

Agenda



Monday, 12 April 2021 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.”

Diversity Statement

“Banyule is a diverse community, made up of people from different cultures, beliefs, abilities, bodies, ages, sexualities, genders and identities. Council is committed to inclusion, access and equity for everyone. These principles foster cohesiveness, empower people and improve the wellbeing of the Banyule Community.”

Apologies and Leave of Absence

Confirmation of Minutes

Ordinary Meeting of Council held 22 March 2021

Disclosure of Interests

1. Urgent Business

REPORTS:

2. Petitions

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Nil

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6. Participation – Community Involvement in Community Life

Nil

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8. Sealing of Documents

Nil

9. Notices of Motion

Nil

10. General Business

Closure of Meeting to the Public

That in accordance with Section 66(2)(a) of the *Local Government Act 2020*, Council close the Meeting to members of the public and adjourn for five minutes to allow the public to leave the Chamber prior to considering the following confidential matters:

11. Confidential Matters

- 11.1 Potential Development to Create New Council Spaces - Feasibility Assessment
- 11.2 Potential Property Purchase
- 11.3 Proposed Multi-Deck Carpark and Mixed Use Development

Matters Discussed in Camera

That all confidential matters and reports related to the above items remain confidential unless otherwise specified.

Closure of Meeting

Live Streaming of Council Meeting

*Please note that the Council Meeting will be livestreamed.
The livestream will be available on Council's Facebook and website
www.banyule.vic.gov.au*

The next Ordinary Meeting of Council will be held on Monday, 3 May 2021.

2.1 PETITION - SAFE PEDESTRIAN ACCESS OVER RAILWAY LINE - ODENWALD ROAD, EAGLEMONT

Author: Jonathan Risby - Manager Transport, City Development

Ward: Griffin

SUMMARY

- A petition with 546 signatures has been received requesting Council provide safer pedestrian passage over railway lines at Odenwald Road, Eaglemont.
- The petition request is as follows:

“We the undersigned, maintain that the existing narrow bridge (6.1 metres in width) is dangerous and utterly unsuitable for the concurrent use by pedestrians and motor vehicles. The bridge is unsafe and an anachronism, built when the population South of Studley Road was minimal. Ninety years on, it is totally unsuitable for the needs of the modern world and the exponential growth of motor vehicle traffic through the area. This is unacceptable for a Council claiming to cater for the needs of all citizens, including the aged, people with disabilities and parents/carers with children. The existing access arrangements on, and leading to the bridge, are chaotic and dangerous. We urge the Council to provide safe, dedicated access (footpath raised above the road level) for pedestrians traversing the railway line. We urge the Council to exercise its skill and expertise to determine how this may be achieved. We ask a dedicated pedestrian bridge to the East of the existing structure be considered as a viable option.”

- Odenwald Road bridge is a road over rail bridge with the rail authority (VicTrack with a current lease to Metro Trains Melbourne) being responsible for the structure and the adjacent land and Council being responsible for the surface of the bridge.
- Investigations have previously been undertaken regarding the construction of a separate pedestrian bridge. Based on similar projects that have been undertaken the estimated cost of works for this to occur is approximately \$1 million. VicTrack approval would also be required.
- Funding has been listed in the proposed budget 2021-2022 for safety improvements either side and along the surface of the bridge.

RECOMMENDATION

That Council:

1. Receives and notes the petition.
2. Notes that funding has been listed in the proposed budget 2021-2022 for safety improvements at this location.
3. Advise the primary petitioner of this resolution.

PETITION - SAFE PEDESTRIAN ACCESS OVER RAILWAY LINE - ODENWALD ROAD, EAGLEMONT cont'd

DISCUSSION

- A petition with 546 signatures has been received requesting Council provide safer pedestrian passage over railway lines at Odenwald Road, Eaglemont. The signatories of this petition were from the following suburbs.

