

# Agenda



**Monday, 24 February 2020 7.00pm**

## Ordinary Meeting of Council

Olympia, Hawdon & Ibbott Rooms

Level 4, 1 Flintoff Street, Greensborough

## **Acknowledgement of the Traditional Custodians**

*“Our meeting is being held on the Traditional Land of the Wurundjeri Woi-wurrung people and, on behalf of Banyule City Council, I wish to acknowledge them as the Traditional Custodians. I would also like to pay my respects to the Wurundjeri Woi-wurrung Elders, past, present and emerging, and to acknowledge other Aboriginal and Torres Strait Elders joining us today.”*

## **Apologies and Leave of Absence**

## **Confirmation of Minutes**

*Ordinary Meeting of Council held 3 February 2020 and  
Special Meeting of Council held 10 February 2020.*

## **Disclosure of Interests**

### **1. Urgent Business**

#### **REPORTS:**

### **2. Petitions**

Nil

### **3. People – Community Strengthening and Support**

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### **4. Planet – Environmental Sustainability**

Nil

### **5. Place – Sustainable Amenity and Built Environment**

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5.3 21 - 25 Bellevue Avenue, Rosanna - Proposed Child Care Centre -  
P954/2019 ..... 23

### **6. Participation – Community Involvement in Community Life**

Nil

### **7. Performance - Use Our Resources Wisely**

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2 ..... 45

7.2 Quarterly Financial Management Report - For the period ended 31  
December 2019 ..... 49

7.3 Assembly of Councillors..... 66

7.4 Audit & Risk Advisory Committee Minutes - 6 December 2019 ... 71

**8. Sealing of Documents**

Nil

**9. Notices of Motion**

Nil

**10. General Business**

**Public Question Time**

**Closure of Meeting**

**Audio Recording of Council Meetings**

*Please note that all Council Meetings are audio recorded, with the exception of matters identified as confidential items on the Agenda. This includes public participation during the meeting. These recordings will be made available on Council's website [www.banyule.vic.gov.au](http://www.banyule.vic.gov.au).*

*The next Ordinary Meeting of Council will be held on Monday, 16 March 2020.*



### **3.1 HIMILO COMMUNITY CONNECT - REQUEST FOR FINANCIAL SUPPORT**

Author: Frances Gianinotti - Community Partnerships Coordinator, Community Programs

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#### **EXECUTIVE SUMMARY**

Himilo Community Connect (Himilo) was established in 2016 and is based at Shop 48 The Harmony Centre (Shop 48) in Heidelberg West. Himilo currently pays Council an annual tenancy fee of \$20,000 plus GST.

Over 900 Banyule residents attend Himilo's six activity based programs each month, delivered by nine Himilo staff. Shop 48 has been instrumental in the success of Himilo and the Council staff's support and partnership enabled Himilo to provide services and supports to the some of Banyule's most vulnerable members in the community.

Heidelberg Training and Resource Centre Incorporated (trading as E-Focus) were appointed as the auspice agency. On the 22<sup>nd</sup> November, 2019, E-Focus went into voluntary administration. PricewaterhouseCoopers (PWC) were appointed as administrators. E-Focus' insolvency has had significant impact on Himilo's ability to maintain both the current staff levels and programs. Himilo funds, totalling \$410,000 for 2019/20, provided by various Victorian government departments and a philanthropic trust have been frozen. PWC has advised that Himilo is not in the "creditors" list and therefore it will be more difficult to recover any of these funds.

On the 23<sup>rd</sup> December, 2019, Banyule Community Health became the new auspice agency. Whilst Himilo has received funding from the Department of Premier and Cabinet for staff wages for 7 months to the end of June 2020 it requires additional funding for programs and operations to maintain some of the programs currently active.

Himilo is seeking financial support from Council to help the group maintain services for the remainder of this financial year. Specifically, Himilo is seeking a total of \$70,000 as follows:

- \$35,000 to maintain current programs and activities to July 2020;
- \$10,000 to cover 6 months' rental charges at Shop 48 to the end of June 2020;
- \$25,000 to pay the balance payment of the Latrobe University Research project into unemployment of Somali Australian Young People.

Ongoing funding provided by various Victorian government departments will continue in the next financial year in order to continue to provide services.

#### **RECOMMENDATION**

That Council approve a one off payment of \$70,000 to Banyule Community Health as financial support for Himilo Community Connect to cover costs for programs and operations to July 2020. These funds will be allocated from cash savings identified in the current operational budget forecast.

**HIMILO COMMUNITY CONNECT - REQUEST FOR FINANCIAL SUPPORT cont'd**

**COUNCIL PLAN**

This report is in line with Banyule's Council Plan key direction to "Support a connected, inclusive and involved community".

**BACKGROUND**

In 2016, Himilo Community Connect (Himilo) was established through a rigorous co-design process involving 123 members of the Australian Somali community in Heidelberg West, State and Local Government representatives, community organisations and other stakeholders.

Heidelberg Training and Resource Centre Incorporated (trading as E-Focus) were appointed as the auspice agency. The Victorian Government has been the primary funding body alongside other funding contributors including Council. Himilo is based at Shop 48 The Harmony Centre (Shop 48) in Heidelberg West and currently pays an annual tenancy fee of \$20,000 plus GST.

The work that Himilo undertakes is based on well researched evidence and ongoing community consultation. The Somali community in Victoria face disproportionate levels of unemployment and underemployment and increased features of disadvantage and social exclusion, including youth disengagement and risk indicators for compromised health and well-being.

La Trobe University Centre for Higher Education Equity and Diversity Research has recently completed a report entitled 'Improving employment and education outcomes for Somali Australians'. Findings have indicated that Somali Australians are more than three times likelier than other Australians to be unemployed.

Importantly, the Latrobe University Research project offers specific insight into the challenges facing Somali Australian graduates and demonstrates staggering results about the barriers and facilitators to employment. This research, once released, will be invaluable to Council in providing real insight and opportunities to further engage in a more informed and meaningful way with Somali Australian young people.

Himilo has a track record of supporting Somali Australian young people to gain and retain employment. Its partnership with the Department of Health and Human Services (DHHS) has seen 27 Somali Australian young people employed in full time, part time and cadetship capacity to date. Himilo's partnership with LaTrobe University has seen 12 Somali Australian young people employed in a part time capacity.

Council has a dedicated interest in supporting the large African community that live, work and play in our municipality. The City of Banyule has the largest population of Somali residents in Victoria. Council has developed a successful Inclusive Employment Program now in its second year. In 2019, 3 out of the 11 participants appointed were Somali Australian young people, gaining invaluable experience working within varied Council Departments, 2 of whom have maintained ongoing employment with Council. In 2020, Council has appointed 16 participants of which 4 are Somali Australians.

## HIMILO COMMUNITY CONNECT - REQUEST FOR FINANCIAL SUPPORT cont'd

### CURRENT SITUATION

On the 22 November, 2019, E-Focus went into voluntary administration. PricewaterhouseCoopers (PWC) were appointed as administrators. E-Focus' insolvency has had significant impact on Himilo's ability to maintain both the current staff levels and programs. Himilo funds, totalling \$410,000 for 2019/20, provided by various Victorian government departments and a philanthropic trust have been frozen. PWC has advised that Himilo is not in the "creditors" list and therefore it will be more difficult to recover any funds. Himilo has engaged pro bono solicitors to seek a refund from PCW. At this stage it is unlikely a resolution will be reached in the immediate to short term future.

On the 23<sup>rd</sup> December, 2019, Banyule Community Health became the new auspice agency. Whilst Himilo has received funding from the Department of Premier and Cabinet for staff wages for 7 months to the end of June 2020 it requires additional funding for programs and operations to maintain some of its core programs.

Himilo is seeking financial support from Council to help the group maintain services for the remainder of this financial year. Specifically, Himilo is seeking a total of \$70,000. Specifically, Himilo is seeking \$35,000 to maintain programs to July 2020 as well as \$35,000 to cover 6 months' rental charges at Shop 48 and the balance payment of the Latrobe University Research project.

Ongoing funding provided by various Victorian government departments will continue in the next financial year in order to continue to provide services.

The total costs requested are \$70,000 and detailed below:

1. Learning Club (Homework support) - \$15,000  
This program runs at Shop 48 and has more than 165 students enrolled, with over 100 attendance each week. The program has links with local schools and provides tutoring, homework support and early education support.
2. Women's support program - \$5,000  
This program provides supports to women including elderly and isolated women, women experiencing and/or at risk of family violence and women experiencing mental health issues.
3. Himilo Playgroup - \$15,000  
This program has 85 families from Banyule registered with 70 children and 31 mothers attending each week. Program delivers structured playgroup, age appropriate learning and development programs, links to maternity and childhood services and support for mothers and their children. This program was supported by Scanlon Foundation for the last 3 years (\$50,000 each year) under the auspice of Community Hubs Australia and this funding ceased at the end of 2019.
4. Latrobe University research project - \$25,000  
Himilo had previously commissioned La Trobe University to undertake research into employment outcomes for Somali Australians, with the focus on those residing in the City of Banyule. The research identified employment barriers and details a range of recommendations. The total cost of the research is \$40,000. Himilo has paid \$15,000 but the balance of \$25,000 is still outstanding. Final

## **HIMILO COMMUNITY CONNECT - REQUEST FOR FINANCIAL SUPPORT cont'd**

payment will be required to release and publish the research. This research is needed to provide the evidence for intervention and resourcing.

### **5. Rental subsidy for Shop 48 - \$10,000**

Himilo has been based at Shop 48 since 2016. In 2019/20 tenancy fees are \$20,000 plus GST and are currently paid to 31<sup>st</sup> December 2019. There is an outstanding amount of \$10,000 to the end of June 2020.

The programs listed above comprise Himilo's high priority programs. Without Council's financial support as requested, Himilo does not have any financial capacity to deliver them. Several hundred people will be directly affected as a result.

Other programs previously delivered by Himilo but are currently not available due to funding constraints include:

- Case management support;
- Employability support ie assistance with resumes, job applications, interview techniques, etc;
- Himilo Active – sport, health and wellbeing activities that are culturally accessible; these activities are delivered in partnership with Council's Banyule Leisure, Macleod YMCA and ReLink Australia and primarily target women, but there is also one male fitness and recreation program;

## **LEGAL CONSIDERATION**

There are no direct legal implications arising from the recommendation contained in this report.

## **HUMAN RIGHTS CHARTER**

In developing this report to Council, the subject matter has been considered in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

It is considered that the subject matter does not raise any human rights issues.

## **OFFICER DECLARATION OF CONFLICT OF INTEREST**

Section 80C of the *Local Government Act 1989* (Act) requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

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

## **CONCLUSION**

Himilo Community Connect (Himilo) was established in 2016 and is based at Shop 48 The Harmony Centre (Shop 48) a council managed community facility in Heidelberg West. Himilo currently pays an annual rental fee of \$20,000 plus GST.

Heidelberg Training and Resource Centre Incorporated (trading as E-Focus) were appointed as the auspice agency. On the 22<sup>nd</sup> November, 2019, E-Focus went into voluntary administration. PricewaterhouseCoopers (PWC) were appointed as administrators. E-Focus' insolvency has significant impact on Himilo's ability to maintain both the current staff levels and programs due to funds being frozen.



**HIMILO COMMUNITY CONNECT - REQUEST FOR FINANCIAL SUPPORT cont'd**

On the 23<sup>rd</sup> December, 2019, Banyule Community Health became the new auspice agency. Whilst Himilo has received funding from the Department of Premier and Cabinet for staff wages for the 7 months to the end of June 2020 it requires additional funding for operations and to continue some of its core programs for the remainder of the financial year.

Himilo is seeking a total of \$70,000 in financial support from Council to help the group maintain services for the remainder of this financial year.

Ongoing funding provided by various Victorian government departments will continue in the next financial year in order to continue to provide services.

**ATTACHMENTS**

Nil



## **5.1 BELLFIELD COMMUNITY HUB CONCEPT PLAN**

Author: Jacqueline Stephenson - Senior Project Manager, Assets & City Services  
Ward: Olympia

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### **EXECUTIVE SUMMARY**

Council has committed to the design and construction of Bellfield Community Hub on the site of the former Banksia La Trobe Secondary College site.

The proposed Bellfield Community Hub will provide the Banyule community with key council services and community spaces in one integrated location to facilitate social interaction, community presence and convenience for residents. It will include children's rooms, social support, maternal and child health suites, consulting suites, community meeting rooms, an adult education space, a community garden, outdoor spaces, landscaping and car parking. In September 2019 Council appointed K20 Architecture to design the Bellfield Community Hub.

From September to December 2019 consultation was carried out with internal user groups, the Project Reference Group and local community, via Shaping Banyule, direct mail outs, drop in session and internal meetings.

Environmentally Sustainable Design (ESD) components of the project will be designed to a 6 Star Green Star Design Assessment (not certified) with solar panels and solar hot water, sub-metering, water harvesting, grey water use, building sealing, energy efficient lighting, natural day light, recycled materials, thermal control, acoustic control and natural ventilation among other initiatives being investigated.

There are opportunities with the delivery of this new hub to create local job and training outcomes. This includes a social enterprise café, and sustainable procurement of building maintenance, cleaning, landscaping and other required services.

A Draft Concept Plan has been developed.

It is anticipated that the project construction will commence in September 2020.

**BELLFIELD COMMUNITY HUB CONCEPT PLAN cont'd**

**RECOMMENDATION**

That Council:

1. Notes the progress on the concept design and plan for the Bellfield Community Hub and endorses the inclusion of the following council services and provisions in the new hub:
  - a. Kindergarten and children's services
  - b. Maternal and Child Health
  - c. Social Support
  - d. Community rooms including adult education room
  - e. Community garden
  - f. Café
  - g. Consulting rooms
  - h. Staff areas
  - i. Car Parking
2. Commence exploration of:
  - a. building maintenance, cleaning, landscaping and other procurement opportunities within the Bellfield Community Hub that also positively contribute to social, economic and/or environmental outcomes.
  - b. leasing the Bellfield Kiosk to a social enterprise for the purposes of operating a new social enterprise café to provide training and employment outcomes for local residents.

**COUNCIL PLAN**

This report is in line with Banyule's Council Plan key direction to "Provide great public and open spaces".

**BACKGROUND**

In 2012, Banyule City Council acquired three decommissioned school sites from the Victorian State Government. Two of those sites have been developed with residential infill. The third and final remaining redevelopment parcel, the former Banksia La Trobe Secondary College, is the subject of this report.

Along with the planned residential development, Council has committed to the design and delivery of a multi-purpose hub on the site that will cater for aged services, early childhood service, maternal and child health and wider community grounds. It has also committed to the delivery of the new community garden.

In preparation for the delivery of the community hub, Council appointed K20 Architecture in September 2019.

**LEGAL CONSIDERATION**

There are no direct legal implications arising from the recommendation contained in this report.

## **BELLFIELD COMMUNITY HUB CONCEPT PLAN cont'd**

### **HUMAN RIGHTS CHARTER**

In developing this report to Council, the subject matter has been considered in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

It is considered that the subject matter does not raise any human rights issues.

### **CURRENT SITUATION**

#### **CONSULTATION**

The first stage in the design process is a concept plan. Consultation was carried out with different service areas within Council such as maternal child health, aged services, early childhood services, engineering, community venues, parks and gardens and environment to establish the scope of the building. After feedback from the various teams in Council who will be using this new facility, K20 Architecture put together a draft concept plan.

Between September 2019 and December 2019 Council undertook community engagement for the Bellfield Community Hub. The engagement focused on presenting an early draft concept design of the proposed building and seeking feedback to be able to inform the detailed design on the project.

This draft concept plan was shared with the wider community to gain feedback and comments. The consultation with the wider community consisted of:

- Mail out for 4,100 households in the local area
- Shaping Banyule information and survey page
- Inclusion in the Banyule Banner
- Meetings with and mail outs to Project Reference Group members
- Two drop in sessions held on Saturday 23<sup>rd</sup> November and Tuesday 26<sup>th</sup> November 2019, attended by 45 residents and community members; and
- Meetings with internal council service areas

Of the fifty comments received, they were grouped into 17 themes. All comments and themes were considered, with 12 of the 17 themes addressed or incorporated in the revised Concept Plan. This revised Concept Plan is attached to this briefing report as Attachment 1.

Feedback from community focussed largely on a general desire for sustainable design and also on specific items such as solar, electric car charging and additional bike racks. The brief for K20 Architecture called for Environmentally Sustainable Design (ESD) to 6 Star Green Star Design Assessment (not certified). K20 Architecture bring a high degree of experience and understanding in all elements of community buildings and in particular in environmentally sustainable buildings. As the detailed design progresses, great emphasis will be placed on the ESD elements of the building. Exploration of ESD elements such as solar panels and solar hot water, sub-metering, water harvesting, grey water use, building sealing, energy efficient lighting, natural day light, recycled materials, thermal control, acoustic control and natural ventilation are already underway to achieve the 6 Star rating and the best outcome for the Banyule community now and for future Banyule generations.

