



Moreland
City Council

COUNCIL AGENDA

WEDNESDAY 14 OCTOBER 2020

COMMENCING 7 PM

THE COUNCIL MEETING WILL BE LIVESTREAMED

Language Link

This is the Agenda for the Council meeting.
For assistance with any of the agenda items,
please telephone 9240 1111.

這是市政會會議的議程。您若在理解議程中有需要協助的地方，請打電話給“語言連接 (Language Link)”翻譯服務，號碼9280 1910。

Questo è l'ordine del giorno per la Riunione del consiglio Comunale. Se hai bisogno di aiuto sugli argomenti in discussione, sei pregato di telefonare al Language Link al numero 9280 1911.

Αυτή είναι η Ημερήσια Διάταξη για τη Συνεδρίαση του Συμβουλίου (Council Meeting). Για βοήθεια με οποιοδήποτε από τα θέματα της ημερήσιας διάταξης, παρακαλείστε να τηλεφωνήσετε στο Γλωσσικό Σύστημα (Language Link), στο 9280 1912.

هذا هو جدول أعمال اجتماع المجلس البلدي. للمساعدة بأي بند من بنود جدول الأعمال الرجاء الاتصال بخط Language Link على الرقم 9280 1913.

Belediye Meclisi Toplantısının gündem maddeleri burada verilmiştir. Bu gündem maddeleri ile ilgili yardıma ihtiyacınız olursa, 9280 1914 numaralı telefondan Language Link tercüme hattını arayınız.

Đây là Nghị Trình cuộc họp của Ủy Ban Quy Hoạch Đô Thị. Nếu muốn biết thêm chi tiết về đề tài thảo luận, xin gọi điện thoại cho Language Link qua số 9280 1915.

यह काँसिल की बैठक का कार्यक्रम है। कार्यक्रम के किसी भी विषय के बारे में सहायता के लिए कृपया 9280 1918 पर फोन कीजिए।

这是市政府例会的议题安排，如果需要协助了解任何议题内容，请拨打9280 0750。

ਇਹ ਕੌਂਸਲ ਦੀ ਮੀਟਿੰਗ ਦਾ ਏਜੰਡਾ ਹੈ। ਏਜੰਡੇ ਦੀ ਕਿਸੇ ਆਈਟਮ ਬਾਰੇ ਮਦਦ ਲਈ, ਕ੍ਰਿਪਾ ਕਰਕੇ 9280 0751 ਤੇ ਟੈਲੀਫੋਨ ਕਰੋ।



Moreland City Council

INFORMATION ABOUT COUNCIL MEETINGS

This meeting will be open to the public only via the livestream in accordance with the Ministerial Good Practice Guideline (MGPG) issued on 29 April 2020. If the livestream is not available the meeting will be adjourned until the issue can be rectified. These notes have been developed to help citizens better understand Council meetings. All meetings are conducted in accordance with Council's Governance Rules.

WELCOME The Mayor, who chairs the meeting, formally opens the meeting, delivers an acknowledgement of country and welcomes all present. This Council meeting will be recorded and webstreamed live to Council's website and Facebook page. This recording will also be available as Video on Demand. Although every care is taken to maintain privacy, gallery attendees are advised they may be recorded.

APOLOGIES Where a Councillor is not present, their absence is noted in the minutes of the meeting.

DISCLOSURES OF CONFLICT OF INTERESTS A Councillor has a duty to disclose any direct or indirect pecuniary (financial) interest, s/he may have in any matter to be considered by Council that evening.

CONFIRMATION OF MINUTES The minutes of the previous meeting are placed before Council to confirm the accuracy and completeness of the record.

PETITIONS Council receives petitions from citizens on various issues. Any petitions received since the previous Council meeting are tabled at the meeting and the matter referred to the appropriate Director for consideration.

COUNCIL REPORTS Officers prepare detailed reports, which are considered by Councillors and a Council position is adopted on the matters considered. The Mayor can invite firstly Councillors, secondly Officers, and then citizens in attendance to identify Council reports which should be given priority by the meeting and considered in the early part of the meeting.

NOTICES OF MOTION A motion which has been submitted to the Chief Executive Officer no later than 12 pm (noon) 10 days prior to the meeting which is intended to be included in the agenda. The motion should outline the policy, financial and resourcing implications.