Alphington	1
Armadale	1
Ascot Vale	1
Balwyn	2
Balwyn North	1
Barham (NSW)	2
Bellfield	1
Box Hill	1
Bulleen	1
Chadstone	1
Chirnside Park	1
Clifton Hill	2
Collingwood	1
Diamond Creek	1
Doncaster	1
Drouin	1
Eaglemont	289
East Doncaster	1
East Kew	2
Eden Park	1
Epping	1
Fairfield	2
Hawthorn	1
Hawthorn East	1
Heidelberg	13
Inverloch	1
Ivanhoe	150
Ivanhoe East	16
Kew	3
Launching Place	1
Lower Plenty	1
Macleod	2
Malvern	1
Mill Park	2
Mont Albert North	4
Mount Waverley	1
Northcote	3
Preston	3
Reservoir	2
Richmond	2
Rosanna	7
Skye	1
Sunset Strip	1
Surrey Hills	1
Tarrington	1
Templestowe	5

PETITION - SAFE PEDESTRIAN ACCESS OVER RAILWAY LINE - ODENWALD ROAD, EAGLEMONT cont'd

Templestowe Lower	4
Thornbury	2
Williamstown	1
Yallambie	1

- Odenwald Road bridge is a road over rail bridge with the rail authority (VicTrack with a current lease to Metro Trains Melbourne) being responsible for the structure and the adjacent land and Council being responsible for the surface of the bridge.
- Investigations have previously been undertaken regarding the construction of a separate pedestrian bridge by either cantilevering a bridge of the side of the existing bridge; or providing a standalone pedestrian bridge adjacent to the existing bridge. Based on similar projects that have been undertaken the estimated cost of works for this to occur is approximately \$1 million which would be difficult for Council to reasonably fund alone without external grants from either the State or Federal government. VicTrack approval would also be required for works in the rail reservation.
- Low pedestrian movements across the bridge have previously been observed.
- Funding has been listed in the proposed budget 2021-2022 for safety improvements either side and along the surface of the bridge to slow vehicle speeds and to improve the environment for pedestrians.

ATTACHMENTS

Nil

3.1 YARRA PLENTY REGIONAL LIBRARY SERVICE AGREEMENT 2020-2025

Author: Jo Graham - Executive Assistant to the Director Community Programs,
Community Programs

SUMMARY

1. The Yarra Plenty Regional Library Agreement (Library Agreement), between the three member councils of Banyule City Council (Banyule), the City of Whittlesea (Whittlesea) and Nillumbik Shire Council (Nillumbik), is due to be renewed for the next five years (2020-2025).
2. Banyule as the then City of Heidelberg was an original member council of the regional library service, Heidelberg Regional Library in 1965. Banyule has continued to be a member when the corporation changed its name to the Yarra Plenty Regional Library Corporation (YPRL) in 1995. A new Library agreement was entered into by the three member councils in 2005.
3. The YPRL delivers library services for Banyule through the three Branch Libraries at Ivanhoe, Rosanna and Watsonia. The Mobile Library delivers services to West Heidelberg and the Outreach Service also delivers services to retirement villages in the city.
4. The Library Agreement sets out the purpose of the regional library service, the board makeup, proceedings, and responsibilities; and other legislative requirements of the YPRL as well as the dissolution requirements and member council exit requirements. Additional schedules also define the Cost Apportionment Methodology; the Chair responsibilities on a rotating basis per member Council; and the schedule of building assets allocated to YPRL for the delivery of library services per member council.

RECOMMENDATION

That Council:

1. Continue to be a part of the Yarra Plenty Regional Library Corporation for the next five (5) years.
2. Authorise the Chief Executive Officer to sign the Yarra Plenty Regional Library Supplemental Agreement 2020 at Attachment 1 to this report.
3. Note that a major review of the regional library corporation model will need to be undertaken, in line with the changes made to the *Local Government Act 2020* within the next five years.

COUNCIL PLAN

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

YARRA PLENTY REGIONAL LIBRARY SERVICE AGREEMENT 2020-2025 cont'd

BACKGROUND

- The YPRL delivers library services for Banyule through the three Branch Libraries at Ivanhoe, Rosanna and Watsonia as well as the Mobile Library service delivering services in West Heidelberg and the Outreach Service delivering to retirement villages in the city. The Library Agreement covers:
 - The purpose of the regional library service;
 - The board makeup, proceedings, and responsibilities;
 - Strategic planning, reporting, annual budget, asset allocation, policy and other legislative requirements of the corporation;
 - Dissolution and member council exit requirements.
- Additional schedules also define:
 - The cost apportionment methodology;
 - The Chair responsibilities on a rotating basis per member Council;
 - The buildings assets allocated to YPRL for the delivery of library services.