## **BELLFIELD COMMUNITY HUB CONCEPT PLAN cont'd**

There were comments made about the residential development and social housing development, both adjacent to the community hub land, and these comments were passed along to the Council Officers working on those developments.

### **SCOPE**

The following areas are included in Concept Design:

- Two kindergarten rooms with outdoor play space to cater for 66 children;
- Four long day care rooms with outdoor play space to cater for 54 children;
- Three social support rooms for older adults with outdoor area;
- Three maternal and child health consulting suites;
- Three community meeting rooms with operable walls to allow for a large gathering space or individual spaces;
- Adult Education room to cater to 30 participants;
- Two consulting suites;
- Café adjacent to community garden;
- Staff areas, meeting rooms and amenities;
- Car parking; and
- Community garden with access to amenities

The car parking is shown on the Concept Plan split between underground car parking and at level car parking. As the design continues, every effort will be made to bring all car parking overground, reducing the requirement for a basement car park, as this will deliver a better design outcome. While striving to deliver the best design outcome, the car parking needs of the building will not be compromised.

As the design progresses and the best design outcomes are sought, small changes may be made to the concept layout.

### **SOCIAL ENTERPRISE CONSIDERATION**

The new hub will house a café at the front of the hub along Perkins Avenue which will integrate with the community garden, service the people visiting and working in the hub and the greater population of Bellfield.

There are many outdoor areas associated with the hub including children's play spaces, the social support outdoor areas, entrances and general landscaping around the building.

Centre management, including booking of spaces, set up of spaces, directing community, facility maintenance, will be required for a building of the size.

With the many facets of the hub, mentioned above, there are opportunities to create local job and training outcomes. This includes a social enterprise café, and sustainable procurement of building maintenance, cleaning, landscaping and other required services.

### **FUNDING IMPLICATIONS**

The funding for the project will be through Council's capital works. For commercial reasons, this budget should not be made public to allow for the best, most competitive prices throughout the construction tender process in the coming months.

## **BELLFIELD COMMUNITY HUB CONCEPT PLAN cont'd**

### **TIMELINES**

Following concept design sign off by Council, K20 Architecture will continue into Schematic Design then into Detailed Design. Concurrently, an Expression of Interest will be advertised to ensure that suitably qualified builders are shortlisted for the construction tender. The Tender will be released in May 2020 to allow for award of the tender in the September 2020 Council meeting.

### **OFFICER DECLARATION OF CONFLICT OF INTEREST**

Section 80C of the *Local Government Act 1989* (Act) requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

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

### **CONCLUSION**

The Bellfield Community Hub will meet community needs by building a welcoming, safe and comfortable place to promote and foster intergenerational connections, community, key council services, sustainability, education and technology. The building will provide flexibility and multipurpose spaces suiting a wide range of community needs, as well as areas for key council services for a range of age groups.

There are many opportunities within the new hub for Social Enterprise organisations and these must be further explored with the full support of Council.

Consultation for the concept plans for the proposed Bellfield Community Hub is now complete.

The delivery plan can now commence with the continuation of the design into detailed design.

It is expected that construction could commence in September 2020.

### **ATTACHMENTS**

<b>No.</b>	<b>Title</b>	<b>Page</b>
1	Bellfield Community Hub Concept Plan	

## **5.2 HURSTBRIDGE LINE DUPLICATION - STAGE 2 - UPDATE**

Author: Kathleen Petras - Transport Planning Team Leader, City Development  
Ward: Bakewell, Beale & Hawdon

### **Previous Items**

Council on 09 Dec 2019 7.00pm (Item 5.7 - Hurstbridge Railway Line Upgrade Stage 2 - Urban Design Principles and Project Update)

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### **EXECUTIVE SUMMARY**

In May 2019 the Level Crossing Removal Project (LXRP) announced the upgrade of the Hurstbridge Railway line between Greensborough and Eltham. In Banyule the project will include:

- A new Station at Greensborough.
- An upgrade of Montmorency Station.
- 3km of track duplication Greensborough to Montmorency.
- Additional commuter parking at both Greensborough (100 spaces) and Montmorency (30 spaces) Stations.
- increased frequency of train services

Construction is scheduled to commence in late 2020 and be completed by the end of 2022.

Advice was provided in early January 2020 that a planning scheme amendment was being prepared and that consultation with both Council and the Banyule community would inform this process. The month long consultation is currently underway and will run until 28 February 2020.

Unexpectedly, Amendment VC170 was gazetted and came in to effect on 31 January 2020. It has introduced Clause 52.03 - Level Crossing Removal Project across all planning schemes in Victoria. This has removed the need for each LXRP project to go through a separate planning scheme amendment process and places the authority for planning approvals for all future LXRP projects with the Minister of Planning.

LXRP has confirmed that the consultation will continue as planned but now the report containing feedback will be provided to the Minister as set out in Amendment VC170 rather than be input into a planning scheme amendment process. This is considered to be a reduced opportunity for community and Council input in to the project.

In December 2019, Council adopted a list of urban design principles for the HB2 Project (Resolution CO2019/268). These were developed following a review of the relevant Council strategies to create a set of urban design and environmental principles to assist in responding to draft Urban Design Guidelines (version C) which were prepared by LXRP for this project.



## **HURSTBRIDGE LINE DUPLICATION - STAGE 2 - UPDATE cont'd**

A comprehensive response was provided to LXP in late December 2019, titled "Banyule City Council - Hurstbridge 2 - Urban Design Response - December 2019" as attached.

The response highlighted, at a strategic level, how misaligned Government policy and actual delivery has become in this instance. The State is choosing to ignore critically important precinct-wide opportunities at Greensborough and Montmorency that its own policy argues for.

Instead, LXP has adopted a narrow, single-purpose, outcome focused on service frequency. However, new stations have a significant role in place making and urban renewal and require considered design to be undertaken in partnership with Council and other stakeholders. The State's current approach will likely see many unrealised opportunities under the proposed design guidelines and leave an enduring legacy that will fail to correct many of the existing connectivity issues that will bring about whole-of-transport system improvements.

Advocacy should continue for the inclusion of a bus interchange at Greensborough Station, a shared path from Greensborough to Eltham and the urban design and environmental principles being implemented in the project.

Involvement will be maintained in the various stages of planning, design and construction of the project.

### **RECOMMENDATION**

That Council:

1. Advocates for optimal urban design outcomes as set out in the Banyule City Council – Urban Design Response – December 2019 including:
  - a. A multi-modal transport interchange at Greensborough Station paired with a bus services review.
  - b. The inclusion of a shared use path within the rail corridor connecting existing local paths and access to the stations.
  - c. High quality station precincts with civic appeal and enhanced public realm.
  - d. Montmorency Station Forecourt extended to include the intersection of Station, Binns and Were Street to enhance Were Street as a destination for events and create a multi-functional space that can be used by the community.
  - e. Minimised loss of vegetation and mitigate the impacts of screening removal from the heavily treed interface to the rail corridor.
  - f. Increase the provision of commuter parking on the Hurstbridge Railway Line at the most appropriate park and ride facility at Watsonia Railway Station.
  - g. Permeability and enhanced access between affected stations and their residential, commercial and education precincts.
2. Writes to the Minister for Planning, Minister for Transport Infrastructure and local members of parliament to:
  - a. Request meetings to discuss the importance of including the projects and elements as set out in point 1 above.

## **HURSTBRIDGE LINE DUPLICATION - STAGE 2 - UPDATE cont'd**

- b. Express Council's disappointment in:
  - i. Not being informed of the development of Amendment VC170 prior to its gazettal.
  - ii. Losing the opportunity for Council and the Banyule community to provide submissions to the planning scheme amendment process for Hurstbridge Rail Duplication Stage 2.
- c. Seek assurance that feedback from the Banyule community and Council consultation as required in Amendment VC170 will be incorporated into the project design.

### **COUNCIL PLAN**

This report is in line with Banyule's Council Plan key direction to "Support sustainable transport".

### **BACKGROUND**

In May 2019 the Level Crossing Removal Project (LXRP) announced the upgrade of the Hurstbridge Railway line between Greensborough and Eltham. In Banyule the project will include:

- A new Station at Greensborough.
- An upgrade of Montmorency Station.
- 3km of track duplication Greensborough to Montmorency.
- Additional commuter parking at both Greensborough (100 spaces) and Montmorency (30 spaces) Stations.
- increased frequency of train services

In December 2019, Council adopted a list of urban design principles for the Hurstbridge Railway Line Upgrade Stage 2 Project (Resolution CO2019/268). These were developed following a review of the relevant Council strategies to create a set of urban design and environmental principles to assist in responding to draft Urban Design Guidelines (version C) which were prepared by LXRP for this project.

Advice was received in early January 2020 that a planning scheme amendment was in preparation and that consultation with both Council and the Banyule community would inform this process. The consultation was to be run from 28 January to 28 February 2020. This consultation has commenced but will now only input to a report to the Minister prior to project commencement.

### **ADVOCACY**

A comprehensive response was provided to LXRP in late December 2019. It highlighted various unrealised opportunities with the current urban design guidelines and advocated for the following critical outcomes:

- A multi-modal transport interchange at Greensborough Station paired with a bus services review.
- The inclusion of a shared use path within the rail corridor connecting existing local paths and access to the stations.
- High quality station precincts with civic appeal and enhanced public realm.

## **HURSTBRIDGE LINE DUPLICATION - STAGE 2 - UPDATE cont'd**

- Montmorency Station Forecourt extended to include the intersection of Station, Binns and Were Street to enhance Were Street as a destination for events and create a multi-functional space that can be used by the community.
- Minimised loss of vegetation and mitigate the impacts of screening removal from the heavily treed interface to the rail corridor.
- Increase the provision of commuter parking on the Hurstbridge Railway Line at the most appropriate park and ride facility at Watsonia Railway Station.
- Permeability and enhanced access between affected stations and their residential, commercial and education precincts.

A document was prepared including these key points and a comprehensive exploration of the possibilities for optimal urban design outcomes. See the “Banyule City Council - Hurstbridge 2 - Urban Design Response - December 2019” attached.

## **PLANNING SCHEME AMENDMENT VC170**

Unexpectedly, Amendment VC170 was gazetted and came into effect on 31 January 2020. It has introduced Clause 52.03 - Level Crossing Removal Project across all planning schemes in Victoria. This has removed the need for each LXP project to go through a separate planning scheme amendment process and places the authority for planning approvals for all future LXP projects with the Minister for Planning and the State Government.

The Minister for Planning exempted Amendment VC170 from the usual notice requirements with the effect that third parties including Council were not notified of the proposed amendment or given the opportunity to make submissions in relation to the amendment.

An explanatory report has been provided (attached) which states that this has been done to streamline the approvals process and improve efficiency. The new provision is a consolidation of the 48 planning scheme amendments that have been required for the previously delivered LXP projects. Public consultation, and consultation with the relevant municipal Council, is mandated in the new provision to be undertaken prior to project commencement.

The Minister for Planning and other relevant State authorities are now directly responsible for all planning approvals in regard to any LXP project (including Hurstbridge Railway Line Upgrade Stage 2) including the approval of:

- A report that summarises the feedback provided during public consultation and explains how the feedback has been considered and responded to.
- An environmental management framework (EMF) to manage environmental and amenity impacts during construction (Note that Council must be consulted in the development of the EMF).
- Reports addressing the project impact on land protected by Heritage, Environmental Significance, Significant Landscape, or Vegetation Protection Overlays.
- An environmental assessment of any land to be used for new open space.
- Demonstration of the project’s adherence to the *Guidelines for removal, destruction or lopping of native vegetation* (DELWP December 2017) including offset provisions.

## **HURSTBRIDGE LINE DUPLICATION - STAGE 2 - UPDATE cont'd**

### **IMPLICATIONS OF AMENDMENT VC170**

Amendment VC170 has negated the need for the separate planning scheme amendment that LXR had previously advised was in development for Hurstbridge Railway Line Upgrade Stage 2. This has resulted in the unexpected loss of opportunity for public and Council input into the PSA process.

LXR has confirmed that the consultation will continue as planned but now the report containing feedback will be provided to the Minister as set out in Amendment VC170 rather than be input into a planning scheme amendment process. This is considered to be a reduced opportunity for community and Council input in to the project.

It is of significant concern that public or Council comment has less opportunity to be incorporated in this project that is of major importance to Banyule especially in Greensborough and Montmorency.

The facilities put in place now will dictate walking, cycling, bus access and connectivity well into the future and will be a long lasting legacy on the shape and functionality of these centres.

### **Active Transport**

The explanatory report for Amendment VC170 also sets out stated objectives of all level crossing removal projects. This includes an objective to improve pedestrian and cycling access and facilities along the rail corridor and in proximity to railway stations.

It is unclear how this objective can be safeguarded when the extent that these facilities must be included is not set out in the new provision. From the experience with Stage 1 of the Hurstbridge Line Duplication from Heidelberg to Rosanna, the extent of provision of these facilities was disappointing.

In regard to the Hurstbridge Railway Line Upgrade Stage 2 there has been no reassurance from the State Government that a shared user path between Greensborough and Eltham is being provided or even considered for future proofing.

### **Bus Connectivity**

The explanatory report refers to supporting the Public Transport Victoria (PTV) Network Development Plan 2012 which states as one of its three key aims that it is designed to maximise opportunities for seamless coordination with buses.

It is of concern that the new provision guiding the planning approval of the Hurstbridge Railway Line Upgrade Stage 2 project and all future LXR projects has little else to say regarding the importance of bus connectivity as this is a key need for Greensborough. The current bus stop placement and services available are difficult to navigate and have poor connectivity with the railway station.

The inclusion of a bus interchange as part of the new station to be built at Greensborough as part of the Hurstbridge Railway Line Upgrade Stage 2 project is a vitally important opportunity that is not currently being supported by the State Government.

## HURSTBRIDGE LINE DUPLICATION - STAGE 2 - UPDATE cont'd

### TIMELINES

Date	Event
May 2019	Public announcement of Project
November 2019	Initial Community Consultation - Two drop in sessions held at Montmorency Secondary College + online information
May 2019 – March 2020	Ongoing site investigations, surveys, planning
December 2019	Council input to the Urban Design Guidelines
28 January 2020 – 28 February 2020	Community Consultation – Letter mailed out from LXP to 12,500 residents. Online information and survey*.
31 January 2020	Amendment VC170 gazetted giving Minister for Planning planning approval authority for all LXP projects
Late 2020	Construction starts
End 2022	Construction complete

*\*Note that the February community consultation was originally intended to input into the planning scheme amendment process but will now only input to a report to the Minister prior to project commencement.*

### LEGAL CONSIDERATION

There are no direct legal implications arising from the recommendation contained in this report.

### HUMAN RIGHTS CHARTER

In developing this report to Council, the subject matter has been considered in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

It is considered that the subject matter does not raise any human rights issues

### OFFICER DECLARATION OF CONFLICT OF INTEREST

Section 80C of the *Local Government Act 1989* (Act) requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

## **HURSTBRIDGE LINE DUPLICATION - STAGE 2 - UPDATE cont'd**

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

### **CONCLUSION**

The inclusion of project elements in the Hurstbridge Rail Duplication Stage 2 project that will enhance the economy, amenity and liveability of its centres at Greensborough and Montmorency is strongly supported.

It is vitally important that in addition to its core objective of increased rail services and compliance to accessibility standards, that the project provides optimal urban design outcomes including walking, cycling and bus connections to and between its town and transport hubs.

Continued advocacy to the State Government for the including of these elements which at a minimum include a bus interchange at Greensborough and a shared user trail from Greensborough to Eltham should continue.

This is the opportunity to obtain these vital improvements for its community. If they are not put in place now they will be precluded into the foreseeable future as the State moves on to other regions for the level crossing removal projects program.

### **ATTACHMENTS**

<b>No.</b>	<b>Title</b>	<b>Page</b>
1	Banyule City Council - Hurstbridge 2 - Urban Design Response - December 2019	
2	Explanatory Report - Clause 52.03 - Level Crossing Removal	
3	Clause 52.03 - Level Crossing Removals	

### **5.3 21 - 25 BELLEVUE AVENUE, ROSANNA - PROPOSED CHILD CARE CENTRE - P954/2019**

Author: Walla Idris - Development Planner, City Development

Ward: Ibbott

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#### **EXECUTIVE SUMMARY**

The proposal is for the use and development of a child care centre, reduction in standard parking requirements and display of advertising signage on land at 21 – 25 Bellevue Avenue, Rosanna.

