obstructions had been experienced. 	<p>Council note the Officers, Auditors and Members had no matters to raise in response to the standard questions outlined in this report.</p>

Summary of reports tabled at Audit and Risk Committee meeting held 30 March 2022

Agenda No	Report Title	Summary of Content	Recommended Council Resolution
		<p>2. Ask if there were any matters such as breach of legislation or practices that need to be brought to the attention of the Audit and Risk Committee. No matters were identified.</p> <p>3. Request a discussion of any matter with the Auditors in the absence of management and other staff. An in-camera discussion with the Internal Auditors was held.</p>	
A5.2	Business Arising.	This report updated the Audit and Risk Committee on matters raised at previous meetings and provided follow up information on queries raised by Committee members. The Committee noted the actions taken in response to matters arising from the minutes of the previous meeting.	Council note the actions taken in response to matters arising from the minutes of previous meetings as outlined in Attachment 1 (as annexed to the Audit and Risk Committee minutes).
A5.3	Audit and Risk Committee Administrative Matters	This report updated the Audit and Risk Committee regarding administrative matters identified at previous Audit and Risk Committee meetings. The Committee requested future Meeting Agendas provide time for discussion on Council's Quarterly Performance Report which is circulated to Committee members in between each Committee meeting.	Council receive and note the report.
A5.4	Internal Audit report - Building Inspections and Swimming Pool Registrations.	<p>This report updated the Audit and Risk Committee on the outcomes of the Internal Audit review of Council's processes to conduct Building Inspections and Swimming Pool Registrations. The review was conducted in accordance with the Council adopted Strategic Internal Audit Plan.</p> <p>The internal audit report assessed the maturity of Council's Building Inspection and Swimming Pool Registration and key controls at the upper boundary of the 'Developing' threshold and on the cusp of the 'Established' threshold and assigned the residual risk as 'Moderate'.</p> <p>The report provided six audit recommendations to further strengthen the control environment and identified one continuous</p>	Council receive and note the report.

Summary of reports tabled at Audit and Risk Committee meeting held 30 March 2022

Agenda No	Report Title	Summary of Content	Recommended Council Resolution
		<p>improvement opportunity. Management agreed with the report's recommendations and provided commentary and implementation dates in the report.</p> <p>The Committee noted the potential heightened consequences of risk matters identified in the report and endorsed Management's prompt actions in already completing implementation of a number of the recommendations contained in the report.</p>	
A5.5	COVID-19 Update	<p>Inclusion of this item in the agenda for the Audit and Risk Committee meeting provides an opportunity for the Committee to be briefed on Council's response to the COVID-19 Pandemic.</p> <p>Due to the dynamic nature of the Pandemic and Council's response, a verbal update is provided at each Audit and Risk Committee meeting.</p> <p>Explanatory notes to support the verbal updates were provided by the Manager Liveable Communities (Municipal Pandemic Coordinator) and Executive Manager, People Culture and Development.</p> <p>The Committee noted the COVID-19 protocols implemented support Business Continuity needs and that Council's approach has been prudent and provided leadership to the Community.</p>	Council receive and note the report.
A5.6	Internal Audit Report - Records Management	<p>This report updated the Audit and Risk Committee on the outcomes of the Internal Audit review of Council's processes in Records Management. The review was conducted in accordance with the Council adopted Strategic Internal Audit Plan.</p> <p>The internal audit report assessed the maturity of Council's Records Management processes and key controls at the</p>	Council receive and note the report.

Summary of reports tabled at Audit and Risk Committee meeting held 30 March 2022

Agenda No	Report Title	Summary of Content	Recommended Council Resolution
		<p>'Established' threshold and assigned the residual risk as 'Moderate'.</p> <p>The report provided three audit recommendations to further strengthen the control environment. Management agreed with the report's recommendations and provided commentary and implementation dates in the report.</p>	
A5.7	Three Year Strategic Internal Audit Plan 2022-2025	<p>This report provided the Audit and Risk Committee with the proposed three year Strategic Internal Audit Plan for 2022-25 to review and endorse.</p> <p>To achieve greater alignment with risk, and to ensure that assurance is provided across the 'high' rated strategic risks, the Strategic Internal Audit Plan development has involved linking auditable activities across Council back to the strategic risks.</p> <p>Past and future internal audit activities across each risk area have been reviewed to ensure that the plan covers the high rated risks across the three years of the plan.</p> <p>In developing the plan, Internal Audit also considered strategic initiatives and projects that are planned to be delivered over the next three years as well as the coverage provided by prior internal audits and other assurance activities.</p> <p>The internal audit plan has been developed in consultation with management who assisted in determining the timing, scope and nature of proposed internal audit projects. Management also confirms the proposed annual internal audit plans can be delivered within available budget.</p> <p>Ongoing review of the plan will be performed to ensure that it continues to cover relevant risks to Council, as well as emerging</p>	Council receive and note the report.