KEY ISSUES

- The current review (2020) was a minor review of the Library Agreement with the schedules for Council assets and rotation of Chair updated. Hunt and Hunt Legal Services provided the review and developed the necessary Supplementary Agreement for the next five years (Attachment 1).
- A major review of the regional library corporation model will need to be undertaken, in line with the changes made to the *Local Government Act 2020* within the next five years. YPRL has ten years to move to a new business model which could include becoming a Beneficial Enterprise under the *Local Government Act 2020*. Current Regional Library Corporation legislation remains grandfathered over this time within the *Local Government Act 2020*.

SUPPORTING REPORT DETAILS

Legal Consideration

- Council renewal of the Yarra Plenty Regional Service Agreement 2020-2025 will ratify an agreement to form Yarra Plenty Regional Library Service along with Nillumbik Shire Council and the City of Whittlesea.
- The Library Agreement sets out the purpose of the regional library service, the board makeup, proceedings, and responsibilities; and other legislative requirements of the YPRL as well as the dissolution requirements and member council exit requirements. Additional schedules also define the Cost Apportionment Methodology; the Chair responsibilities on a rotating basis per member Council; and the schedule of building assets allocated to YPRL for the delivery of library services per member council.

Human Rights Charter

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.

YARRA PLENTY REGIONAL LIBRARY SERVICE AGREEMENT 2020-2025 cont'd

- The provision of library services contributes to the promotion of human rights through providing free access to information, protecting and promoting cultural diversity and inclusion, supporting participation in public life and access to public services.

Sustainable Procurement Outcomes

- There are no sustainable procurement activities arising from the recommendation contained in this report.

Financial Implications

- Provision has been made in the draft 2021/22 budget for the cost of the new agreements.

Innovation and Continuous Improvement

- The Library Agreement is reviewed every five years. A major review of the Library Agreement was undertaken by an external consultant in 2015. A major change to the cost apportionment model was recommended and adopted by the then Board.
- The YPRL cost apportionment model is now one of the most sophisticated in use among Victoria's regional corporations. The costs are now apportioned based on usage, with the State Government grant apportioned to each member council as income. Individual branch income is apportioned to the relevant member council which also offsets each individual council's costs.
- The cost drivers used mean that each council explicitly pays for their residents' use of the library service, rather than the full operational cost to deliver the individual branch service to their community.

Collaboration

- Council renewal of the Yarra Plenty Regional Service Agreement 2020-2025 will ratify an agreement to form Yarra Plenty Regional Library Service along with Nillumbik Shire Council and the City of Whittlesea.

Officer Declaration of Conflict of Interest

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

ATTACHMENTS

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1	Yarra Plenty Regional Library Supplemental Agreement 2020	
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3.2 HOMES VICTORIA TEN-YEAR SOCIAL AND AFFORDABLE HOUSING STRATEGY

Author: Joel Elbourne - Manager Planning & Building, City Development

SUMMARY

1. The Victorian Government (Homes Victoria) is developing a 10-Year Social and Affordable Housing Strategy (the Strategy) to achieve a 'step change' in social and affordable housing in Victoria. The Strategy is underpinned by four principles around 'People at the centre', 'Shared action and accountability', 'Maximising value' and 'Sustainability'.
2. Whilst the changes are generally considered positive as they will enable an efficient role out of social housing, there are some areas of concern. For Banyule, the exemption from Banyule's Neighbourhood Character and ESD policies will result in social housing which is potentially inferior to other private sector housing being rolled out within Banyule and which is of a different character.
3. There are also significant concerns with the proposal to make social and affordable housing exempt from rates as this will have a substantial impact on the rates collected in Banyule where there is a high proportion of social and public housing. This equates to \$2.0 million per annum or \$22.5 million over a 10 year period.
4. Homes Victoria is seeking feedback on the Strategy and Council's view on the partnership. A submission raising the concerns outlined in this report and additional advocacy to the Minister for Planning and Local State Members regarding the rate exemption is proposed.