NOTICE OF RESCISSION A Councillor may propose a motion to rescind a resolution of the Council, provided the previous resolution has not been acted on, and a notice is delivered to the authorised officer setting out the resolution to be rescinded and the meeting and date when the resolution was carried. For a decision of the Council to be rescinded, the motion for rescission must be carried by a majority of the votes cast. If a motion for rescission is lost, a similar motion may not be put before the Council for at least one month from the date it was last lost, unless the Council resolves that the notice of motion be re-listed at a future meeting. If a motion for rescission is not moved at the meeting for which it is listed, it lapses. A motion for rescission listed on a meeting agenda may be moved by any Councillor present but may not be amended.

FORESHADOWED ITEMS This is an opportunity for Councillors to raise items proposed to be submitted as Notices of Motion at future meetings.

URGENT BUSINESS The Chief Executive Officer or Councillors, with the approval of the meeting, may submit items of Urgent Business (being a matter not listed on the agenda) but requiring a prompt decision by Council.

CONFIDENTIAL BUSINESS Whilst all Council and Committee meetings of Council are open to its citizens, Council has the power under the *Local Government Act 1989* to close its meeting to the general public in certain circumstances which are noted where appropriate on the Council Agenda. Where this occurs, members of the public leave the Council Chamber or Meeting room while the matter is being discussed.

CLOSE OF MEETING The Mayor will formally close the meeting and thank all present.

NEXT MEETING DATE The next Council meeting will be held on Wednesday 9 December 2020 commencing at 7 pm.

The next Council meeting designated to consider Planning and Related matters will be held on Wednesday 21 October 2020 commencing at 6.30 pm.



Moreland

City Council

1. **WELCOME**
2. **APOLOGIES**
3. **DECLARATION OF INTERESTS AND/OR CONFLICT OF INTERESTS**
4. **MINUTE CONFIRMATION**

The minutes of the Council Meeting held on 9 September 2020 and the Special Meetings held on 21 and 28 September 2020 be confirmed.

5. **PETITIONS**

Nil.

6. **COUNCIL REPORTS**

DEP22/20	ANNUAL REPORT 2019/20	4
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7. **ACKNOWLEDGEMENT OF COUNCILLORS NOT CONTESTING 24 OCTOBER ELECTION**
8. **URGENT BUSINESS**

DEP22/20 ANNUAL REPORT 2019/20
Director Engagement and Partnerships
Community Engagement

Caretaker Statement

The recommended decision is not a decision prohibited by the *Local Government Act 2020* and is a decision that falls within the guidance of the Election Period Policy.

Executive Summary

The Annual Report 2019/20 contains Moreland City Council's audited Financial and Performance Statements and provides information on council operations and services delivered to and for the Moreland community for the 2019/20 financial year.

The Annual Report 2019/20, at Attachment 1, contains the key highlights and achievements of Moreland Council for the year.

The Annual Report 2019/20 has been submitted to the Minister for Local Government in accordance with the requirements of the *Local Government Act 2020* and the Local Government (Planning and Reporting) Regulations.

A summary micro-website is currently in production to share with the community Moreland Council's achievements over the past year in an engaging and accessible way. This will be launched once the local government elections have taken place. This mini-website will be promoted widely to the community via our print and online communications channels.

Officer Recommendation

That Council:

1. Formally receives Moreland City Council's Annual Report 2019/20, at Attachment 1 to this report.
2. Notes the submission of the Annual Report 2019/20 with the Minister for Local Government on Tuesday 29 September 2020 in accordance with the requirements of the *Local Government Act 2020* and the Local Government (Planning and Reporting) Regulations.

REPORT

1. Policy Context

Sections 98, 99 and 100 of the *Local Government Act 2020* provide the statutory framework for Council to prepare and consider its Annual Report along with the requirements to submit it to the Minister for Local Government and make it available for the community.

2. Background

The draft Annual Report 2019/20, at **Attachment 1**, contains the audited Performance and Financial Statements. Council's Audit and Risk Committee recommended to Council that the Financial and Performance Statements be adopted in principle and subsequently, Council, at its meeting on 28 September 2020, approved in principle the Financial and Performance Statements.