The Child Care Centre is proposed to accommodate 126 children with the hours of operation proposed as 6:30am – 6:30pm, Monday - Friday. The proposed double storey building is of a contemporary design with an overall height of 10.23 metres. The building includes an upper level outdoor play space area with two car parking areas providing 25 spaces in total. The number of car parks proposed is two spaces short of the standard car parking rates of the Banyule Planning Scheme.

Public notification of the application was undertaken and 13 objections have been received. A community consultation meeting was held on 31 January 2020. Concerns regarding traffic, noise and parking have been raised.

The Child Care Centre is supported due to the previous non-residential use of the site, its location in an accessible area near the Rosanna Activity Centre and with good access to services and transport which are key consideration under Clause 22.04 – Non Residential Use and Development in Residential Zones Policy.

It is suggested that the reduction to the standard car rate can be supported subject to the installation of car parking restrictions along the Bellevue Avenue frontage of the subject site. The parking restrictions would provide for drop off parking for the childcare centre during peak times and also improve parking opportunities for residents and visitors during the day. Alternatively, a condition could be included which reduces the capacity of the child care centre by eight children so that the car standard parking rate is complied with.

The proposal provides an appropriately located childcare facility for the Rosanna community and should be supported, subject to conditions.

**21 - 25 BELLEVUE AVENUE, ROSANNA - PROPOSED CHILD CARE CENTRE - P954/2019 cont'd**

**RECOMMENDATION A**

That Council having complied with Section 52, 58, 60, 61 and 62 of the Planning and Environment Act 1987 resolve to issue a Notice of Decision to Grant a Planning Permit in respect of Application No. P954/2019 for Use and Develop the land for a Child Care Centre, reduction in standard parking requirements and display of Advertising Signage at 21 – 25 Bellevue Avenue, ROSANNA subject to the following conditions:

**Plans**

1. Before the use and development permitted by this permit starts, amended plans and additional information to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the advertised plans submitted with the application but modified to show:
  - (a) The mail box enclosures to be located in accordance with Australia Post guidelines;
  - (b) Meter box enclosures to be sited behind the front building line of the development and be a maximum of 1.5 metres in height;
  - (c) A minimum 500mm landscape buffer to Darvall Street northern boundary;
  - (d) Glazed section of upper level play space fencing to have a maximum transparency of 25%;
  - (e) The illuminated signage located on the front of the building to be non-illuminated;
  - (f) A minimum 1.2m wide landscape buffer along southern setback;
  - (g) Extend the 1.8m solid timber acoustic fencing along the entire western site boundary;
  - (h) Relocate outdoor store room away from front setback;
  - (i) Deletion of advertising pole signage;
  - (j) Bin storage to be concealed by 1.8m high fencing;
  - (k) First floor play space fencing to have maximum transparency of 25%;
  - (l) A minimum 500mm planting strip along the northern boundary of Bellevue car park;
  - (m) Location details of all air conditioner units to minimise visibility and noise impact from the public realm and neighbouring properties;
  - (n) Location of all outdoor lighting.
  - (o) A schedule of external building materials and colours, including details of cladding, roofing and driveway materials. Driveways must be finished in muted tones;
  - (p) The Car Parking Management plan as required by Condition 3 of this permit;
  - (q) Landscaping as required by Condition 4 of this permit;



21 - 25 BELLEVUE AVENUE, ROSANNA - PROPOSED CHILD CARE CENTRE - P954/2019 cont'd

- (r) The Waste Management Plan as required by Condition 15 of this permit;
- (s) Tree Protection Zones in accordance with Condition 35 of this permit;
- (t) All sustainable design features indicated in the submitted Sustainable Design Assessment (SDA). Where sustainable design features outlined in the SDA cannot be visually shown, include a notes table providing details of the requirements (i.e. energy and water efficiency ratings for heating/cooling systems and plumbing fittings and fixtures, etc.);
- (u) Engineering plans showing a properly prepared design with computations for the internal drainage and method for of disposal of stormwater from all roofed areas and sealed areas including:
  - (i) The use of an On-site Stormwater Detention (OSD) system;
  - (ii) The connection to the Council nominated legal point of discharge;
  - (iii) The integration, details and connections of all Water Sensitive Urban Design features in accordance with the endorsed Sustainable Design Assessment and STORM report and include drainage details as a result of landscaping;
  - (iv) All drainage plans must show for Trees #1, #2, #3, #4, #5, #6, #7, #8, #9, #10, #11, #12 and #13: The Tree Number; The Structural Root Zone (SRZ) radius; and the Tree Protection Zone (TPZ) radius, each as detailed and calculated within the arborist report submitted with the application authored by Matthew Nees of Treespace Solutions dated 20/06/2019.

Please note the Engineering plans must show all protected and/or retained trees on the development site, on adjoining properties where tree canopies encroach the development site and along proposed outfall drainage and roadway alignments (where applicable) and every effort must be made to locate services away from the canopy drip line of trees and where unavoidable, details of hand work or trenchless installation must be provided.

- (v) Landscape and tree zones to be clearly marked with hatching, colour coding or similar and distinguished from useable open space areas.
  - (w) A plan notation indicating that no building works or facilities are to be provided within the dedicated landscape areas.
  - (x) A schedule of external building materials and colours, including details of cladding and roofing materials; the schedule should be presented on a separate sheet and must include colour samples.
2. Before the development permitted by this permit starts, a Sustainable Design Assessment (SDA) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When submitted and approved, the SDA and associated notated plans will be endorsed to form part of the permit.

**21 - 25 BELLEVUE AVENUE, ROSANNA - PROPOSED CHILD CARE CENTRE - P954/2019 cont'd**

3. Unless otherwise agreed in writing, prior to the commencement of the use hereby approved, a Car Park Management Plan must be prepared and approved to the satisfaction of the Responsible Authority. Such a plan must clearly identify, although is not limited to outlining:
  - (a) The anticipated peak periods of child drop-off and pick-up;
  - (b) The number of parking spaces to be allocated for short term (drop-off, pick-up) use during the peak periods identified and the number of spaces to be allocated for staff use throughout the day.
  - (c) The provision of signage of up to 0.3m<sup>2</sup> in area to indicate that identified short term parking spaces are to be utilised on a short-term basis only, including a designation that the spaces are for child drop-off and pick-up at specific times and providing a maximum length of stay which is appropriate to such use.
  - (d) The provision of signage up to 0.3m<sup>2</sup> in area to indicate parking spaces for staff use;
  - (e) How or whether staff parking spaces are to be allocated, with management practices designed to maximise use of these spaces throughout the day.
  
4. The development permitted by this permit must not be commenced until a satisfactory landscaping plan is submitted to and approved by the Responsible Authority. Such plan must be prepared by a person suitably qualified or experienced in landscape design and shall include:
  - (a) Details of planting within areas of open space;
  - (b) The identification of existing vegetation (which is not intended to be removed), and nomination of vegetation for removal throughout the site;
  - (c) Provision of formed garden beds with edging around the landscape zone within the front setback;
  - (d) Planting adjacent to driveways and within landscaping zones to consist of varying heights and species;
  - (e) A plan notation indicating that no building works or facilities are to be provided within the dedicated landscape areas;
  - (f) An indigenous and/or drought tolerant planting theme;
  - (g) A schedule of all proposed trees, shrubs and ground cover, which includes the location and size at maturity of all plants, the botanical names of such plants and the location of all areas to be covered by grass, lawn or other surface material as specified;
  - (h) Location and details of paving, steps, retaining walls, water tanks, fence design details and other landscape works including cut and fill.
  - (i) Location, details and cross section drawings of all Water Sensitive Urban Design features in accordance with the endorsed Sustainable Design Assessment (BESS and STORM) report, with reference to connection details on the engineering plans.

**21 - 25 BELLEVUE AVENUE, ROSANNA - PROPOSED CHILD CARE CENTRE - P954/2019 cont'd**

**General**

5. The use and development as shown on the endorsed plans or described in the endorsed documents must not be altered or modified except with the written consent of the Responsible Authority.
6. Unless otherwise agreed in writing by the Responsible Authority the development permitted by this permit must not be commenced until the tree protection measures required by Condition 35 are installed to the satisfaction of the Responsible Authority.
7. Unless otherwise agreed in writing by the Responsible Authority the use permitted by this permit must not be commenced until the development has been completed to the satisfaction of the Responsible Authority in accordance with the permit and endorsed plans (including, but not limited to built form and layout, parking, landscaping, drainage).
8. The building hereby permitted must be designed and constructed in accordance with the relevant sections of Australian Standard 1428 'Design Rules for Access by the Disabled' to the satisfaction of the Responsible Authority.

**Amenity**

9. The use and development permitted by this permit must not adversely affect the amenity of the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, or oil; the presence of vermin, or otherwise to the satisfaction of the Responsible Authority.
10. The subject land must be kept neat and tidy at all times and its appearance must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.
11. Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority such that no direct light is emitted outside the boundaries of the subject land.
12. Except with the further consent of the Responsible Authority no form of public address or music amplification system shall be used on the premises so as to be audible outside the building.
13. Noise emissions from the subject land must comply with State Environment Protection Policy (Control of Noise from Commerce Industry and Trade) No. N-1 and State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2.
14. No receptacles for any form of rubbish or refuse (other than public waste bins) may be placed or allowed to remain in view from a public road or thoroughfare and odour must not be emitted from any such receptacle(s) so as to cause offence to any person(s) outside the subject land.

**21 - 25 BELLEVUE AVENUE, ROSANNA - PROPOSED CHILD CARE CENTRE - P954/2019 cont'd**

15. Unless otherwise agreed in writing by the Responsible Authority, all waste collection shall be collected by a private contractor to the satisfaction of the Responsible Authority. A Waste Management Plan shall be submitted to Council detailing the following:
- (a) Types of Waste Generated;
  - (b) Waste Generation Rates;
  - (c) Bin Types and Collection – proposed schedule and frequency
  - (d) Signage
  - (e) Waste Disposal
  - (f) Bin Storage Area/s

**Restrictions on Use**

16. Except with the prior written consent of the Responsible Authority no more than 126 children may be cared for on the premises at any one time.
17. Except with the prior written consent of the Responsible Authority, the use permitted by this permit may only operate between the following times:  
Monday – Friday: 6:30am – 6:30pm
18. Except with the prior written consent of the Responsible Authority:
- (a) Deliveries to the site, and
  - (b) Garbage collection from the site
- shall only occur between 7am and 6:30pm Monday to Friday, and shall not occur during the peak drop-off and pick-up times.
19. Unless otherwise agreed in writing by the Responsible Authority, external lighting of the premises, unless otherwise specifically required for emergency purposes, shall not be utilised between 8pm and 6am.

**Advertising Signs**

20. The location and details of the signs and sign structures shown on the endorsed plans must not be altered except with the written consent of the Responsible Authority.
21. Flashing or intermittent lighting must not be used in the signs permitted by this permit.
22. The signs permitted by this permit must not be floodlit or illuminated by external lights except with the prior written consent of the Responsible Authority.
23. The signs permitted by this permit must be located wholly within the boundaries of the subject land.
24. The signs permitted by this permit must be maintained in good condition to the satisfaction of the Responsible Authority.

**21 - 25 BELLEVUE AVENUE, ROSANNA - PROPOSED CHILD CARE CENTRE - P954/2019 cont'd**

25. Bunting, streamers, flags, windvanes or similar material must not be displayed except with the prior written consent of the Responsible Authority.

**Urban Design / External Appearance**

26. All external materials, finishes and paint colours are to be to the satisfaction of the Responsible Authority.

**Car Parking / Access**

27. Areas set aside for the parking of vehicles together with the aisles and access lanes must be properly formed to such levels that they can be utilised in accordance with the endorsed plans and must be drained and provided with an all weather seal coat. The areas must be constructed, drained and maintained in a continuously useable condition to the satisfaction of the Responsible Authority.
28. Areas set aside for the parking and movement of vehicles as shown on the endorsed plan(s) must be made available for such use and must not be used for any other purpose.
29. The boundaries of all car spaces, access and egress lanes and the direction in which vehicles should proceed along the access lanes must at all times be clearly indicated on the ground to the satisfaction of the Responsible Authority.
30. Vehicular access or egress to the subject land from any roadway or service lane must be by way of a vehicle crossing constructed in accordance with Council's Vehicle Crossing Specifications to suit the proposed driveway(s) and the vehicles that will use the crossing(s). The location, design and construction of the vehicle crossing(s) must be approved by the Responsible Authority. Any existing unused crossing(s) must be removed and replaced with concrete kerb, channel and nature strip to the satisfaction of the Council prior to occupation of the building. All vehicle crossing works are to be carried out with Council Supervision under a Memorandum of Consent for Works which must be obtained prior to commencement of works.
31. A sign or signs must be provided to the satisfaction of the Responsible Authority to direct drivers to the on-site car parking area(s). Such sign(s) must be located in the vicinity of the frontage of the subject land and maintained to the satisfaction of the Responsible Authority. The sign(s) must not exceed 0.3m<sup>2</sup> in area.

**Tree Protection / Landscaping**

No additional tree removal

32. Except with the further written consent of the Responsible Authority, no vegetation (other than that indicated on the endorsed plan, or exempt from planning permission under the provisions of the Banyule Planning Scheme) shall be damaged, removed, destroyed or lopped.

21 - 25 BELLEVUE AVENUE, ROSANNA - PROPOSED CHILD CARE CENTRE - P954/2019 cont'd

33. The site cut must be either no closer than 2.8m from the centre of the trunk or be along the current cut for the ramp within the TPZ of Tree #6;
34. All buildings and works for the demolition of the site and construction of the development (as shown on the endorsed plans) must not alter the existing ground level or topography of the land within an 8m radius from the centre of Tree #6 to the satisfaction of the responsible authority;

Tree Preservation Zones

35. Unless otherwise agreed in writing by the Responsible Authority, prior to the commencement of works on the site Tree Preservation Zones must be established around Trees #1, #2, #3, #4, #5, #6, #7, #8, #9, #10, #11, #12 and #13. At least 14 days prior to the commencement of works you must provide a 'Statement of Compliance' from a suitably qualified project arborist (AQF Level 5) which must include photographic evidence of the below requirements. This correspondence must be sent to enquiries@banyule.vic.gov.au. Once installed to the satisfaction below the Tree Preservation Zones must be maintained until the conclusion of works to the satisfaction of the Responsible Authority, and must meet the following requirements:
  - (a) Tree Preservation Zones must be provided in the following trees:
    - (i) **Street Tree #1:** to the extent of the entire nature strip where the Calculated Tree Protection Zone (TPZ) occurs (not obstructing a footpath or cross-over)
    - (ii) **Neighbouring Trees #2, #3, #4, #5, #7, #8, #9, #10, #11, #12 and #13:** to the extent of the calculated Tree Protection Zone (TPZ) where it occurs within the subject Land;
    - (iii) **Site Tree #6:** to the extent of the calculated Tree Protection Zone (TPZ) where it occurs within the Land
  - (b) Where there are approved works within a TPZ, it may only be reduced to the required amount by an authorised person, only during approved construction within the TPZ and must be restored in accordance with the above requirements at all other times.

Weed control

- (c) Any weeds located within the Tree Preservation Zone are to be removed and the area mulched with 100mm of composted coarse grade woodchips

Fencing

- (d) Protective fencing must consist of chain wire mesh panels held in place with concrete feet. Fencing must comply with Australian Standard AS 4687-2007 *Temporary fencing and hoardings*.

Signage

- (e) Fixed signs are to be provided on all visible sides of the Tree Preservation Fencing, stating "Tree Preservation Zone – No entry without permission from the City of Banyule".

21 - 25 BELLEVUE AVENUE, ROSANNA - PROPOSED CHILD CARE CENTRE - P954/2019 cont'd

Irrigation

- (f) The area must be irrigated during the summer months with 10 litres of clean water for every 1 cm of trunk girth measured at the soil / trunk interface on a monthly basis during summer (or a percentage thereof equivalent to the percentage of TPZ area occurring within the subject site).

Access to Tree Preservation Zone

- (g) No persons, vehicles or machinery are to enter the Tree Protection Zone except with the consent of the Responsible Authority;
- (h) No fuel, oil dumps or chemicals are allowed to be used or stored within the Tree Preservation Zone and the servicing and re-fuelling of equipment and vehicles must be carried out away from the root zones;
- (i) No storage of material, equipment or temporary building is to take place within the Tree Preservation Zone;
- (j) Nothing whatsoever, including temporary services wires, nails, screws or any other fixing device, is to be attached to any tree.

Ground Protection

- (k) A permeable membrane beneath a layer of mulch or crushed rock below rumble boards must be laid down where the tree protection zone occurs outside the fenced area detailed in Condition (35) (a). Rumble boards should be of a suitable thickness to prevent soil compaction and root damage. Ground protection must only be removed once all buildings and works have been completed.