RECOMMENDATION

That Council:

1. Make a submission in relation to the Victorian Government's 10 Year Social and Affordable Housing Strategy, including a response to the engagement questionnaire, which provides general support for the social and affordable housing rollout but raises the following issues:
 - a) The exemption from Banyule's Neighbourhood Character and ESD policies will result in social housing which is potentially inferior to other private sector housing being rolled out within Banyule and which is of a different character.
 - b) Other general issues as identified in the report in relation to accessibility, monitoring and compliance of Environmentally Sustainable Development outcomes, the 'Compact' partnership, role clarity and resourcing.
2. Advocates to the Minister for Planning and Local State Members of Parliament regarding the proposal to provide a rate exemption for all social and public housing without any indication of how Council's will be able to address their rates shortfall.

HOMES VICTORIA TEN-YEAR SOCIAL AND AFFORDABLE HOUSING STRATEGY cont'd

COUNCIL PLAN

- This report is in line with Banyule's Council Plan key direction to "Provide a range of services for people at important life stages".

BACKGROUND

- The Victorian Government wants to engage with the community to develop a 10-Year Social and Affordable Housing Strategy that creates meaningful change and is seeking feedback on a discussion paper prepares for sector stakeholders (https://engage.vic.gov.au/download_file/42712/5140).
- This strategy sets a 10-year vision to achieve a 'step change' in social and affordable housing in Victoria, which sits outside the wider housing market and is specifically targeted towards people who need it.
- The strategy is underpinned by four principles around 'People at the centre', 'Shared action and accountability', 'Maximising value' and 'Sustainability' and supported by focus and action areas being:
 - **Pathways:** Providing information and support to people to access the housing they need, sustain their tenancy and to move to sustainable housing.
 - **Communities:** Enabling tenants to live in housing that is built for the future, with access to social and economic opportunities and within diverse, inclusive and vibrant communities.
 - **Growth:** Growing the supply of social and affordable housing to meet need.
 - **Partnerships:** Partnering across all levels of government, the community housing sector, industry and the community to deliver the vision.

KEY ISSUES

- **Pathways** - The first focus area articulates a vision for outcomes in 10 years time which is centred around empowerment, access, tailored support and specialised accommodation.
- It is suggested that importance of accessibility, universal design and livability should be reinforced in the strategy with regard to maintenance upgrades and new dwellings.
- **Communities** - Investment of \$500M in maintenance and upgrades building and \$112 Mil toward *Social Housing Energy Efficiency Upgrades* is noted as well as a commitment for all new housing to meets 7 stars NatHERS energy rating as opposed to 6 stars set out in the Building Code of Australia.
- It is considered that the investment in and commitment to improved energy efficiency is a positive step and monitoring and compliance in relation the energy rating commitment should be factored into the strategy and budget commitment.
- **Growth** - The strategy notes the \$5.3 billion Big Housing Building Investment to grow the supply of social and affordable housing and over 12,000 new homes.
- To facilitate this investment, the Planning Scheme has been amended to enable fast tracking planning approval which has the following implications:

HOMES VICTORIA TEN-YEAR SOCIAL AND AFFORDABLE HOUSING STRATEGY cont'd

- A new set of design standards has been introduced including a reduced car parking rate.
- Public notice requirements have been removed with applicable applications exempt from public notification and objector appeal rights.
- Local planning policies including the Residential Neighbourhood Character Policy and Environmentally Sustainable Design can no longer be considered. Overlay controls, including vegetation protection will still apply.
- For developments of 10 or more dwellings, the Minister for Energy, Environment and Climate Change is the Responsible Authority for assessing a planning permit application and not Council.
- Tarakan and Bell Bardia Public Housing projects will be exempt from Local Council approval processes which will mean that Council is unlikely to have any meaningful influence on the outcome of these significant projects.
- Commitment is given to commissioning a Ministerial Advisory Committee to investigate possible models and options to facilitate the supply of affordable housing through the Victorian Planning System.
- The changes, whilst generally positive as they enable an efficient role out of social housing, have raised some areas of concern. For Banyule, the exemption from Banyule's Neighbourhood Character and ESD policies will result in social housing which is potentially inferior to other private sector housing being rolled out within Banyule and which is of a different character.
- **Partnerships** - The strategy outlines that partnerships with local government will be especially important in the period ahead, guided by a *Social and Affordable Housing Compact* between Homes Victoria and local governments. The compact and these partnerships will recognise the importance of public housing, community housing and local government working together to deliver housing growth.
- Homes Victoria is seeking Council's views on a partnership, but, in turn, Council require more information to be provided by Homes Victoria in relation to the *Social and Affordable Housing Compact*, resource implications for Council and further clarity of roles for State Government, Local Government and the private sector.