The Annual Report 2019/20 meets the State Government's performance reporting framework that became mandatory from 1 July 2014. All councils are required to report results as part of their Annual Report. The framework was introduced to ensure all councils measure and report on their performance in a consistent way.

3. Issues

The intent of the Annual Report 2019/20 is to inform the Moreland community and stakeholders of Council's performance in 2019/20 against objectives and priorities outlined in the Council Plan 2017-2021.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities. There are no human rights implications associated with the preparation of the Annual Report.

4. Community consultation and engagement

Advice was sought from officers across the organisation involved in the provision of branch and department measures and performance information. No community consultation is required in the preparation of annual financial statements and reporting against organisational performance.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

The funds required to prepare and publish Moreland Council's Annual Report 2019/20 are included in the approved operating budget for 2020/21 financial year.

7. Implementation

Public notice has been given that the Annual Report has been prepared and submitted to the Minister for Local Government and will be considered by Council at the October 2020 Council meeting.

A micro-website showcasing the achievements of Council during the last financial year will be published following the 2020 Council election period.

Attachment/s

- | | |
|----------------------------------------------------|------------|
| 1 ↓ Draft Annual Report
2019/20 | D20/410080 |
|----------------------------------------------------|------------|

DBT23/20 GOVERNANCE REPORT - OCTOBER 2020 - CYCLICAL REPORT

Director Business Transformation

Corporate Governance

Caretaker Statement

The recommended decision is not a decision prohibited by the *Local Government Act 2020* and is a decision that falls within the guidance of the Election Period Policy.

Executive Summary

The Governance Report has been developed as a monthly standing report to Council to provide a single reporting mechanism for a range of statutory compliance, transparency and governance matters.

This Governance Report includes:

- Reports from Committees to Council;
- Records of Assemblies of Councillors;
- Notes responses to Community Question Time items from 9 September 2020 Council meeting were provided and will be reported to the December Council meeting;
- Council meeting dates – changes to November 2020 meetings dates previously set by Council.

This report recommends that Council notes the Reports from Committees to Council, Records of Assemblies of Councillors, and responses to Community Question Time items.

This report also recommends, due to Council elections, Council modifies its decision made on 13 November 2019 in relation to November 2020 meeting dates, by cancelling the:

- Council meeting scheduled for 11 November 2020; and
- Council meeting for Planning and Related Matters scheduled for 25 November 2020.

Officer Recommendation

That Council:

1. Notes the reports from Committees to Council, at Attachment 1 to this report.
2. Notes the Records of Assemblies of Councillors, at Attachment 2 to this report.
3. Notes responses to Community Question Time from the 9 September 2020 Council meeting were provided and will be reported to Council at the December 2020 Ordinary Council Meeting.
4. Cancels the Council Meeting scheduled for 11 November 2020 and the Council Meeting for Planning and Related Matters scheduled for 25 November 2020.

1. Policy Context

The appointment of Councillors to specific areas of responsibility and committees provides a framework for relationships between Councillors and the administration of Council and reporting back of these committees to Council is an important transparency mechanism. Council's advisory committees have been established to provide advice to Council on their area of focus.

Section 80A of the *Local Government Act 1989* (the Act) sets out the context in which the Assembly of Councillors Records must be reported to Council.

In accordance with the Meeting Procedure Local Law 2018, at its meeting on 25 March 2020 Council resolved that Public Question Time would not be held during the State of Emergency declared in Victoria in response to the COVID-19 pandemic. Council further determined that community question time would be held, providing the opportunity for three questions to be asked and answered at a Council meeting and all remaining questions taken on notice, to receive a written response.

The Election Period Policy, included in Council's Governance Rules, provides restrictions on the decisions and reports to be considered by Council during the election period. Council must not make a decision on any matter or report that does not include a Caretaker statements. Councillors will also refrain from moving motions or raising matters at a meeting that could potentially influence voting in an election.

2. Background

The Governance Report is a standing monthly report to Council to provide a single reporting mechanism for a range of statutory compliance, transparency and governance matters.

In accordance with best practice and good governance principles, and to ensure compliance with the requirements of the Act, this report incorporates matters including reporting of advisory committees, records of Assemblies of Councillors, items relating to the delegation of Council powers, and policy and strategy reporting.