Note:

Requests for consent of the Responsible Authority (City of Banyule) pursuant to this Condition should be directed to Council's Arborist – Development Planning on 9457 9808. Consent for the conduct of further works within a Tree Protection Zone, where granted, may be subject to conditions. Such conditions may include a requirement that:

- a) Any further works that are approved are to be supervised by the project arborist, and a written component may be required also;
- b) All root excavation be carried out by hand digging or with the use of 'Air-Excavation' techniques;
- c) Canopy and Limb protection is provided in accordance with the guidelines detailed in AS4970-2009 Protection of Trees on Development Sites.
- d) Or other conditions, as relevant, to ensure the ongoing health and stability of the subject tree/s.
- e) Any excessive impacts on the canopies and/or roots of trees located on or adjoining property may trigger the need for a Section 72 Amendment application in regard to the design of built-form and/or landscaping.

**21 - 25 BELLEVUE AVENUE, ROSANNA - PROPOSED CHILD CARE CENTRE - P954/2019 cont'd**

Arborist supervision

36. A suitably qualified arborist (AQF Level 5) must supervise any activity within the calculated TPZ of a retained tree on or adjoining the subject site. The arborist must ensure no roots greater than 40mm in diameter are cut or damaged during any part of the construction process.
37. Any root severance within the TPZ must be approved and undertaken by the project arborist to their satisfaction using a clean sharp and sterilised tree root pruning equipment. There must be no root pruning within the SRZ.
38. The project arborist must supervise the site demolition and preparation works activity within the calculated TPZ of a retained tree on or adjoining the subject site. The arborist must ensure no roots greater than 40mm in diameter are cut or damaged during any part of the demolition process.

Underground Services

39. Any underground service installations within the calculated Tree Protection Zone of any retained tree must be bored to a depth of at least 600mm. Any excavation within the calculated TPZ of a retained tree required for the connection of services must be:
  - (a) Undertaken after written approval is received from the Responsible Authority; and,
  - (b) Undertaken by hand or by approved non-destructive techniques suitable in the vicinity of trees under the supervision of the project arborist.

Fencing

40. Where fencing is proposed within the TPZ of any neighbouring/retained tree, any and all excavations for posts must be undertaken by hand under the supervision of the suitably qualified project arborist (AQF Level 5). Final post locations must be flexible so they can be set away from any roots greater than 25mm in diameter. No roots greater than 25cm in diameter can be severed as part of the fence construction.

Tree Pruning

41. Prior to the commencement of works, the project arborist must determine the canopy impact to trees on or adjoining the subject site that are shown to be retained on the endorsed plans including but not limited to Trees #9 and #10, in regards to any pruning required to enable clearance from the proposed Buildings and Works (including any temporary scaffolding requirements), and advise council's Development Planning Arborists via email to enquiries@banyule.vic.gov.au marked "Attention - Development Planner" and including the planning application number. Following written approval from the Responsible Authority, all tree pruning must then be carried out by a suitably qualified arborist (AQF Level 3) in accordance with Australian Standard AS4373-2007 Pruning of Amenity Trees, and must be restricted to the removal of no greater than 15% of the total live canopy of individual trees unless otherwise agreed in writing by the Responsible Authority.



**21 - 25 BELLEVUE AVENUE, ROSANNA - PROPOSED CHILD CARE CENTRE - P954/2019 cont'd**

- a) Any requirement for excessive pruning may trigger the need for a Section 72 Amendment application in regard to the design of built-form or the retention of a tree.

Maintenance of landscaping

42. Unless otherwise agreed in writing by the Responsible Authority, the landscaping areas shown on the endorsed plans must be used for landscaping and no other purpose and any landscaping must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

**Development Infrastructure Levy**

43. Prior to the issue of a building permit for any building or any works approved by this permit, a Development Infrastructure Levy and a Community Infrastructure Levy must be paid to Banyule City Council. The amount of the levy for each charge unit must be calculated in accordance with Schedule 1 to the Development Contribution Plan Overlay.

**Time Limits**

44. In accordance with section 68 of the *Planning and Environment Act 1987* and Clause 52.05 of the Banyule Planning Scheme, this permit will expire:
- (a) With respect to the display of signage - fifteen (15) years from the date of this permit.
- (b) With respect to all other uses and developments permitted by this permit - if one of the following circumstances applies:
- (i) The development is not commenced within two years of the date of this permit;
- (ii) The development is not completed within four years of the date of this permit;
- (iii) The use is not commenced within four years of the date of this permit; or
- (iv) The use is discontinued for a period of two years.

In accordance with section 69 of the *Planning and Environment Act 1987*, the Responsible Authority may extend the periods referred to if a request is made in writing:

- (a) Before the permit expires, or
- (b) Within six months afterwards, or
- (c) Within 12 months afterwards if the development started lawfully before the permit expired.

**PERMIT NOTES**

**(A) Expiry of Permit**

In the event that this permit expires or the subject land is proposed to be used or developed for purposes different from those for which this permit is

**21 - 25 BELLEVUE AVENUE, ROSANNA - PROPOSED CHILD CARE CENTRE - P954/2019 cont'd**

granted, there is no guarantee that a new permit will be granted. If a permit is granted then the permit conditions may vary from those included on this permit having regard to changes that might occur to circumstances, planning scheme provisions or policy.

**(B) Additional approvals required**

Building Permit Required

A Building Permit must be obtained prior to the commencement of any works associated with the proposed development.

Building over Easements

No structure (including but not limited to sheds, retaining walls, eaves, water tanks, paving and landings) shall be built over any easement on the subject land except with the consent of the relevant Responsible Authority.

Drainage Plan Requirements

Please contact Council's Developments and Drainage Department via [enquiries@banyule.vic.gov.au](mailto:enquiries@banyule.vic.gov.au) for the Tc/Tso Values prior to the submission of stormwater drainage plans as required by the conditions of the permit.

Supervision of works undertaken on Council Assets

Council's Construction Department must supervise all works undertaken on Council assets within private property, Council Reserves, easements, drainage reserves and/or road reserves, including connection of the internal drainage system to the existing Council assets. Prior to the commencement of any works, an application must be made and a permit received for:

- A "Memorandum of Consent for Works" for any works within the road reserve; and/or
- A "Drainage Connection Permit" for any works other than within a road reserve.

Asset Inspection Fee

Prior to the commencement of building works on site in accordance with Local Law 1, a non-refundable Asset Inspection Fee is payable to Council for the inspection of existing Council assets. For further information in relation to this process and the relevant fee please contact Council's Construction Department on 9490 4222.

**(D) Action on/for completion**

Immediately upon completion of the development permitted by this permit, the owner or developer of the subject land must notify Council's Development Planning Section that the development is complete and complies with all requirements of the permit. The development will then be inspected to ensure compliance.

An early inspection process will ensure that the subdivision approvals including the Statement of Compliance can be issued without delay.

**21 - 25 BELLEVUE AVENUE, ROSANNA - PROPOSED CHILD CARE CENTRE - P954/2019 cont'd**

**(E) Development Infrastructure Levy**

Please refer to Schedule 1 to the Development Contributions Plan Overlay for charge areas and levies payable. To request an invoice for payment, please email [DCPofficer@banyule.vic.gov.au](mailto:DCPofficer@banyule.vic.gov.au) including the address of the land that is being developed.

**RECOMMENDATION B**

That Council implement 15 minute on-street parking restrictions along the Bellevue Avenue frontage of 21 – 25 Bellevue Avenue ROSANNA between 7-9am and 4-6pm and unrestricted parking at all other times.

<b>Planning Permit Application:</b>	P954/2019
<b>Development Planner:</b>	Walla Idris
<b>Address:</b>	21 – 25 Bellevue Avenue ROSANNA
<b>Proposal:</b>	Use and develop the land for a Child Care Centre, reduction in standard car parking requirements and display of Business Identification Signage
<b>Existing Use/Development:</b>	Uniting Church (Place of Assembly)
<b>Applicant:</b>	Keen Planning
<b>Zoning:</b>	General Residential Zone – Schedule 1
<b>Overlays:</b>	Vegetation Protection Overlay – Schedule 5
<b>Notification (Advertising):</b>	Two signs on site and notices to surrounding property owners/occupiers
<b>Objections Received:</b>	Thirteen (13)
<b>Ward:</b>	Ibbott

**21 - 25 BELLEVUE AVENUE, ROSANNA - PROPOSED CHILD CARE CENTRE - P954/2019 cont'd**

**PROPOSAL**

Details of the proposal are summarised as follows:

Use/Operation

- The facility will cater for a maximum capacity of 126 children
- Proposed hours of operation 6:30am – 6:30pm Monday – Friday
- Signage to include: two illuminated signs affixed to building (north and east elevations); one business identification signs along Bellevue Avenue pedestrian entry; one pole sign along vehicle entry to Bellevue Avenue

Ground floor

- Six (6) learning rooms
- Covered verandah to the east and west
- Sixteen (16) car spaces on north-east side of site including one disabled space accessed via 6.3m wide two way crossover off Bellevue Avenue
- Existing nine (9) car spaces on the north side of site accessed via existing double crossover at Darvall Street

First floor (325 sqm) and play area (340 sqm) – including cantilevered section

- Two (2) learning rooms
- Covered verandah
- Outdoor play area

General

- Two storey built form constructed of weatherboard, brick, axion steel cladding with a traditional hipped roof form in metal roof sheeting, wide eaves and shade sails over play area.
- Refuse and bin storage located in the western rear of Bellevue car park
- Site coverage of 35% and permeability 20%;
- No protected vegetation proposed for removal.
- Pedestrian access along the Bellevue Avenue frontage

A copy of the architectural plans form **Attachment 1** to this report.

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

Section 80C of the *Local Government Act 1989* requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

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

**BACKGROUND**

No previous planning history relevant to this application.

**21 - 25 BELLEVUE AVENUE, ROSANNA - PROPOSED CHILD CARE CENTRE - P954/2019 cont'd**

**SUBJECT SITE AND SURROUNDING AREA**

The site is irregular in shape and is located on the western side of Bellevue Avenue and southern side of Darvall Street. The site has a 40.23 m wide frontage to Bellevue Avenue, a maximum depth of 60.96 metres and 14.88m wide frontage to Darvall Street, giving an overall site yield of 2328sqm.

The site is currently occupied by an existing split level church building and two single storey brick buildings. The site has been historically used for small childcare facility (27 children), although not used for a number of years. The existing car park on the northern side of the site is accessed via Darvall Street

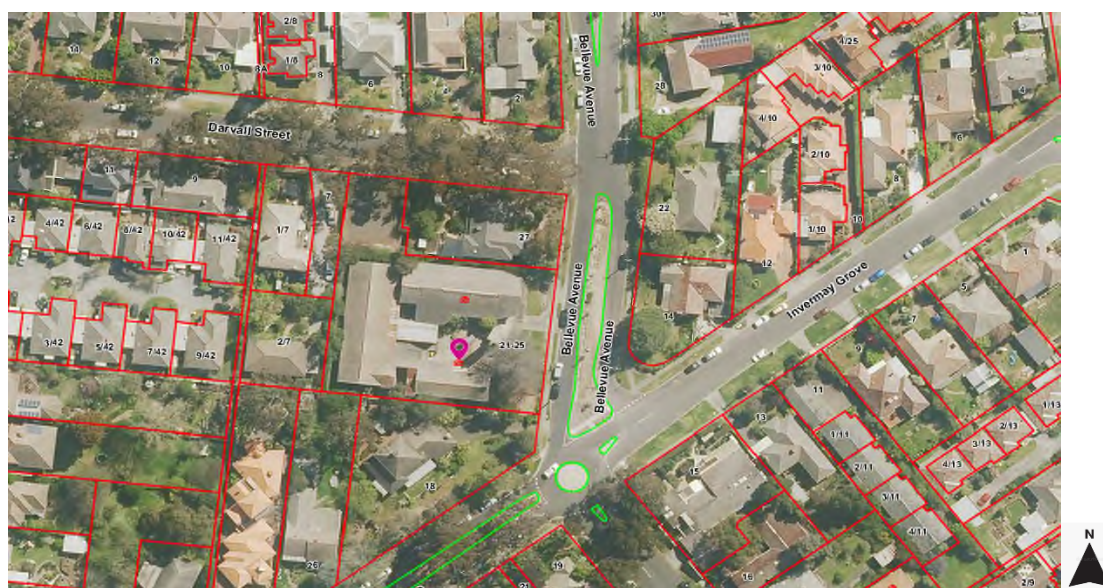
Access is currently via a double concrete crossing off Darvall Street located on the northern side of the site. Bellevue Avenue does not currently provide any vehicle accessway and is a split level road.

The site contains modest landscaping with 1 large exotic which is protected under the Vegetation Protection Overlay controls. The tree is proposed for retention.

Surrounding properties are residential and comprise a mix of architectural styles however the predominant form is single storey, detached dwellings set within well-established gardens containing mostly low-medium scale vegetation with sporadic canopy trees.

The closest childcare is Rosanna Village Child care centre situated 490m south along Turnham Avenue Road and opposite Rosanna Train station. There are four other childcare centres within a 1.5km radius of the subject site.

The site is close to the Rosanna Train station and bus network (Nos. 513 and 517) along Lower Plenty Road approximately 200m south of the site providing links to Greensborough, Lower Plenty and Northland Shopping Centre.



**21 - 25 BELLEVUE AVENUE, ROSANNA - PROPOSED CHILD CARE CENTRE - P954/2019 cont'd**

**PUBLIC NOTIFICATION**

Two notices were displayed on site, with one erected on each land parcel. Letters were sent to adjoining and opposite land owners/occupiers. Thirteen (13) objections were received on the following grounds:

*Traffic and parking*

- Increased traffic congestion
- Parking not sufficiently setback from neighbouring boundary
- Unresolved existing traffic management issues along Invermay and Bellevue
- Poor car park manoeuvrability
- Traffic safety concerns
- Excessive demand for on-street car parking
- Impact on rubbish collection (on street parking)

*Nearby amenity and neighbourhood impact*

- Increased noise associated with use of the development
- Not sympathetic to existing residential character
- Inappropriate use in a predominantly residential area
- Limited demand
- Considerable loss of privacy and amenity
- Insufficient acoustic treatment

*Landscaping*

- Insufficient landscaping
- Deep excavation destabilising neighbouring services

The objectors concerns have been discussed throughout the report and attachments.

**CONSULTATION**

Community consultation meeting held on 31 January 2020 attended by 30 residents from the local community.

## 21 - 25 BELLEVUE AVENUE, ROSANNA - PROPOSED CHILD CARE CENTRE - P954/2019 cont'd

## REFERRAL COMMENTS

	Objection	Recommendation
Traffic and Transport	No	<p>Councils Traffic and Transport Section are generally supportive of the application and have made the following recommendations;</p> <ul style="list-style-type: none"> <li><i>The accessway is generally in accordance with the requirements of Design Standard 1 and will enable vehicles to exit the site in a forward direction.</i></li> <li><i>The parking spaces are generally in accordance with the requirements of Design Standard 2 and will enable vehicles to enter and exit the parking spaces in an appropriate manner.</i></li> <li><i>The accessway gradients are generally in accordance with the requirements of Design Standard 3.</i></li> <li><i>The proposal consists of the use of land for a child care centre of 126 Places. The development therefore generates a requirement for 27 vehicle parking spaces to be provided. The plans indicate that only 25 parking spaces are being provided and as such are requesting a reduction of 2 parking spaces.</i></li> </ul> <p>There is sufficient evidence to support 2 space parking reduction subject to availability of on-street parking along Bellevue Avenue.</p>
Arborist	No	Council's Arboricultural Section has reviewed the proposal and raised no major concerns. No High Retention value trees are proposed for removal. Tree #6 is the only tree on site that requires retention. The proposal can be supported from an arboricultural perspective with conditions.
Drainage	No	Council's Drainage and Developments Section has reviewed the proposal and raised no major concerns. Standard conditions relating to drainage requested are to be included on any approval issued.

## PLANNING CONTROLS

The planning controls applicable to the site are outlined in Table 1 below:

**Table 1: Applicable Planning Controls**

Control	Clause	Permit Triggered
General Residential Zone – Schedule 1	32.08	Yes
Vegetation Protection Overlay – Schedule 5	42.02	No
Advertising Signage	52.05	Yes
Car Parking	52.06	Yes

**21 - 25 BELLEVUE AVENUE, ROSANNA - PROPOSED CHILD CARE CENTRE - P954/2019 cont'd**

**POLICIES CONSIDERED**

**Table 2: Relevant Planning Scheme Policy**

<b>Policy</b>	<b>Clause</b>
<b>PPF</b>	
Settlement	11
Environmental and Landscape Values	12
Built Environment and Heritage (including sub clauses)	15
Economic Development	17
Transport	18
Infrastructure	19
<b>LPPF</b>	
Vision and Strategic Framework	21.02
Land Use	21.04
Built Environment	21.06
Transport and Infrastructure	21.07
Local Places	21.08
Residential Neighbourhood Character Policy	22.02
Safer Design Policy	22.03
Non-Residential Uses in Residential Zones Policy	22.04
Environmentally Sustainable Development	22.05

A detailed assessment against the Clause 22.02 - Residential Neighbourhood Character Policy, Clause 22.04 - Non-Residential Uses in Residential Zones Policy and Clause 32.08 – General Residential Zone form **Attachment 2** to this report.