SUPPORTING REPORT DETAILS

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 *Charter of Human Rights and Responsibilities Act 2006*.
- The proposals in the submission represent positive steps to enhance and protect the rights of residents against disability discrimination.

HOMES VICTORIA TEN-YEAR SOCIAL AND AFFORDABLE HOUSING STRATEGY cont'd

- It is considered that the 10-Year Social and Affordable Housing Strategy enhances individual's rights in relation to access to affordable and stable housing.

Financial Implications

- Homes Victoria has indicated that further information will be provided regarding an option that the rating of public and social housing will be realigned toward the approach currently taken with public schools and hospitals. This will mean that public and social housing will no longer be rateable. In municipalities with a high rate of social and public housing, such as Banyule, the impact on the rate base is significant.
- Initial modelling suggests that the impact for Banyule will be more than \$2.0 million annual reduction in the rates collected, most of which is a result of the public housing becoming exempt and therefore the State Government no longer paying rates. When projected over a 10 year period this equates to approximately \$22.5 million. This is considered a significant cost shift from the State Government to Council with no detail or explanation of how this rates deficit will be addressed. The deficit will also increase as additional social and public housing is rolled out.
- The financial impact for Councils as a result of the Big Housing Build and the push for Councils to take a direct role in supporting social housing is threefold and includes the following:
 - The significant reduction in rates collected with an increasing deficit as additional social and public housing is provided
 - The expectation for Councils to provide support to social housing projects with land or other financial support
 - Additional support services required for social housing projects, provision of service infrastructure in the vicinity of new social housing and tenant service support which is often at a higher level than other housing types.

Community Engagement

- Homes Victoria is seeking community feedback on the discussion paper via survey or written submission ([Community feedback | Ten-Year Social and Affordable Housing Strategy for Victoria | Engage Victoria](#)).

Officer Declaration of Conflict of Interest

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

ATTACHMENTS

Nil

5.1 JAMES RESERVE MASTER PLAN

Author: Rod Spivey - Senior Open Space Planner, Assets & City Services

Ward: Olympia

SUMMARY

1. The James Reserve Master Plan (the Master Plan) was an initiative project in the 2019/20 financial year.
2. The aim of the Master Plan is to create a well-researched vision for James Reserve that results in a safe, attractive and desirable open space catering for both active and passive recreation.
3. A draft Master Plan was completed in January 2020 and community consultation undertaken for 4 weeks between 6 February to 6 March 2020. In line with feedback obtained as a result of the consultation, the Master Plan was updated and subsequently placed on exhibition for 4 weeks between 24 July to 21 August 2020.
4. Final revisions were made to the Master Plan post exhibition. There is a current allocation of \$1,130,000 in the 4 – year Capital Works Program to deliver the major elements of the plan.
5. To deliver all elements detailed in the Master Plan would cost in the region of \$3,000,000 (inclusive of that addressed in the preceding point) and there are opportunities to seek external funding to support delivery.

RECOMMENDATION

That Council:

1. Adopt the draft James Reserve Master Plan;
2. Add the project to the long-term Capital Works Program for evaluation and prioritisation against existing programs; and
3. Actively seek external grants and funding opportunities to assist with further delivery.

COUNCIL PLAN

- This report is in line with Banyule’s Council Plan key direction to “Provide great public and open spaces”.

JAMES RESERVE MASTER PLAN cont'd

BACKGROUND

- James Reserve is a 1.5-hectare neighbourhood park located in Heidelberg Heights. Reserve facilities include playground, half basketball court, cricket nets, soccer pitch, fencing, public toilets and pavilion. The reserve is home to the Heidelberg Eagles Soccer Club and is used by the surrounding community for passive recreation.
- Heidelberg Heights has the third highest population density. Projections estimate that the population in Heidelberg Heights will grow to approximately 10,000 people by 2031 which will result in a significant reduction in open space provision down to 0.69 hectares per 1,000 people.
- Heidelberg Heights has only three reserves (James, Johnson and Shelley Reserves). James Reserve has significant access issues and the quality of some of the infrastructure is tired, rundown and in need of replacement.
- Following internal stakeholder consultation, a draft Master Plan and Background Report was completed in January 2020.
- Key elements addressed in the plan included sports lighting, playground and nature-play, active and passive sporting facilities, irrigation, pavilion, public toilet, fencing, paths, landscaping and ancillary park infrastructure.