Summary of reports tabled at Audit and Risk Committee meeting held 30 March 2022

Agenda No	Report Title	Summary of Content	Recommended Council Resolution
		compliance requirements. The plan will be reviewed on an annual basis to confirm the program for the commencing financial year.	
A5.8	Internal Audit Update	<p>This report updated the Audit and Risk Committee on the progress of the internal audit plan and status of audit recommendations arising from finalised internal audit reports.</p> <p>The Audit and Risk Committee noted Management's efforts in clearing past audit recommendations in a timely manner.</p>	Council receive and note the report.
A5.9	Reports to Parliament by VAGO and other regulatory authorities	<p>This report updated the Audit and Risk Committee on recent reports to State Parliament by the Victorian Auditor-General's Office (VAGO) and other regulatory bodies with a local government impact or context.</p> <p>The report noted since the last Audit and Risk Committee meeting, the following reports have been tabled by VAGO and other regulatory bodies with local government oversight responsibilities.</p> <ol style="list-style-type: none"> 1. VAGO - Results of 2020-21 Audits: Local Government. 2. VAGO - Council Waste Management Services. <p>A summary of recommendations from the reports was contained in this report and officers provided comments to assist the Audit and Risk Committee understand the current environment at Boroondara in relation to the recommendations provided.</p>	Council receive and note the report.
A5.10	Risk Management Update - Risk Management Framework	This report updated the Audit and Risk Committee on the status of Risk Management activities undertaken during the reporting period, including a review and update of the Risk Management	Council receive and note the report.

Summary of reports tabled at Audit and Risk Committee meeting held 30 March 2022

Agenda No	Report Title	Summary of Content	Recommended Council Resolution
		<p>Framework and the development of the Risk Management Framework Action Plan 2022-26. The Committee reviewed and endorsed the Risk Management Framework and the Management Framework Action Plan 2022-26.</p>	
A5.11	Update - Business Continuity Planning	<p>This report updated the Audit and Risk Committee on the implementation of Council's Business Continuity Planning processes and summarised key activities Council has undertaken during the period to further prepare the business in the management of an incident or business disruption.</p> <p>The activities and continuous improvements reported are aimed at ensuring Council can recover and restore key business processes after an incident or business disruption, ensuring Council's capacity to deliver services and activities to the community is not interrupted or compromised.</p> <p>The report also provided an update to the Audit and Risk Committee on training activities conducted and the lessons and improvement opportunities identified.</p>	Council receive and note the report.
A5.12	Annual IT Security Testing Update - March 2022	<p>Council undertakes annual IT Security Testing of its internal systems as well as systems that are accessible from outside of Council's network such as the City of Boroondara website. This proactive assessment is an important part of Council's overall IT security work and allows Council to be aware of and address any potential security exposures. The most recent test results were reported during the August 2021 Audit and Risk Committee.</p> <p>This report provided an update on the progress of Council's remedial work since August 2021. It included the status of each item as of the time of reporting, February 2022.</p>	Council receive and note the report.

**Summary of reports tabled at Audit and Risk Committee meeting held
30 March 2022**



MINUTES ATTACHMENTS



Council

Monday 23 May 2022

Attachments as annexed to the resolution:

- 7.5 Proposed City of Boroondara Motions for the Municipal Association of Victoria (MAV) State Council on 24 June 2022

9

MAV State Council Meeting - Friday 24 June 2022

Motion

[Maternal & Child Health Service]

Submitted by: *Boroondara City Council*

Primary Contact: *Carolyn McClean 9278 4344*

Secondary Contact: *Andrew McHugh 0407 007 752*

MOTION:

That the Municipal Association of Victoria call on the Victorian Government to:

1. review the outdated funding model for Maternal Child Health (MCH) Service and restore funding to 50-50 between Councils and the Victorian Government.
2. review Key Age and Stage appointment times (increase appointment time) to cater for the cumulative increases in responsibilities added over the past decade.
3. review and update a MCH workforce strategy to maintain ongoing delivery of the MCH service.

MAV Strategy:

Indicate whether or not the subject matter of your motion is included in the MAV Strategy 2021-25.

Is the subject matter of this motion included in the MAV Strategy 2021-25?

Yes

If yes, identify the following:

Objective No.

Theme 2 Objective 3:

Continue to represent council's statutory role in the delivery of the Victorian Maternal and Child Health (MCH) Service

- Secure a new four year 2022-25 MCH MOU with the State Government on behalf of local government.
- Influence new State Government policy and guidelines to ensure council's priorities and challenges are addressed.

Is the subject matter of this motion of state-wide significance to the sector?

Yes

Is the subject matter of the motion identical or substantially similar to a motion submitted to State Council in May 2021, October 2019, May 2019, or October 2018?

The motion is similar to one put forward in May 2019, however the pandemic has exacerbated the issue and the current arrangements are not sustainable.

Note: Motions must be submitted by **one council but may be supported by other councils. The council submitting the motion will need to supply written confirmation from any council(s) listed as supporting the motion. All relevant background information in support of the motion should be included in the space provided for the rationale and not in attachments. **The motion and rationale should be no longer than one page.***

RATIONALE FOR MOTION:

Over the past decade, and especially during the COVID19 Pandemic, MCH services have been stretched to breaking point. A report *'Envy of the Country or Golden Goose? Victoria's Maternal and Child Health Program at the crossroads'* commissioned by the Eastern Metropolitan Region Councils describes a system at a crossroad, in dire need of a fresh approach from the Victorian Government.