**TECHNICAL CONSIDERATION**

In assessing the proposal, the following specific considerations require discussion:

- Suitability of the land use for the site;
- Residential Amenity;
- Neighbourhood Character;
- Traffic and parking; and
- Vegetation Impacts.

**SUITABILITY OF THE USE**

A permit is required to use and develop land within the General Residential Zone for a child care centre. One of the purposes of the Zone is “to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.”

Clause 22.04 - Non-Residential Use and Development in Residential Zones Policy provides guidance for non-residential proposals in residential zoned land to ensure their proper integration into such areas, acknowledging that such uses have a place in residential areas, which make them highly accessible to the public. Criteria to be assessed are ‘Primary Location’, ‘Siting and Design’, ‘Landscape and Amenity’, and ‘Traffic and Car Parking’. These criteria are complementary to the decision guidelines outlined in the Zone.

Clause 22.04 through the Primary Location Criteria encourages community uses to be located in or adjacent to commercial centres unless they predominantly serve



**21 - 25 BELLEVUE AVENUE, ROSANNA - PROPOSED CHILD CARE CENTRE - P954/2019 cont'd**

local community needs. The policy also encourages educational uses to be located near public transport networks to minimise traffic on local streets. The Specific Location Criteria under Clause 22.04 states that where a non-residential use satisfies the Primary Location Criteria the use should be located on a corner lot or road in a Road Zone, be within easy walking distance of public transport and located in an existing non-residential building where possible.

In response to the above location criteria, the proposed child care centre is appropriately located for the following reasons:

- The site has previously been used for non-residential uses including a Uniting Church and small child care centre;
- The site is made up of two lots with separate road frontages forming an island site adjacent to two intersections (Bellevue Avenue/Darvall Street and Bellevue Avenue/Invermay Grove)
- The site is well located to public transport, including Rosanna Train Station and bus services on Lower Plenty Road.
- The site is located near Rosanna Activity Centre.
- The existing non-residential use isolates the residential building at 27 Bellevue Avenue from the surrounding residential area.

**RESIDENTIAL AMENITY**

The proposed use will not result in unreasonable impact on the amenity of the surrounding residential neighbourhood given the hours of use, vehicle access and noise attenuation measures.

The proposed hours of operation are fairly typical of a long day, child care facility (6:30am – 6:30pm, Monday - Friday). It is considered that the hours of operation are unlikely to give rise to any significant disturbance, noting that the outdoor play times will be during the day within standard business hours, and the centre will be closed throughout the evening.

The acoustic assessment prepared by Renzo Tonin and Associates dated 20 August 2019 submitted with the application indicates that the proposed development generally complies with AAAC and SEPP 1- Noise Criteria. The report recommends some management measures to mitigate the noise issues/levels for outdoor areas including construction of a minimum of 1.8 metre high acoustic fence to the ground floor play area and car park and 1.8m high acoustic parapet to first floor. It is noted no acoustic fencing is proposed to west ground floor outdoor play area bounding 1/2 Darvall Street. These recommendations can be required as planning permit conditions.

**NEIGHBOURHOOD CHARACTER**

The proposed building has generally been designed to meet Council's Residential Neighbourhood Character Policy (see **Attachment 2**) as follows:

- The proposed centre will replace an existing non-residential building and will not result in the loss of any dwelling stock.
- The scale and intensity of the development is considered appropriate having regard to the site area (2519sqm), size, topography and context of the site. The proposed Child Care Centre is a single building with a smaller building footprint

**21 - 25 BELLEVUE AVENUE, ROSANNA - PROPOSED CHILD CARE CENTRE - P954/2019 cont'd**

than the existing buildings. The building has been sited and designed with generous front (east) and northern boundary setback and maintains a maximum 35% site coverage. The proposed setbacks are greater than the setbacks of the current building.

- The cantilevered upper floor outdoor playscape located forward of the main building is not a typically design response for the area, however given this area is setback 14 metres front the site frontage and 7 metres from the north boundary shared with 27 Bellevue Avenue it is considered acceptable in this instance. A condition of permit requires a 500mm wide landscaping area to be provided along the northern boundary adjacent to 27 Bellevue Avenue to allow for screen planting of up to 5 metres, to screen views of the upper floor from this property.
- Whilst Standard B17 – Side and Rear Setbacks of Clause 55 of the planning scheme) is not a statutory measure in this case, it provides a reasonable guide as to whether the proposal provides an acceptable setback given the location of the site on the periphery of a residential area. In this case, the development complies with these requirements, noting that the amenity impacts are reduced by the slope at the site where the building will have a maximum wall height of 6.02 at southern boundary.
- The proposed siting of the building provides opportunity for landscaping buffers to to the street frontage of the site and along the western boundary shared with 2/7 Darvall Street to provide privacy, soften views of the development from neighbouring land and the road and reduce additional noise intrusion from the use. The proposal retains the existing large high retention value tree in the front setback (Tree #6 - Quercus palustris) with additional small trees and shrubs retained in the south-west corner and the site frontage.
- Existing vegetation (Tree #8 -10 and #12) on the abutting property at 18 and 26 Invermay will be retained which with additional screen planting required by conditions of permit will screen the development.
- Conditions of permit will require an improved landscaping treatment within the south setback and around the parking area to ensure suitable screening of the building can be achieved.

**TRAFFIC AND CAR PARKING**

The addition of a new car park accessed from Bellevue Avenue reduces the area available for landscaping within the site frontage, however it is considered that sufficient area remains to provide a suitable landscaping outcome and screen car parking areas from the street.

In terms of access, the proposed double crossing off Bellevue Avenue (6.37m) will allow for two lanes of traffic ensuring safe and efficient entry and exit from the site. All parking spaces meet the minimum dimensions and the parking layout presents no difficulties in terms of vehicle manoeuvrability.

The site maintains the existing double crossing to Darvall Street and formalised nine space car park. As such, there will be no change in terms of streetscape impact. Acoustic fencing is provided along the eastern boundary of the Darvall Street carpark and northern boundary to Bellevue Avenue to reduce any potential noise impacts

**21 - 25 BELLEVUE AVENUE, ROSANNA - PROPOSED CHILD CARE CENTRE - P954/2019 cont'd**

associated with the use of carpark. Condition will require landscaping strip forward in the Darvall Street boundary forward of car space 25 and 17 to soften hard paving as viewed from the streetscape.

The proposal attracts a parking requirement of 27 parking spaces under Clause 52.06. One disabled car parking space should be required having regard to the relevant Australian Standard. The proposal to provide 25 car spaces, which falls short of this standard car parking requirement, is discussed below:

- The two space reduction is considered acceptable given the proximity to public transport, location within PPTN and availability of unrestricted parking spaces along the site frontage. It is noted that there is pressure on car parking in the vicinity of the subject site as a result of commuter parking associated with the Rosanna Train Station. To ensure that the frontage is available for short stay drop off, 15 minute parking restrictions could be installed across the frontage of the subject site. The restrictions would allow for 15 minutes on-street parking between 7-9am and 4-6pm and unrestricted parking at all other times. This would also have the benefit of improving the availability of these spaces during the day for residents and visitors as the 15 minute restrictions would make them less attractive for all day commuter parking.
- Alternatively, if it is considered that the reduction to the standard car parking requirement should not be granted, a condition could be included requiring a reduction in the total capacity by eight children.

**VEGETATION IMPACTS**

The site contains one (1) large exotic tree identified as Tree #6 *Quercus palustris*. Council's Development Arborist assessed this tree to be of high retention value and is considered to be suitable retained within the current design. The adjacent vegetation on adjoining properties will also be sufficiently protected subject to tree protection conditions.

**ADVERTISING SIGNAGE**

The site is located in a Category 3 - High Amenity Area and therefore a permit is required for all the proposed signage. This area requires signs to be orderly, of good design and not detract from the appearance of the subject building or the surrounding area.

The two illuminated signs positioned along the north and east facade of the proposed building are not considered appropriate in the residential context of the site. Given the number of signs proposed at the site, the Child Care use is considered to be effectively advertised. Further the hours of use are restricted to daylight hours and the facility is therefore not considered to require identification at night. Condition will require signage to be non-illuminated.

The signage is considered to be appropriately located in view of the street and parking interface and will have a nominal impact to the residential area to the north and east.

Whilst the size and scale of the business identification is considered appropriate the proposed 5.1m high pole sign is considered to be at odds with the character and amenity of the area given the height, location at boundary and the promotional

**21 - 25 BELLEVUE AVENUE, ROSANNA - PROPOSED CHILD CARE CENTRE - P954/2019 cont'd**

content. The context and scale is not considered compatible with the residential neighbourhood.

The information on all other signs is limited to identification of the business. The size and location of the three business identification signs are considered appropriate having regard to the size of the building and site, and will not result in visual clutter. The signs are clearly legible.

**ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT (CLAUSE 22.05)**

The submitted BESS and STORM report do not meet the required pass mark in Indoor Environment Quality (IEQ) category. A permit condition has been included to require compliance in all four mandatory categories.

**CONCLUSION**

The subject site, by virtue of the non-residential uses in residential zones siting criteria, previous non-residential use of the site, its location in an accessible area near an Activity centre and transport links, is suitable for a Child Care Centre. Residential amenity and traffic concerns have been appropriately addressed. The proposal should be supported, subject to appropriate conditions

**ATTACHMENTS**

<b>No.</b>	<b>Title</b>	<b>Page</b>
1	Advertised Plans	
2	Assessment against Clause 22.04 and 32.08	

## **7.1 CONTRACT AWARD 1022-2020 CONSTRUCTION OF OLYMPIC PARK STAGE 2**

Author: Jacqueline Stephenson - Senior Project Manager, Assets & City Services

Ward: Olympia

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### **EXECUTIVE SUMMARY**

This report is to consider the awarding of Contract No 1022-2020 for “Construction of Olympic Park Redevelopment - Stage 2”.

Banyule City Council is proposing to construct Stage 2 of the Olympic Park Precinct Master Plan. Stage 2 consists of a synthetic warm up pitch, car parks, play space, Olympic Memorial Garden, lighting upgrades including car park lighting, path lighting and Main Pitch lighting.

Tenders were advertised in The Age and on Council’s website. During this period thirty eight (38) companies downloaded the tender documents and five (5) submissions were received by the closing time.

Following an extensive tender and evaluation process, the Tender Evaluation Panel has recommended awarding the contract to Turf One Pty Ltd in accordance with the tender and conditions as determined by Council.

### **RECOMMENDATION**

That:

1. Contract No. ‘1022-2020’ for ‘Construction of Olympic Park Stage 2’ be awarded to Turf One Ltd Pty for \$4,029,055.70 (ex. G.S.T).
2. The Director of Assets and City Services be authorised to sign the contract and any other associated documents.

### **COUNCIL PLAN**

This report is in line with Banyule’s Council Plan key direction to *“plan and manage the systems and assets that support Council’s service delivery”*.

### **BACKGROUND**

The Olympic Park Precinct Master Plan was adopted by Banyule City Council in March 2017. The Master Plan has been separated into four construction stages. Stage 1, consisting of the reconstruction of the Main Pitch, fencing, paths and electrical and communication conduits, was awarded by Council in August 2019 and is due for completion in April 2020. Stage 2, the subject of this report, consists of a synthetic warm up pitch, car parks, play space, Olympic Memorial Garden, lighting upgrades including car park lighting, path lighting and Main Pitch lighting.

**CONTRACT AWARD 1022-2020 CONSTRUCTION OF OLYMPIC PARK STAGE 2  
cont'd**

A Planning Permit (P956 2019) was granted for these works on 3 February 2020.

Tenders were advertised in *The Age* on 16 November 2019 and on Council's website. During the period that the tender was open, thirty eight (38) companies downloaded the tender documents. The tender closed at 3pm on 18 December 2019 and five (5) submissions were received by the closing time.

**LEGAL CONSIDERATION**

Section 186 of the *Local Government Act 1989* (Act) requires councils to undertake a competitive process to test the market by giving public notice and invite tenders before entering into a contract when the value of the contract is equal to or greater than:

- \$150,000 (including GST) for contracts for the purchases of goods or services; or
- \$200,000 (including GST) for contracts for the carrying of works.

These thresholds have been set in alignment with the thresholds that apply to State Government and are reviewed from time to time. The threshold for the 'carrying out of works' was set by Ministerial Direction by order in Council dated 5 August 2008.

The awarding of this contract complies with the tendering provisions of Section 186 of the *Local Government Act 1989*.

Additional confidential information is contained in Attachment 1, as circulated in the confidential section of the agenda attachments. This is in accordance with Section 89(2) of the *Local Government Act 1989*, as the information relates to contractual matters and premature disclosure of the information could be prejudicial to the interests of Council or other persons. This item has been included in the public agenda to facilitate transparency and accountability in Council's decision making.

**BANYULE PROCUREMENT POLICY**

Council's Procurement Policy is made under Section 186A of the *Local Government Act 1989*.

The purpose of this Policy is to:

- provide policy and guidance to the Council to allow consistency and control over Procurement activities;
- demonstrate accountability to ratepayers;
- provide guidance on ethical behaviour in public sector purchasing;
- demonstrate the application of elements of best practice in purchasing; and
- increase the probability of obtaining the right outcome when purchasing goods and services.

The Act and the Procurement Policy of Council are the primary reference points for how all procurement should be performed.

The process for inviting quotations and evaluation was undertaken in accordance with the Policy.

## CONTRACT AWARD 1022-2020 CONSTRUCTION OF OLYMPIC PARK STAGE 2 cont'd

### HUMAN RIGHTS CHARTER

In developing this report to Council, the subject matter has been considered in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

It is considered that the subject matter does not raise any human rights issues.

### TENDER/QUOTATION EVALUATION

A Tender Evaluation Panel (TEP) evaluated each quotation using a weighted matrix based on financial, technical, commercial and other criteria discussed further in this report.

An evaluation matrix was prepared detailing the weightings and scores for each criteria from the five submissions.

The following table shows the tenders submitted, their tender prices and the weighted score from the evaluation:

<b>Table 1 – Tenders received and weighted scores</b>	
<b>Contractor</b>	<b>Weighted Score</b>
Turf One Ltd Pty	88.50
Tenderer B	76.68
Tenderer C	73.26
Tenderer D	72.35
Tenderer E	71.61

In undertaking the assessment, all members of the TEP completed and signed the Conflict of Interest and confidentiality declaration.

### Tender Evaluation Criteria

All tenders were evaluated using the following evaluation criteria, which was listed in the tender document:

- Tender Price.
- Previous performance, experience and reliability in the provision of similar types of projects and previous performance in delivery of contracts or purchase orders directly with Banyule City Council (if applicable);
- Qualifications and experience of nominated staff including experience of nominated sub-contractors.
- Existence of an accredited management system and procedures; covering quality and OH&S.
- Demonstration of Social and Economic Sustainability and environmental performance.
- Any other information which the Council may deem to be relevant.

## **CONTRACT AWARD 1022-2020 CONSTRUCTION OF OLYMPIC PARK STAGE 2 cont'd**

Following an initial evaluation the TEP shortlisted two companies for further clarifications and tender interviews. At the tender interviews tender exclusions and other conditions stated in the tender submissions of both tenderers were discussed. Following interview, the Tender Evaluation Team recommended Turf One Pty Ltd. Turf One Pty demonstrated in their submission and subsequent interview a good understanding of the project, relevant prior experience in similar sized and scoped projects and accredited quality, OH&S and environmental systems. It is evident from the above weighted scores that Turf One has obtained the highest score, and will deliver best value for money to Council.

Council also undertook independent financial and reference checks on Turf One.

### **FUNDING IMPLICATIONS**

Sport & Recreation Victoria provided \$3,500,000 to contribute to Stages 1 and 2 of the Olympic Park Redevelopment. The remaining budget to complete both stages has been allocated in Council's Capital Works Program.

### **OFFICER DECLARATION OF CONFLICT OF INTEREST**

Section 80C of the *Local Government Act 1989* (Act) requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

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

### **CONCLUSION**

As a result of the quotation evaluation, the Tender Evaluation Panel recommends that Council award Contract No. 1022-2020 to Turf One Pty Ltd for the Construction of Olympic Park Redevelopment – Stage 2 for the lump sum price of \$4,029,055.70 (ex GST).