KEY ISSUES

- A Master Plan has been prepared for James Reserve in consultation with the community.
- The Master Plan provides a long- term vision for this reserve that will service both current and future community needs (both passive and active recreation).
- \$1,130,000 has been allocated over the next 4 years through Council's Capital Works Program to delivery major elements of the Master Plan.
- To deliver all elements detailed in the Master Plan would cost in the region of \$3,000,000 (inclusive of that addressed in the preceding point) and there are opportunities to seek external funding to support delivery.

SUPPORTING REPORT DETAILS

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 *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.

Sustainable Procurement Outcomes

- There are no sustainable procurement activities arising from the recommendations contained in this report.

JAMES RESERVE MASTER PLAN cont'd

- Sustainable procurement outcomes will be pursued as a function of the detailed design should Council resolve to adopt the Master Plan.

Financial Implications

- The table below describes the main elements to the Master Plan.

Item	Description
Playing field Improvements	Inclusive of sports lighting, irrigation, and playing surface
Pavilion and Public Toilets	Inclusive of a pavilion upgrade, public toilets, external furniture and soft landscaping (garden beds and lawn).
Playspace	Inclusive of playground renewal, nature play, shelter, multi-purpose court and, landscaping (garden beds, rockwork and advanced trees).
Children's Centre	Fence replacement and improvements to the ramp and playspace.
Landscaping	Installation of fitness station, paving, lawn, garden beds and advanced trees.

- To deliver all the elements of the Master Plan would cost in the region of \$3,000,000.
- \$1,130,000 will be spent on delivering major elements of this Master Plan over the next four years, the current 4 – year Capital Works Program identifies the timing and value of these elements.

Project	2020/21	2021/22	2022/23	2023/24	Total
James Reserve Sports Lighting	\$25,000.00 Design	\$300,000.00 Construct			\$325,000.00
James Reserve Change Room			\$50,000.00 Design	\$500,000.00 Construct	\$550,000.00
James Reserve Playground		\$105,000.00			\$105,000.00
James Reserve Irrigation Renewal Program			\$150,000.00		\$150,000.00
Totals	\$25,000.00	\$405,000.00	\$200,000.00	\$500,000.00	\$1,130,000.00

- Should the Master Plan be endorsed by Council, any further works would be referred to the long-term Capital Works Program for evaluation and prioritisation against existing programs. In addition, as with any endorsed Master Plan, officers would be actively seeking external grants and funding opportunities to assist with further delivery.

JAMES RESERVE MASTER PLAN cont'd

Community Engagement

- Consultation for James Reserve Master Plan ran for 4 weeks between 6 February to 6 March 2020. The consultation comprised:
 - A mail-out to approximately 700 properties within walking distance to the reserve (400 metre radius);
 - Shaping Banyule web page inclusive of interactive social mapping tool;
 - Information signs (2) displayed on site;
 - Meeting with representatives of the St Hellier Street Children's Centre;
 - Meeting with representatives of the Heidelberg Eagles Soccer Club.
- The Shaping Banyule 'Quick Poll' question 'Do you support the James Reserve Master Plan?' has unfortunately provided unreliable results. It was identified that 9 IP addresses provided 67 responses, all of which are opposed to the Master Plan. However, counting one response from each IP address, the results would show 73.7% support for the Master Plan.
- Considering the feedback (internal and external), the Master Plan was amended as per the below (significant changes listed only):
 - Existing traffic and carparking conditions to be retained;
 - New pavilion to be located to the west of the soccer field as per the existing conditions;
 - Mini futsal space to be deleted;
 - Playground, nature play and multi-purpose court to be enlarged/extended.
- Exhibition of the updated James Reserve Master Plan ran for 4 weeks between 24 July to 21 August 2020.
- The quick-poll question on Shaping Banyule asked if those completing the poll agreed with the Master Plan. The quick poll results identified 83% in support of the James Reserve Master Plan.
- Considering the feedback, the Master Plan was amended as per the below:
 - Inclusion of a hit-up/rebound wall with paint marked goals/nets in proximity to the proposed multi-use court located to the north-east of the reserve;
 - Inclusion of a plan notation indicating that playground fencing will be considered as a function of the detailed design;
 - Inclusion of a pram-crossing/kerb ramp and path connection between the Leonard Street intersection and the DDA compliant ramp into the reserve.
- A copy of the updated draft Master Plan post exhibition is included in Appendix 1.