3. Issues

Reports from Committee to Council

A summary of the key issues discussed at the following meetings is provided at **Attachment 1** for Council's information:

- Friends of Aileu Community Committee meeting - 1 September 2020;
- Moreland Arts Advisory Committee - 1 September 2020;
- Moreland Transport Advisory Committee – 1 September 2020;
- Moreland Libraries Advisory Committee – 8 September 2020.

Assemblies of Councillors

An Assembly of Councillors is a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be the subject of a decision of the Council or delegate.

Some examples include Councillor Briefings, meetings with residents/developers/clients/organisations/government departments/statutory authorities and consultations. Councillors further requested that all Assembly of Councillors Records be kept for Urban Planning Briefing meetings, irrespective of the number of Councillors in attendance.

Records of Assemblies of Councillors, received since the preparation of the last report to Council in September 2020, are presented at **Attachment 2** for:

- Moreland Arts Advisory Committee held 1 September 2020;
- Moreland Transport Advisory Committee held 1 September 2020;
- Councillor Briefing held on 7 September 2020;
- Moreland Human Rights Advisory Committee held 16 September 2020;
- Planning Briefing held on 21 September 2020; and
- Audit and Risk Management Committee held 22 September 2020.

Community Question Time Responses – September 2020

Council determined at its Special Meeting on 25 March 2020 that during the State of Emergency, Public Question Time at Council meetings would not take place, and instead questions from the community would be submitted online. At the Mayor's discretion three questions would be responded to at the meeting and any remaining questions would be responded to in writing.

At the 9 September Council Meeting, the Mayor responded to three questions from the community, written responses for the remaining 5 questions were provided. As the responses contain information that may be the subject of election campaigns, they will be reported to the December 2020 Ordinary Council meeting.

When the State of Emergency is lifted by the State Government, Public Question Time will be automatically reinstated at Ordinary Council Meetings. Reinstating Public Question Time (and Community Submissions) has been raised and discussed by Councillors. While there is provision in the Governance Rules and it would be technically possible, the complexities of managing the admissions to the meeting would require additional staff to administer. In the environment where the essential worker permit system applies, it seems unlikely this would be permitted work. In the event the State of Emergency has not been lifted, the issue of reinstating Public Question Time and Community Submissions will be referred to the newly elected Council.

Update to Council's decision in relation to Council meetings for November 2020

At its meeting on 13 November 2019, Council set dates (DBT24/19) for Council Meetings and Council Meetings designated to consider Planning and Related Matters for 2020. Due to the Council elections on 24 October and advice from the Victorian Electoral Commission (VEC) that electoral results may not be declared until Friday 13 November 2020, it is necessary to cancel the following meetings set:

- Council meeting scheduled for 11 November 2020; and
- Council meeting for Planning and Related Matters scheduled for 25 November 2020.

Following the VEC's declaration of the election result, the Chief Executive Officer, in accordance with section 3.3.2 (3) of the Governance Rules, will call a special meeting for the purpose of swearing in the new Council, and then a subsequent meeting in accordance with section 3.5 (1) for the purpose of electing the Mayor and the Deputy Mayor. Both meetings will also be called and held in accordance with the *Local Government Act 2020*.

Human Rights Consideration

There are no Human Rights implications arising from this report.

4. Consultation

Advisory committees provide a valuable communication and consultation link between the organisation, Councillors, Council and the community.

The appointment of Councillors to specific areas of responsibility, 'Councillors Responsible For', provides a framework for relationships between Councillors and the administration of Council. Councillors have had an opportunity to express interest in 'Councillor Responsible For ...' roles and Committee appointments.

Community Question Time provides a continued opportunity for the community to direct their questions to the Council during the COVID-19 State of Emergency.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in these matters.

6. Financial and Resources Implications

There are no resources or financial implications arising from this report.

7. Implementation

Governance activity, including reports of committees to Council, Assemblies of Councillors and Community Questions Time items, will continue to be reported to Council monthly.

Attachment/s

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| 1 | Advisory Committee reports to Council | D20/411511 |
| 2 | Records of Assemblies of Councillors | D20/392462 |