### **ATTACHMENTS**

<b>No.</b>	<b>Title</b>	<b>Page</b>
1	1022-2020 Olympic Park Stage 2 - Confidential Appendix - <b>CONFIDENTIAL</b>	



## **7.2 QUARTERLY FINANCIAL MANAGEMENT REPORT - FOR THE PERIOD ENDED 31 DECEMBER 2019**

Author: Tania O'Reilly - Manager Finance & Procurement, Corporate Services

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### **EXECUTIVE SUMMARY**

The Quarterly Financial Management Report for December 2019 is presented in accordance with section 138 of the *Local Government Act 1989* which requires reporting to Council on the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date.

#### **Operating Surplus – As at 31 December 2019**

Year to date (YTD) operating surplus is **\$3.715m** favourable to budget (77% of this favourable variance has been generated from income).

Banyule City Council has forecast to deliver an operating surplus of **\$8.350m** for the year ended 2019/2020. This is \$2.362m favourable to the adopted budget of \$5.988m. The significant components of this variance are:

- Unanticipated continuation of operating grants funding for the Commonwealth Home Support Programme (CHSP) – \$0.893m.
- Higher user fees and charges income resulting from the higher usage volume and pricing of commercial activities from the services of Transfer Station, Ivanhoe Aquatic Centre, and Parking Meter Services etc. (\$1.375m in total).
- Other capital grants funding and contributions income, \$1.489m in total, associated with the council's 4 year capital program.

partly offset by:

- A reduction in interest income, \$0.594m, as a result of unfavourable market conditions expected for the remaining financial year contributing to lower RBA interest rates.
- Last year's carried forward expenditure associated with both initiative projects and unexpended grants, \$0.832m in total, is committed to be spent within this financial year as confirmed by business areas.
- Additional agency costs of \$0.178m will be committed to support the Banyule Service Promise initiative, which aims to reduce customer wait time.

The 2019/20 underlying operating result is forecast to be **\$0.296m** in deficit against a budgeted underlying operating deficit of **\$1.194m**. This underlying result is determined after adjusting for non-recurrent capital grants and capital contributions of \$8.636m.

**QUARTERLY FINANCIAL MANAGEMENT REPORT - FOR THE PERIOD ENDED  
31 DECEMBER 2019 cont'd**

**Capital Works Performance**

As at 31 December 2019 a total of **\$21.323m** has been spent on capital works. The forecast for capital works expenditure is forecast to be **\$76.179m** including \$10.880m of carry forwards projects from previous financial year. The adopted 2019/20 capital budget is **\$64.345m**.

**RECOMMENDATION**

That Council note:

1. The Quarterly Financial Management Report for the period 31 December 2019.
2. The forecast to deliver an operating surplus of \$8.350m against the adopted budget of \$5.988m for the year ended 30 June 2020.
3. The identified deferred / not required projects for the 2019/20 Capital Works Programs:

Deferred

- Lower Plenty Road Catchment - Main Road (Project)
- St Helena Catchment - Hydraulic Analysis
- Lower Plenty drain catchment - Main Road Construction Stage 2
- Bonds Road, Lower Plenty - Installation of Seven Sets of Road Cushions
- De Winton Reserve - Cricket Nets Renewal - Construction
- Rosanna Tennis Club Upgrade - Design
- De Winton Park - Irrigation & Drainage

No Required

- Bellfield Community Centre - air conditioning replacement
- Greenhills Pre School - air conditioning replacement
- Binnak Park Pavilion Upgrade - Design

**CITY PLAN**

This report is in line with Banyule's Council Plan key direction to "Provide responsible financial management and business planning".

**BACKGROUND**

The 31 December 2019 quarterly financial management report comprises a review of the current performance against year to date budget, full year budget and full year forecast, other key financial information.

(Note: explanations for variances greater than \$0.300m are provided in this report).

**QUARTERLY FINANCIAL MANAGEMENT REPORT - FOR THE PERIOD ENDED  
31 DECEMBER 2019 cont'd**
**TABLE 1 - Income Statement**

	YTD Actual \$000	YTD Budget \$000	YTD Variance \$000	Notes	Forecast \$000	Annual Budget \$000	Annual Variance \$000	Notes
<b>Income</b>								
Rates and charges	103,324	103,137	187		103,500	103,268	232	
Grants - Operating	6,078	5,623	455	1	11,699	10,806	893	9
Grants - Capital	1,277	1,478	(201)		3,664	3,297	367	10
Statutory fees and fines	5,187	4,723	464	2	10,734	10,506	228	
User fees and charges	12,251	10,981	1,270	3	21,031	19,656	1,375	11
Contributions	3,255	2,696	559	4	6,364	5,242	1,122	12
Interest	1,216	1,423	(207)		1,904	2,498	(594)	13
Rental	1,202	1,266	(64)		2,400	2,531	(131)	
Net gain/(loss) on disposal of assets	125	23	102		333	165	168	
Other	583	277	306	5	881	662	219	
<b>Total income</b>	<b>134,498</b>	<b>131,627</b>	<b>2,871</b>		<b>162,510</b>	<b>158,631</b>	<b>3,879</b>	
<b>Expenses</b>								
Employee costs	33,369	33,907	538	6	68,037	68,713	676	14
Materials and services	21,507	21,982	475	7	45,928	43,914	(2,014)	15
Utility charges	1,891	1,936	45		4,564	4,568	4	
Depreciation and amortisation	10,995	10,769	(226)		21,989	21,539	(450)	16
Borrowing costs	1,245	1,245	0		2,457	2,457	0	
Donations expenditure	609	423	(186)		676	623	(53)	
Contribution expense	3,529	3,464	(65)		9,018	9,015	(3)	
Other	693	956	263		1,491	1,814	323	17
<b>Total expenses</b>	<b>73,838</b>	<b>74,682</b>	<b>844</b>		<b>154,160</b>	<b>152,643</b>	<b>(1,517)</b>	
<b>Surplus for the year</b>	<b>60,660</b>	<b>56,945</b>	<b>3,715</b>		<b>8,350</b>	<b>5,988</b>	<b>2,362</b>	
<b>Grants – Non-recurrent Capital Contributions – Other Sources</b>								
Capital	895	1,070	(175)		2,690	2,315	375	18
Other Sources	2,961	2,597	364	8	5,956	4,867	1,089	19
<b>Underlying Surplus/(Deficit)</b>	<b>56,804</b>	<b>53,278</b>	<b>3,526</b>		<b>(296)</b>	<b>(1,194)</b>	<b>898</b>	

**QUARTERLY FINANCIAL MANAGEMENT REPORT - FOR THE PERIOD ENDED  
31 DECEMBER 2019 cont'd**

**NOTES: Year to Date (YTD) - Major Variances**

As at 31 December 2019 the net result year to date is \$3.715m favourable. Year to date income and expenditure is tracking favourable, \$2.871m and \$0.844m respectively.

The significant contribution to the year to date (YTD) variance comprises of:

1. Grants – Operating: \$0.455m favourable to budget. This variance is mainly driven by the receipt of 50% of the funding for CHSP which was budgeted to cease in 2018/19. Funding has since been extended to included funding for 2019/20.
2. Statutory fees and fines is \$0.464m favourable due to the additional parking infringement fines (\$0.170m); more fine revenues associated with municipal infringement generated from additional inspections (\$0.205m); additional income related to asset reinstatement, protection & road open permits, aligned with the current property developments in the city (\$0.133m in total).

These additional incomes are partly offset by a decrease in the Government Building permit levy (\$0.138m), which council is no longer required to collect and remit to Victoria Building Authority; and the lower than expected building permits income (\$0.064m) due to the competitiveness of building service industry.

3. User fees and charges income is \$1.270m favourable mainly driven by additional income from the Transfer Station (\$0.517m) as a result of higher volumes and the price growth. Income from parking meters and Ivanhoe Aquatic Centre activities have seen greater usage at this time of year and thus generated \$0.098m and \$0.148m more than budgeted YTD.

Moreover, Social Support Groups, Property Maintenance and Home Modification departments have increased service delivery hours in line with funding targets and Council's future direction for older people, generating \$0.127m more than budget.

4. Contributions income is \$0.559m favourable to budget. This variance is driven by Public Open Space contributions (\$0.422m) where the majority of the contributions have been generated from developments in Heidelberg and Ivanhoe precincts. In addition the budgeted 18/19 and 19/20 Emergency Management contribution from Manningham City Council (\$0.160m) has been paid and recognised in the YTD actuals.
5. Other Income is \$0.306m favourable to budget, which is mainly driven from WorkCover reimbursements, Ford Park demolition insurance claim, and North East Link project cost reimbursements.
6. Employee Benefit expenditure is \$0.538m favourable to budget as a result of vacant positions across Council. As at 31 December 2019, the EFT variance is 23.79 EFT below budget.

A number of departments are using agency to backfill the vacant positions while Council endeavours to recruit for key professions. As a result of the delay in recruiting for these positions, agency costs YTD are above budget (refer Note 7) and Employee Benefit expenditure is under the YTD budget.

**QUARTERLY FINANCIAL MANAGEMENT REPORT - FOR THE PERIOD ENDED  
31 DECEMBER 2019 cont'd**

7. Materials and services cost: \$0.475m favourable to budget mainly driven by Contractors and Consultancy costs, offset by Agency and Legal cost.

**Variance table for Agency, Consultancy and Contractor Costs – 31 Dec 2019:**

<b>Banyule City Council</b>	<b>Actual YTD</b>	<b>Budgeted YTD</b>	<b>Variance YTD</b>	<b>Forecast FY</b>	<b>Budget FY</b>	<b>Variance FY</b>
Agency Cost	\$1.692m	\$1.172m	(\$0.520m)	\$3.008m	\$2.364m	(\$0.644m)
Consultancy	\$0.846m	\$1.329m	\$0.483m	\$1.971m	\$2.314m	\$0.343m
Contractor Cost	\$7.137m	\$7.939m	\$0.802m	\$16.130m	\$15.679m	(\$0.451m)

- Agency cost YTD variance is \$0.520m unfavourable, offset by savings in employee benefits. Agency is used to cover short term vacancies in staff. In addition, agency has been used to support the Banyule Service Promise initiative which aims to reduce customer wait time.
- North East Link advocacy project was budgeted mainly against consultancy cost (\$0.450m) but expended against legal cost. Council was represented by Maddocks (joint representation for Banyule/Manningham/Whitehorse) at the North East Link Environmental Effects Statement Inquiry & Advisory Committee panel. The current expenditure invested has been managed within the project budget, which is expected to extend over multiple years.
- The contractor costs are tracking favourable by \$0.802m. The YTD variances reflect the timing of initiative projects, service provision and contractor costs which are not always known when setting the budget. This has resulted in the movement in actual costs against budget being favourable as at the end of December 2019.

**Underlying Surplus adjustment**

8. Capital Contributions is \$0.364m favourable to budget. This variance is mainly related to:
- Contribution income for Development Contribution Plan (\$0.070m) driven by the recent implementation of the current scheme.
  - Public Open Space contribution (\$0.422m) where the majority of the contributions have been generated from developments in Heidelberg and Ivanhoe precincts.
  - Additional capital contribution (\$0.102m) to support the upgrades of St Marys and John Street, Ivanhoe tennis court surface and lighting.

**QUARTERLY FINANCIAL MANAGEMENT REPORT - FOR THE PERIOD ENDED  
31 DECEMBER 2019 cont'd**

**NOTES: Full Year (FY) Forecast - Major Variances**

The operating forecast as at 31 December 2019 is a surplus of \$8.350m which is \$2.362m favourable to budget (\$5.988m).

The significant contributions to the full year forecast variance include:

9. Grants – Operating: \$0.893m favourable to budget. This variance is mainly driven from the unexpected additional funding for CHSP, which was anticipated to cease in 2018/19, but rescheduled to extend to 2019/20.
10. Grants - Capital: \$0.367m favourable to budget. This variance is mainly related to:
  - Non-recurrent grants for seven preschool works which were budgeted for in 2018/19 and have instead been received in the current financial year (\$0.502m).
  - Unbudgeted VicRoads grants have been confirmed to fund transport and traffic activities (\$0.109m Yando Street – speed and volume control and \$0.257m Haig Street – development of traffic management).
  - Nets Stadium redevelopment grant partly budgeted in 2018/19 is now forecasted to be received in full this financial year (\$0.375m).
  - The Olympic Park Program project was paid and recognised at the end of 2018/19 and resulting in a \$1.000m unfavourable income variance in this year, and is \$0.750m unfavourable to the YTD budget.
11. User fees and charges income \$1.375m favourable to budget. The variance is driven by the:
  - activity generated by the Transfer Station (\$0.774m) as a result of higher commercial volumes and prices; Parking meters (\$0.080m) and Ivanhoe Aquatic Centre (\$0.076m) where the number of members have slightly increased as a result of the implementation of marketing & promotion strategies.
  - Social Support Groups, Property Maintenance and Home Modification departments have increased service delivery hours in line with funding targets and Council's future direction for older people, forecasting an increase \$0.183m by year end based on current deliveries.
12. Contribution Income: \$1.122m favourable to budget.
  - Public Open Space contribution is forecasted to be \$0.600m more than budgeted. The majority of the contributions have been generated from developments in Heidelberg and Ivanhoe precincts.
  - Emergency Management contribution for 2018/19 from Manningham City Council (\$0.080m) has been recognised in the current financial year.

**QUARTERLY FINANCIAL MANAGEMENT REPORT - FOR THE PERIOD ENDED  
31 DECEMBER 2019 cont'd**

- Additional capital contribution (\$0.197m) to support the upgrades of St Marys and John Street, Ivanhoe tennis court surface and lighting.
  - Development Contribution Plan (DCP) contributions are estimated to be \$0.200m since the implementation of the scheme in October 2019.
13. Interest income: \$0.594m unfavourable to budget. The Reserve Bank of Australia (RBA) lowered its cash rate three times since June 2019 to 0.75%. As a result, Council's return on investment is forecast to be lower than budget.
14. Employee Benefit expenditure is \$0.676m favourable to budget as a result of vacant positions across Council. The business units have reviewed and updated the forecast based on their current EFT, vacancies and timing of recruitment, offsetting the over spend in Agency cost. (refer Note 15).

Finance in conjunction with business units are monitoring the vacant positions to ensure the savings from future vacancies will be appropriately reflected in the forecast.

15. Materials, contracts, and services: \$2.014m unfavourable budget.
- \$0.832m expenditure related to unexpended grants and initiatives carried forward from the previous financial year.
  - \$0.466m additional agency cost is forecasted to be used to temporary backfill vacant positions, which is aligned to the decrease in the Employee Benefits forecast. Unbudgeted \$0.178m of agency cost to support the Banyule Service Promise initiative. This initiative has reduced customer wait times and improved the customer experience.
  - A total of additional \$0.222m operational costs associated to additional income are forecasted in Ivanhoe Centre function room, YMCA maintenance cost, Vic Roads grant service hours, and parking management.
  - \$0.442k additional cost associated to additional revenue from the Transfer Station (\$0.774m) resulting from its commercial business expansion and pricing adjustment, a \$0.332m of additional net profit is forecasted to be generated in the current financial year.
  - \$0.286m reduced expenditure from no longer requiring Council to collect and remit the building permit levy to the Victoria Building Authority. This impacts on both income and expenditure (zero net impact to Council).
16. Depreciation and amortisation expenditure is forecasted to be \$0.450m over the initial budget which directly relates on the implementation of the new accounting standard, AASB 16 Leases. All leased assets including gym, IT equipment, properties are now required to be recognised as Council's assets and amortised throughout the term of the lease.
17. Other Expenses are estimated to be \$0.323m favourable to budget due primarily to the new accounting standard AASB 16. Budgeted lease cost for leased assets are now recognised as amortised expenditure (refer Note 16).

**QUARTERLY FINANCIAL MANAGEMENT REPORT - FOR THE PERIOD ENDED 31 DECEMBER 2019 cont'd**

**Underlying Surplus adjustment**

18. Grants- Non-recurrent Capital is \$0.375m favourable to budget (refer note 10)

19. Capital Contributions is \$1.089m favourable to budget (refer note 12)

**Financial Sustainability**

The current assessment of the Financial Sustainability of the Organisation is measured against the VAGO indicators.

Dec-19	Net Results (5 Year Average)	Indebtedness (1 Year)	Liquidity (1 Year)	Internal Financing (1 Year)	Capital Replacement (5 Year Average)	Renewal Gap (5 Year Average)
Forecast	9.88%	23.62%	2.84	43.42%	1.84	1.35

Note: The internal financing for 2019/20 measures Banyule's ability to finance capital works using cash generated by operating cash flows. The capital works expenditure that is forecast to be funded from operating cash flow is 43.42% for 2019/2020 (75% or greater is financially sustainable).

The 'red' internal financing ratio is isolated to the current year and will be managed through continuing to maintain the operational returns and maximising revenue from commercial activities and property sales over the next few years.