Prior to the Pandemic, Boroondara MCH was struggling under the strain of new initiatives introduced by the Victorian Government almost annually and without consultation. These changes increased the responsibilities of the workforce, yet the Key Age and Stage (KAS) appointment times have not increased to reflect the additional work required. This is placing enormous pressure on MCH services and is not sustainable. Coupled with the fact that families are becoming more complex, regardless of Covid, the inadequate appointment times can only mean poorer outcomes for families.

Despite the MOU between the Victorian Government and Councils committing to a 50/50 split to fund the MCH service, Councils across Victoria are contributing well over 60% of MCH funding now - effectively subsidising the Victorian Government. The current funding model of MCH has not been reviewed in well over a decade and does not reflect the current costs of service delivery.

Development of a new funding model is sought immediately to restore the balance to equal amounts between Councils and the Victorian Government.

The KAS appointment times are inadequate and do not reflect the many additional responsibilities added to KAS visit requirements over the past decade. The effect of these ongoing changes can no longer be sustained.

The MCH service has never been more important and shoulders a significant burden at a time when GPs, psychological services and hospitals are too stretched to provide additional support.

Covid has exacerbated a system already under pressure and many Councils are struggling to maintain service delivery due to the issues above not being addressed. Addressing these issues by investing in MCH to enable consistently early intervention will provide better outcomes for families and their children and less impact on the broader health system as children develop.

Note: Motions must be submitted by **one council but may be supported by other councils. The council submitting the motion will need to supply written confirmation from any council(s) listed as supporting the motion. All relevant background information in support of the motion should be included in the space provided for the rationale and not in attachments. **The motion and rationale should be no longer than one page.***

MAV State Council Meeting - Friday 24 June 2022

Motion
[Office of Victorian Government Architect funding reduction]

Submitted by: *Boroondara City Council*

Primary Contact: *Scott Walker 9278 4800*

Secondary Contact: *David Cowan 9278 4830*

MOTION:

That the Municipal Association of Victoria call on the Victorian Government to:

1. Immediately reinstate the full \$1.3 million funding to the Office of the Victorian Government Architect.
2. Continue to fully fund the role of the OVGA to provide independent expert architectural advice to improve the outcome for State Government and State Significant projects.
3. Make publicly available the advice of the OVGA where they have reviewed State Government and State Significant projects.

MAV Strategy:

Indicate whether or not the subject matter of your motion is included in the MAV Strategy 2021-25.

Is the subject matter of this motion included in the MAV Strategy 2021-25?

No

If yes, identify the following:

Objective No.

Is the subject matter of this motion of state-wide significance to the sector?

Yes

Is the subject matter of the motion identical or substantially similar to a motion submitted to State Council in May 2021, October 2019, May 2019, or October 2018?

No

Note: Motions must be submitted by **one council but may be supported by other councils. The council submitting the motion will need to supply written confirmation from any council(s) listed as supporting the motion. All relevant background information in support of the motion should be included in the space provided for the rationale and not in attachments. **The motion and rationale should be no longer than one page.***

RATIONALE FOR MOTION:

The Office of the Victorian Government Architect sits within the Department of Premier and Cabinet and is an independent voice that focuses on quality design to help shape the nature and function of our cities, buildings and landscapes across the State. The OVGA promotes high-quality design principles, processes and outcomes and has influenced improvements in the design of many significant projects. Office of the Victorian Government Architect | Office of the Victorian Government Architect (ovga.vic.gov.au)

The OVGA not only provides leadership and strategic advice to government about architecture and urban design but also runs the Victorian Design Review Panel (VDRP) which is an independent expert design advisory service on significant projects in Victoria. The VDRP have undertaken over 300 design reviews since 2012 on a variety of projects including civic buildings, urban renewal, major transport infrastructure, public housing renewal, hospitals, parks, cultural and sports buildings, commercial buildings, precinct plans and town centres.

The Victorian Government has, without consulting with Local Government, recently reduced the \$1.3 million funding of the Office of the Victorian Government Architect by \$600,000 which will impact the OVGA's ability to provide meaningful independent input and expert advice. This will have a wide-ranging impact on the quality of the design outcome for significant projects across Victoria.

A reduced role for the OVGA is another measure by the State Government to reduce scrutiny of State and other significant projects in addition to the changes already taken place as part of Planning Reform within the Development Facilitation Program and State Project exemptions which have reduced community and Council review and input. Given the Planning changes to reduce the Community and Council role in influencing improved design outcomes the OVGA role should be expanded to provide genuine independent input to State Significant Projects.

Reports from the OVGA should also be made publicly available to improve transparency and demonstrate to the community that improvements to design outcomes have at least been considered in finalising projects.

Note: Motions must be submitted by **one council but may be supported by other councils. The council submitting the motion will need to supply written confirmation from any council(s) listed as supporting the motion. All relevant background information in support of the motion should be included in the space provided for the rationale and not in attachments. **The motion and rationale should be no longer than one page.***