**TABLE 2 - Council Resolutions: impact on financial performance**

The table below lists 2019/20 resolutions carried by Council as at 31 December 2019 which will have an impact on the financial statements.

Resolution	Description	EFT	Impact on Forecast	\$'000
CO2019/213	Continue the partnership with the Alliance for gambling reform		Materials, contracts & services	25
CO2019/237	Continue to work towards achieving its aspiration of the creation of 100 new jobs for its vulnerable community over a three years period.	1	Employee Benefit	97
Amount included in income statement - Table 1		<b>1</b>	<b>Total Operating</b>	<b>122</b>
CO2019/141	Support the accessible entry including ramp and deck at the Lower Plenty Scout Club		Buildings	30
Amount included in Capital works statement- Table 3		<b>-</b>	<b>Total Capital Works</b>	<b>30</b>



**QUARTERLY FINANCIAL MANAGEMENT REPORT - FOR THE PERIOD ENDED  
31 DECEMBER 2019 cont'd**

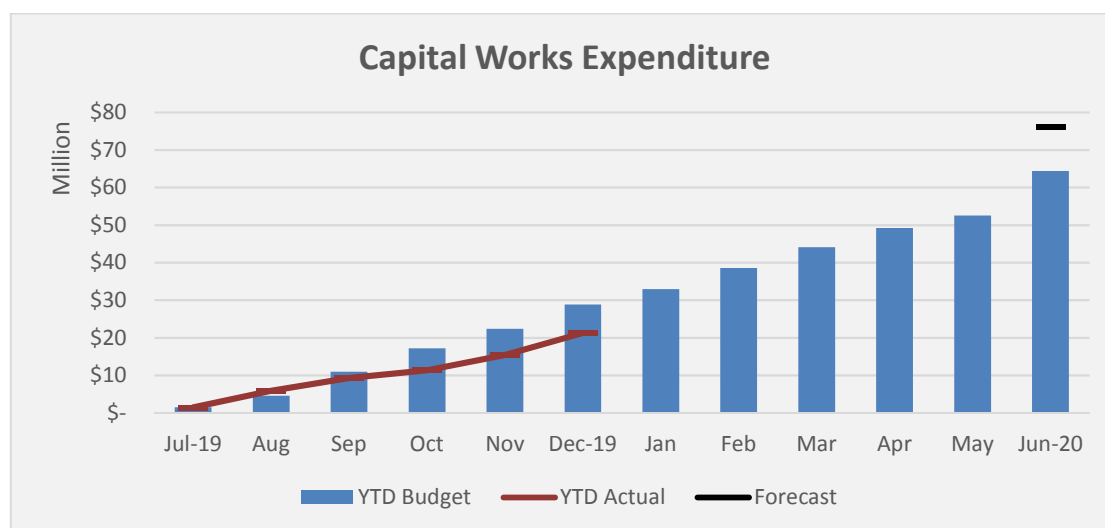
**Capital Works Expenditure**

As at 31 December 2019 a total of **\$21.323m** has been spent on capital works. The forecast for capital works expenditure is **\$76.179m** including **\$10.880m** of carry forwards projects from the previous financial year. The adopted 2019/20 capital budget is **\$64.345m**.

**TABLE 3 - Capital Works Expenditure**

	<b>YTD Actual \$000</b>	<b>YTD Budget \$000</b>	<b>YTD Variance \$000</b>	<b>Forecast \$000</b>	<b>Annual Budget \$000</b>	<b>Annual Variance \$000</b>
<b>Infrastructure</b>						
Roads, streets and bridges	3,570	4,906	1,336	10,088	9,368	(720)
Drainage	410	955	545	1,707	2,100	393
Parks and gardens	4,452	6,560	2,108	12,516	11,205	(1,311)
Playgrounds	67	135	68	772	755	(17)
<b>Total infrastructure</b>	<b>8,499</b>	<b>12,556</b>	<b>4,057</b>	<b>25,083</b>	<b>23,428</b>	<b>(1,655)</b>
<b>Property</b>						
Freehold land	118	0	(118)	130	1,000	870
Freehold buildings	9,861	12,324	2,463	38,738	31,826	(6,912)
<b>Total property</b>	<b>9,979</b>	<b>12,324</b>	<b>2,345</b>	<b>38,868</b>	<b>32,826</b>	<b>(6,042)</b>
<b>Plant and equipment</b>						
Motor vehicles	2,174	2,802	628	8,821	5,406	(3,415)
Plant and equipment	460	245	(215)	1,187	785	(402)
Furniture and fittings	94	125	31	400	385	(15)
<b>Total plant and equipment</b>	<b>2,728</b>	<b>3,172</b>	<b>444</b>	<b>10,408</b>	<b>6,576</b>	<b>(3,832)</b>
<b>Other assets</b>						
Intangible assets	87	800	713	1,770	1,500	(270)
Art collection	30	0	(30)	50	15	(35)
<b>Total capital works expenditure</b>	<b>21,323</b>	<b>28,852</b>	<b>7,529</b>	<b>76,179</b>	<b>64,345</b>	<b>(11,834)</b>

**QUARTERLY FINANCIAL MANAGEMENT REPORT - FOR THE PERIOD ENDED  
31 DECEMBER 2019 cont'd**



Note: The amount of capital works expenditure carried forward to the 2019/20 financial year was \$10.880m in total is reflected in the forecast variance of \$11.834m.

**July 2019 - December 2019 – Key project completion**

- Castlereagh Place Feeder Path Lighting Project.
- Watsonia RSL Carpark construction.
- Olympic park pedestrian bridge construction.
- Yulong reserve - Bundoora bowling club lights.
- Weidlich Road – Traffic concerns around the Holy Trinity Catholic Primary School.
- New Footpath Program - connecting existing path at Watsonia North Preschool to Elwers Street and connecting Townsend Street and Lower Heidelberg Road (through non-trafficable road reserve)
- Gresswell Park - unsealed car park - Design & Construct.
- Rosanna Tennis Club Upgrade – Design.
- Malahang reserve Improvement Plan - Water Sensitive Urban Design Car Park (WSUD) – Construction.
- 5 one sided Soccer Pitch - Malahang Reserve.
- Partingtons Flat Lighting – Design

**QUARTERLY FINANCIAL MANAGEMENT REPORT - FOR THE PERIOD ENDED 31 DECEMBER 2019 cont'd**

A mid-year analysis of the 2019/20 capital works program has been completed and the following key details are reported:

- Total of 332 projects have been budgeted within the 2019/20 capital works program. Of these project 303 projects have commenced as at 31 December 2019. Of these commenced projects 80 projects have since been completed.
- The 29 projects yet to be commenced include 17 minor works projects within kinder garden schools and crossings. These minor works are scheduled to be completed during the Easter holiday period. The residual 12 projects have been identified as deferred or nonessential for various reasons and are listed below:
- Deferred Projects

Projects Deferred	Comments
Lower Plenty Road Catchment - Main Road (Project)	On hold due to consultation with Melbourne Water.
St Helena Catchment - Hydraulic Analysis	On hold pending completion of flood modelling.
Lower Plenty drain catchment - Main Road Construction Stage 2	
Bonds Road, Lower Plenty - Installation of Seven Sets of Road Cushions	Further consultation required as outcome of recent resident survey.
De Winton Reserve - Cricket Nets Renewal - Construction	On hold to coincide with ova reconstruction in September.
De Winton Park - Irrigation & Drainage	
Rosanna Tennis Club Upgrade - Design	On hold pending project scope change and consultation with club.

- Not required projects

Projects not required	Comments
Bellfield Community Centre air conditioning replacement	No longer required as building will be decommissioned as part of the Bellfield masterplan.
Greenhills Pre School air conditioning replacement	No longer required as premature failure occurred, replace this year.
Binnak Park Pavilion Upgrade - Design	No longer required as North East Link will deliver this project.

**QUARTERLY FINANCIAL MANAGEMENT REPORT - FOR THE PERIOD ENDED 31 DECEMBER 2019 cont'd**

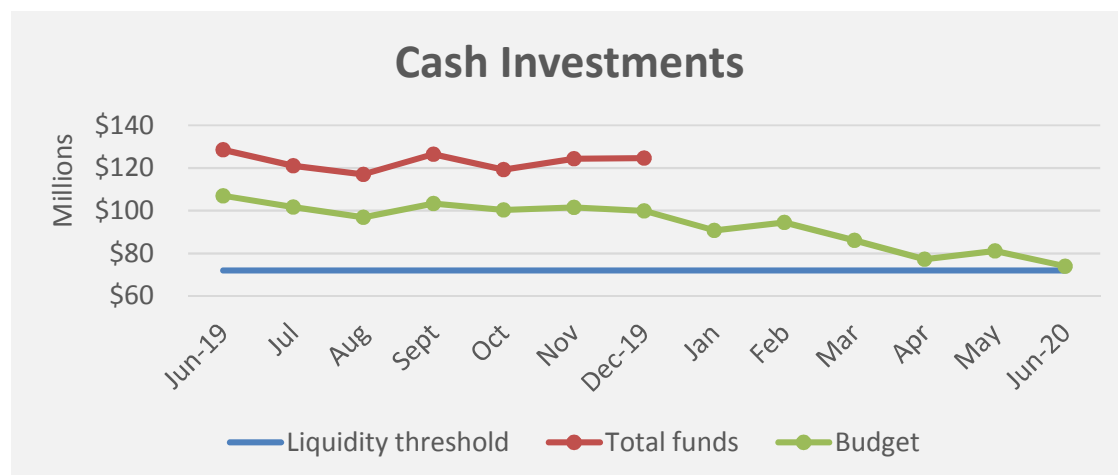
**Investment Activity**

The current short-term term deposit interest rates held by Council are in the range of 1.55% to 2.60%. The current weighted average return, 1.69%, is expected to decrease in the future as a reflection of the RBA cash rate cuts to 0.75% on 2 October 2019.

The linear gap between budget and actual cash balance depicted in the graph below is the result of a higher cash opening balance than budget projections as at 30 June 2019. The majority of this variance comprises allocated funds from 2018/19 carried over capital expenditure to 2019/20 after the budget was developed.

The YTD variance is driven by the rescheduling of capital works delivery (\$7.529m lower than budget) and the favourable YTD operating results. The variance for the year is expected to be reduced as Council deliver the capital works program including the carry forward projects as scheduled in 2019/20.

Rate instalment payment dates are in September, November, February & May.

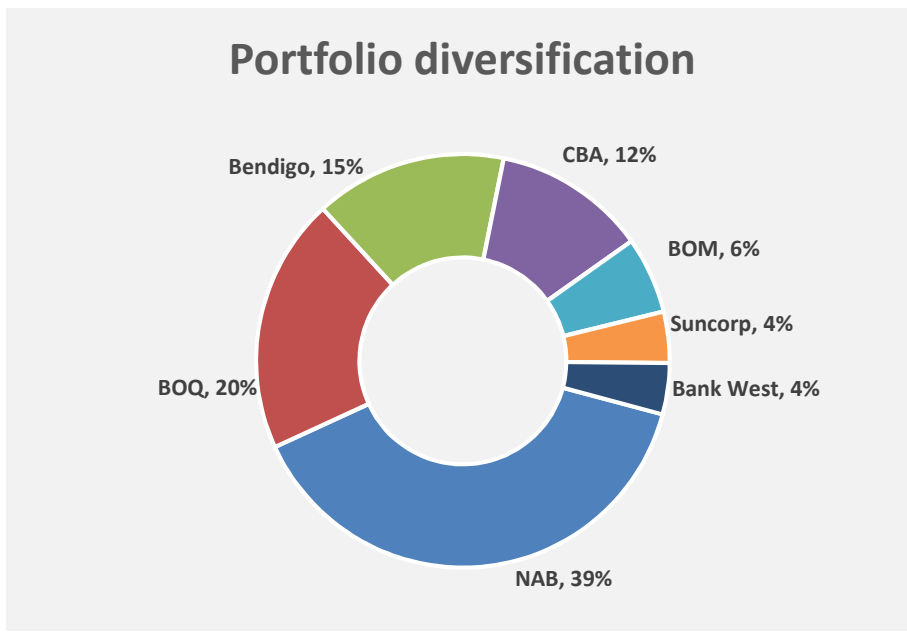


*Note: Liquidity threshold represents the liquidity position 2:1 to cover budgeted short-term liabilities for the year end 30 June 2020.*

The duration of the term deposits range between 3 months to 1 year. Banyule City Council aim to spread maturities throughout the year to match cash outflows. Income from rates will supplement other inflows from which to pay staff salaries and supplier invoices during the year.

All cash investments are directly invested by Council in Australian financial institutions in accordance with our investment policy, using the Standard & Poors (S&P) short term credit rating. The portfolio diversification of investments is outlined in the chart below

QUARTERLY FINANCIAL MANAGEMENT REPORT - FOR THE PERIOD ENDED  
31 DECEMBER 2019 cont'd



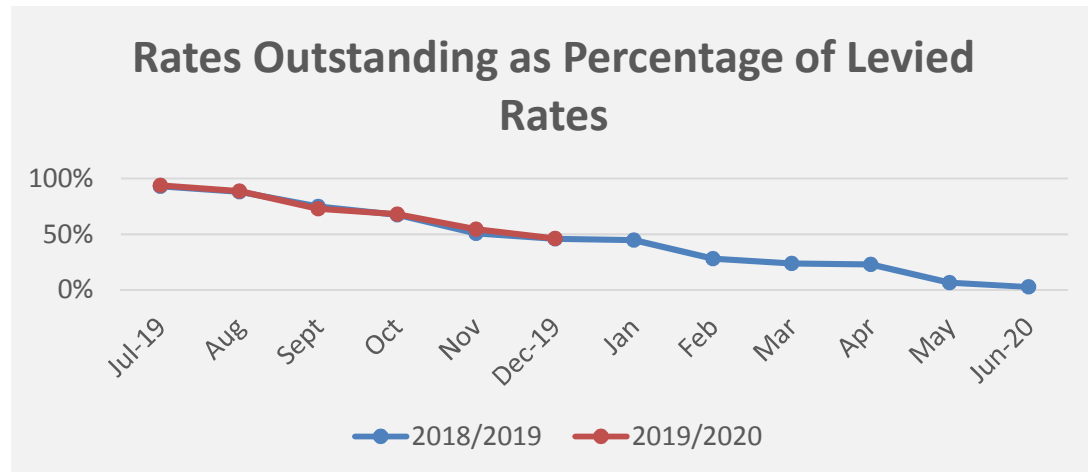
S&P rating	Banks	Investment portfolio	Maximum % holding in a single Financial Institution	Maximum % holding in a single credit rating level
<b>A 1 +</b>	CBA	7%	50%	
	NAB	42%	50%	
	BOM	6%	50%	
	Bank West	4%	50%	
<b>Total A1+</b>		<b>59%</b>		<b>100%</b>
<b>A 1</b>	Suncorp	4%	50%	
<b>Total A1</b>		<b>4%</b>		<b>100%</b>
<b>A 2</b>	BOQ	17%	30%	
	Bendigo	20%	30%	
<b>Total A 2</b>		<b>37%</b>		<b>50%</b>

The table above outlined that all Council investments comply with Council's current investment policy.

**QUARTERLY FINANCIAL MANAGEMENT REPORT - FOR THE PERIOD ENDED 31 DECEMBER 2019 cont'd**

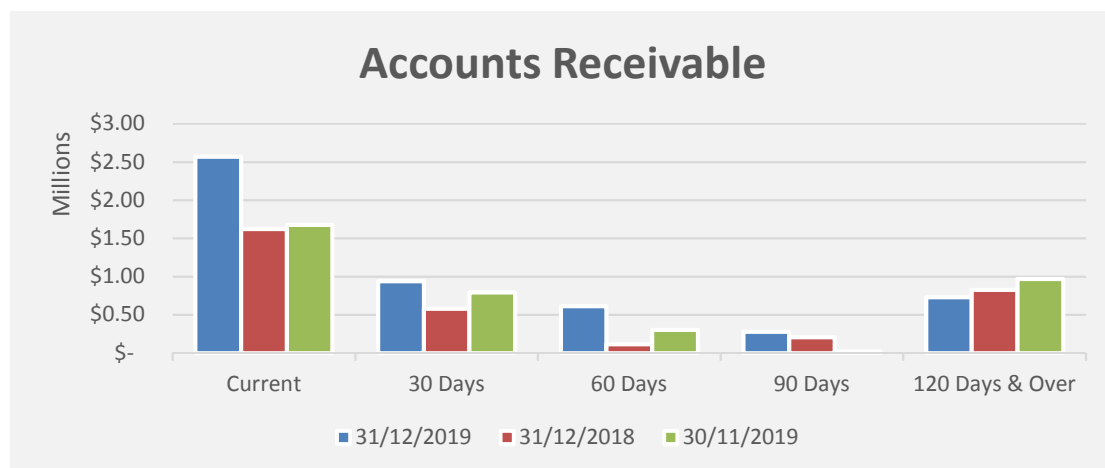
**Rates Outstanding**

For the 2019/20 year Banyule City Council has levied in total \$104.74m in rates revenue (includes waste charges from the schedule of fees and charges and excludes the fire services property levy). The total outstanding balance as at 31 December 2019 is \$48.54m, 46.35% of the current year levied rate income is outstanding. The timing variance reported in November 2019 has been balanced in December 2019 as projected.



**Accounts Receivable**

The accounts receivable function of Council raises revenue and collects payments for Children's centres, Aged & Disability services, Health Department, Leisure bookings, Banyule BPI and sundry accounts. (This function does not include revenue for the Planning Department, Animal Registrations and Parking Infringements as these are currently decentralised).



As at 31 December 2019, the total outstanding debtors balance was \$5.138m representing an increase of \$1.367m from previous month (\$3.771m in November 2019). Contributing to this increase are one-off invoices raised and payment is expected in January. The 60+ days will be further assessed during the quarter with the expectation that the outstanding balances are significantly reduced.

**QUARTERLY FINANCIAL MANAGEMENT REPORT - FOR THE PERIOD ENDED  
31 DECEMBER 2019 cont'd**
**Financial Statements**
**Table 4 - Balance Sheet**

	2019/20 31-Dec-19 \$'000	2019/20 30-Nov-19 \$'000
<b>Assets</b>		
<b>Current assets</b>		
Cash and cash equivalents	14,663	18,310
Trade and other receivables	58,428	69,195
Other financial assets	110,000	106,000
Inventories	39	39
Other assets	1,300	1,300
<b>Total current assets</b>	<b>184,430</b>	<b>194,844</b>
<b>Non-current assets</b>		
Trade and other receivables	175	175
Investments in associates and joint ventures	3,183	3,183
Property, infrastructure, plant and equipment	1,585,420	1,581,492
Intangible assets	919	945
Investment Property	32,030	32,030
<b>Total non-current assets</b>	<b>1,621,727</b>	<b>1,617,825</b>
<b>Total assets</b>	<b>1,806,157</b>	<b>1,812,669</b>
<b>Liabilities</b>		
<b>Current liabilities</b>		
Trade and other payables	5,615	5,558
Provisions	14,948	14,914
Interest-bearing loans and borrowings	1,547	1,542
Trust funds and deposits	3,805	3,805
<b>Total current liabilities</b>	<b>25,915</b>	<b>25,819</b>
<b>Non-current liabilities</b>		
Provisions	1,320	1,320
Interest-bearing loans and borrowings	31,973	32,110
Trust funds and deposits	867	867
<b>Total non-current liabilities</b>	<b>34,160</b>	<b>34,297</b>
<b>Total liabilities</b>	<b>60,075</b>	<b>60,116</b>
<b>Net assets</b>	<b>1,746,082</b>	<b>1,752,553</b>
<b>Equity</b>		
Accumulated surplus	532,114	538,585
Reserves	1,213,968	1,213,968
<b>Total equity</b>	<b>1,746,082</b>	<b>1,752,553</b>

QUARTERLY FINANCIAL MANAGEMENT REPORT - FOR THE PERIOD ENDED  
31 DECEMBER 2019 cont'd

Table 5 - Statement of Cash Flows

	2019/20 31-Dec-19 \$'000	2019/20 30-Nov-19 \$'000
	Inflows (Outflows)	Inflows (Outflows)
<b>Cash flows from operating activities</b>		
<b>Receipts:</b>		
Rates and charges	56,845	46,400
Grants - operating	6,246	5,543
Grants - capital	1,277	907
Statutory fees and fines	4,970	3,891
User fees and charges	11,904	10,123
Contributions - monetary	3,255	2,507
Interest received	2,362	2,122
Rental income	1,185	1,071
Other receipts	583	346
<b>Payments:</b>		
Employee costs	(32,845)	(27,503)
Materials and services	(30,137)	(26,324)
Utility charges	(1,891)	(1,347)
Other payments	(4,831)	(4,519)
<b>Net cash provided by operating activities</b>	<b>18,923</b>	<b>13,217</b>
<b>Cash flows from investing activities</b>		
Payments for property, infrastructure, plant and equipment	(21,321)	(15,518)
Proceeds from sale of property, plant and equipment	501	360
Net (purchases)/redemption of financial assets	9,000	12,345
<b>Net cash (used in) investing activities</b>	<b>(11,820)</b>	<b>(2,813)</b>
<b>Cash flows from financing activities</b>		
Borrowing costs - interest	(1,255)	(1,040)
Repayment of borrowings	(763)	(632)
<b>Net cash (used in) financing activities</b>	<b>(2,018)</b>	<b>(1,672)</b>
<b>Net increase/(decrease) in cash and cash equivalents</b>	<b>5,085</b>	<b>8,732</b>
Cash and cash equivalents at the beginning of the financial year	<b>9,578</b>	<b>9,578</b>
<b>Cash and cash equivalents at the end of the month</b>	<b>14,663</b>	<b>18,310</b>



**QUARTERLY FINANCIAL MANAGEMENT REPORT - FOR THE PERIOD ENDED  
31 DECEMBER 2019 cont'd**

**CONCLUSION**

Banyule City Council has forecast to deliver an operating surplus of \$8.350m against the adopted budget of \$5.988m for the year ended 30 June 2020.

**ATTACHMENTS**

Nil

## 7.3 ASSEMBLY OF COUNCILLORS

Author: Mary-Jane Borg - Governance Administrative Support Officer, Corporate Services

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### EXECUTIVE SUMMARY

Under the Local Government Act 1989 an Assembly of Councillors is defined as:

*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:*

- a) *the subject of a decision of the Council or;*
- b) *subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee.*

In accordance with Section 80A of the Local Government Act 1989 Council is required to report as soon as possible to an Ordinary Meeting of Council a record of any assemblies of Councillors held. Below is the latest listing of notified assemblies of Councillors held at Banyule City Council.

### RECORD OF ASSEMBLIES

<b>1</b>	<b>Date of Assembly:</b>	28 January 2020, 6.00pm
	<b>Type of Meeting:</b>	Councillor Briefing
	<b>Matters Considered:</b>	
	<ul style="list-style-type: none"> <li>• Yarra Plenty Regional Library - Opening Hours</li> <li>• Economic Development</li> <li>• Bellfield Community Hub</li> <li>• Finance &amp; Capital Works Update (Budget)</li> <li>• North East Link Project</li> </ul>	
<b>Councillors Present:</b>		
Peter Castaldo Alison Champion Mark Di Pasquale Rick Garotti Craig Langdon Tom Melican Wayne Philips		
<b>Staff Present:</b>		

**ASSEMBLY OF COUNCILLORS cont'd**

Allison Beckwith - <i>Chief Executive Officer</i> Geoff Glynn – <i>Director Assets &amp; City Services</i> Marc Giglio – <i>Director Corporate Services</i> Scott Walker – <i>Director City Development</i> Lisa Raywood – <i>Acting Director Community Programs</i> Kerry Woods – <i>Executive &amp; Councillors Team Leader</i> Darren Bennett – <i>Manager Environment &amp; Place</i> Tania O'Reilly – <i>Manager Finance &amp; Procurement</i> James Kelly – <i>Manager Delivery &amp; Assets</i> Erica Hardie – <i>Economic Development Coordinator</i> Michelle Isherwood - <i>Economic Development Officer</i> Daniela Ahimastos - <i>Economic Development Officer</i> Jacqui Stephenson – <i>Senior Project Manager</i>	
<b>Others Present:</b>	
Jane Cowell – Chief Executive Officer, Yarra Plenty Regional Library	
<b>Conflict of Interest:</b>	NIL

<b>2</b>	<b>Date of Assembly:</b>	3 February 2020, 5.25pm
	<b>Type of Meeting:</b>	Councillor Briefing
<b>Matters Considered:</b>		
Items on the Council Agenda for the Ordinary Meeting of 3 February 2020 (excluding confidential items) as listed below:		
2.1	11 Macorna Street Watsonia North - Objection to Proposed Development	
2.2	Request for Installation of a Skate Park in Heidelberg	
5.1	North East Link - Minister for Planning Assessment of Environmental Effects	
5.2	240 Southern Road, HEIDELBERG WEST - Olympic Park Redevelopment (P956/2019)	
5.3	17 - 19 Ester Street, GREENSBOROUGH - Additions to an Existing Preschool and Maternal and Child Health Centre (P1187/2019)	
5.4	Duplex (Two Dwellings Side by Side) Development Guidelines for the Postcode 3081 Area	
5.5	Development Planning Activities Report (July - December 2019)	
5.6	Planning Fees & Charges	
6.1	Advisory Committees' Report	
6.2	Nominations for Casual Vacancies on Banyule Advisory Committees	
7.1	Council Elections 2020	
7.2	Report on Property Transactions for the Six Months Ending 31 December 2019	
7.3	Assembly of Councillors	
7.4	Award of Contract No 1004-2020 "Construction of Kalparrin Gardens Shared Pathway"	

**ASSEMBLY OF COUNCILLORS cont'd**

	7.5 Award of Contract No 1009-2019 "Changeroom and Pavilion Upgrade at De Winton Reserve"
	7.6 Award of Contract No NR-2019-42 "Provision of Cleaning Services - Northern Region Collaboration"
	7.7 Award of Contract No PA 2103-0839 "Multi Function Devices (Hardware & Software) and Managed Services"
	7.8 Award of Contract No PA 2110-0503 "Supply of Mobile Bins"
	7.9 Audit & Risk Advisory Committee Minutes - 13 September 2019
	9.1 Review of Council Waste Services for all Rated Properties
<b>Councillors Present:</b>	
Peter Castaldo	
Alison Champion	
Mark Di Pasquale – Arrived at 6:30pm	
Rick Garotti	
Craig Langdon – Arrived at 5:37pm	
Tom Melican	
Wayne Philips	
<b>Staff Present:</b>	
Allison Beckwith - <i>Chief Executive Officer</i>	
Geoff Glynn – <i>Director Assets &amp; City Services</i>	
Marc Giglio – <i>Director Corporate Services</i>	
Scott Walker – <i>Director City Development</i>	
Lisa Raywood – <i>Acting Director Community Programs</i>	
Gina Burden – <i>Manager Governance &amp; Communication</i>	
Vivien Ferlaino – <i>Governance Coordinator</i>	
Jonathan Risby – <i>Manager Transport</i>	
Joel Elbourne – <i>Manager Planning &amp; Building</i>	
Luca Verduci – <i>Senior Digital Communications Officer</i>	
David Moon – <i>Development Planning Coordinator</i>	
Jonatan Atkinson – <i>Development Planner</i>	
<b>Others Present:</b>	
NIL	
<b>Conflict of Interest:</b>	NIL

<b>3</b>	<b>Date of Assembly:</b>	9 February 2020
	<b>Type of Meeting:</b>	Councillor Strategic Planning Session, 10am
	<b>Matters Considered:</b>	
	<ul style="list-style-type: none"> <li>• 4 year term recap</li> <li>• Financial Sustainability and Long Term Financial Planning</li> <li>• Planning for our future places</li> </ul>	
<b>Councillors Present:</b>		

**ASSEMBLY OF COUNCILLORS cont'd**

Peter Castaldo Alison Champion Mark Di Pasquale Rick Garotti - <i>left at 1pm</i> Craig Langdon Tom Melican Wayne Philips	
<b>Staff Present:</b>  Allison Beckwith - <i>Chief Executive Officer</i> Geoff Glynn – <i>Director Assets &amp; City Services</i> Marc Giglio – <i>Director Corporate Services</i> Scott Walker – <i>Director City Development</i> Lisa Raywood – <i>Acting Director Community Programs</i>	
<b>Others Present:</b>  Ruth McGowan – Ruth McGowan Pty Ltd	
<b>Conflict of Interest:</b>	NIL

<b>4</b>	<b>Date of Assembly:</b>	10 February 2020, 6.00pm
	<b>Type of Meeting:</b>	Confidential Councillor Briefing
	<b>Matters Considered:</b>  Items on the Council Agenda for the Special Meeting of 10 February 2020 as listed below: 9.1 North East Link Environment Effects Statement Report – Legal Advice	
	<b>Councillors Present:</b>  Peter Castaldo Alison Champion Mark Di Pasquale Rick Garotti Tom Melican Wayne Philips	
	<b>Staff Present:</b>  Allison Beckwith - <i>Chief Executive Officer</i> Geoff Glynn – <i>Director Assets &amp; City Services</i> Marc Giglio – <i>Director Corporate Services</i> Scott Walker – <i>Director City Development</i> Lisa Raywood – <i>Acting Director Community Programs</i> Gina Burden – <i>Manager Governance &amp; Communication</i> Vivien Ferlaino – <i>Governance Coordinator</i> Jonathan Risby – <i>Manager Transport</i>	
	<b>Others Present:</b>  NIL	
<b>Conflict of Interest:</b>	NIL	

**ASSEMBLY OF COUNCILLORS cont'd**

<b>5</b>	<b>Date of Assembly:</b>	10 February 2020, 7.27pm
	<b>Type of Meeting:</b>	Councillor Briefing
	<b>Matters Considered:</b>	
	<ul style="list-style-type: none"> <li>• Chairperson report on Audit &amp; Risk Advisory Committee Report</li> <li>• Climate Action</li> <li>• Budget update</li> </ul>	
	<b>Councillors Present:</b>	
	Peter Castaldo Alison Champion Mark Di Pasquale Rick Garotti Craig Langdon – Arrived at 7.55pm Tom Melican Wayne Philips	
<b>Staff Present:</b>		
Allison Beckwith - <i>Chief Executive Officer</i> Geoff Glynn – <i>Director Assets &amp; City Services</i> Marc Giglio – <i>Director Corporate Services</i> Scott Walker – <i>Director City Development</i> Lisa Raywood – <i>Acting Director Community Programs</i> Vivien Ferlaino – <i>Governance Coordinator</i> Kerryn Woods – <i>Executive &amp; Councillors Team Leader</i> Darren Bennett – <i>Manager Environment &amp; Place</i> Tania O'Reilly – <i>Manager Finance &amp; Procurement</i> Sian Gleeson – <i>Environment Coordinator</i>		
<b>Others Present:</b>		
Irene Irvine (Chairperson from the Audit & Risk Advisory Committee)		
<b>Conflict of Interest:</b>	NIL	

**RECOMMENDATION**

That the Assembly of Councillors report be received.

**ATTACHMENTS**

Nil

## **7.4 AUDIT & RISK ADVISORY COMMITTEE MINUTES - 6 DECEMBER 2019**

Author: Tiziana McKenzie - Executive Assistant Corporate Services, Corporate Services

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### **EXECUTIVE SUMMARY**

The Audit & Risk Advisory Committee is an Advisory Committee whose role is determined by the *Local Government Act 1989*. The responsibilities and terms of reference of the Audit & Risk Advisory Committee are defined in the Committee's Charter.

The Minutes of the meeting of the Audit & Risk Advisory Committee are required to be reported to a Council Meeting. Consequently, the Minutes of the meeting held on the 9 December 2019 are being circulated, subject to confirmation by Council at its meeting.

### **RECOMMENDATION**

That Council consider the Minutes, subject to confirmation, of the Audit & Risk Advisory Committee meeting which was held on the 6 December 2019.

### **COUNCIL PLAN**

This report is in line with Banyule's Council Plan key direction to "Provide good governance and be accountable".

### **BACKGROUND**

As part of Council's governance obligations to its community, Council has constituted an Audit & Risk Advisory Committee to facilitate:

- The enhancement of the credibility and objectivity of internal and external financial reporting;
- Effective management of Council's strategic risks and protection and control of Council assets;
- Monitoring of Council's Business Continuity Plans and processes;
- The efficiency and effectiveness of significant Council programmes;
- Compliance with laws and regulations as well as use of Best Practice Guidelines;
- The effectiveness of the audit functions.

### **LEGAL CONSIDERATION**

There are no direct legal implications arising from the recommendation contained in this report.

### **HUMAN RIGHTS CHARTER**

It is considered that the subject matter does not raise any human rights issues.

**AUDIT & RISK ADVISORY COMMITTEE MINUTES - 6 DECEMBER 2019 cont'd**

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

Section 80C of the *Local Government Act 1989* (Act) requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

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

**CONCLUSION**

That Council consider the Minutes, subject to confirmation, of the Audit & Risk Advisory Committee meeting which was held on the 6 December 2019.

**ATTACHMENTS**

<b>No.</b>	<b>Title</b>	<b>Page</b>
1	Audit & Risk Advisory Committee Minutes - 6 December 2019	