Key Considerations

- The project aligns with key directions nominated in the *Council Plan (2017 - 2021)*, the *Public Open Space Plan (2016 – 2031)*, and the project advances recommendations contained within the *Heidelberg Activity Centre and Medical Precinct Public Realm Strategy (2019)*.

JAMES RESERVE MASTER PLAN cont'd

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* 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.

ATTACHMENTS

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1	James Reserve Draft Master Plan - Final	
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5.2 HEIDELBERG STRUCTURE PLAN - KEY DIRECTIONS

Author: Fae Ballingall - Principal Strategic Planner, City Development

Ward: Griffin

SUMMARY

1. The purpose of this report is to seek Council's endorsement of a Key Directions paper (Attachment 1) in relation to a new Heidelberg Structure Plan.
2. Council commenced preparation of a new Heidelberg Structure Plan to guide future land use, built form, economic, accessibility and public realm outcomes for this significant activity centre. The current Heidelberg Structure Plan is now over ten years old and needs to be updated to reflect, amongst other matters, new State Planning policy and design guidance, major transport projects (e.g. North East Link, Suburban Rail Loop) and the continued growth of the State significant medical precinct.
3. Stage 1 of the project is now complete and comprised the preparation of key background studies to provide the basis for the new plan. Key reports from this stage are the Heidelberg Liveability Study (2020), Economic Analysis (2020), Built Form Review (2021) and, Movement and Place Options Plan (2021).
4. Extensive early community engagement informed the findings of the Liveability Study and provided clear metrics about what the community value, care about and rank as most important to them. Key stakeholder engagement also informed the Economic Analysis. Background work is publicly available on *Shaping Banyule*.
5. Stage 2 is the 'Key Directions' Council is asked to endorse:
 - Provides a summary of the key findings/ issues from the background work, which clearly recognises and reflects the most important themes expressed by the community in the 2020 Liveability Study; and
 - Signals how the Structure Plan is expected to respond ('Opportunities').
 - Sets out 'Next steps', including further engagement.
6. The Key Directions paper will be made available on *Shaping Banyule* and support and guide community engagement and stakeholder input during Stage 2 into the preparation of the draft Structure Plan.
7. Stage 3 will use the Key Directions and stakeholder engagement to develop a draft structure plan. It will be presented to Council later this year for adoption as a draft prior to any formal consultation period.

HEIDELBERG STRUCTURE PLAN - KEY DIRECTIONS cont'd

RECOMMENDATION

That Council:

1. Endorse the Heidelberg Structure Plan Key Directions Paper to:
 - a. Acknowledge and support the key findings and opportunities for future structure planning that have emerged from the background work comprising the Liveability Study, Economic Review, Movement and Place Analysis and Built Form Review.
 - b. Provide the basis to lead community engagement in the preparation of a new draft Heidelberg Structure Plan.

COUNCIL PLAN

- This report is in line with Banyule's Council Plan key direction to "Invest in and support activity centres and employment precincts".
- Direction 3.1 of the 2017-2021 Council Plan identified the review of the current Structure Plan as a 'Key Initiative'.

BACKGROUND

- Council is preparing a new place-based Structure Plan for the Heidelberg Activity Centre that will support a vibrant, connected and sustainable centre for residents, workers and visitors.
- Since the 2010 Heidelberg Structure Plan was prepared, there have been some key events that support the preparation of a new structure plan – notably:
 - The release of the State Government's Plan Melbourne metropolitan strategy and inclusion of Heidelberg within the La Trobe National Employment and Innovation Cluster (La Trobe NEIC) – which recognises the significant value of the medical precinct in Heidelberg (2nd most significant in metropolitan Melbourne);
 - Development of the Victorian Urban Design Framework and other relevant planning policy;
 - Duplication of the Hurstbridge rail line and greater transport accessibility;
 - North East Link and likelihood of greater regional accessibility;
 - Identification of Heidelberg as a future Suburban Rail Loop train station and transport hub.
- All of these indicate the need to reflect the regional and state significance of the activity centre within an updated land use framework of a new structure plan.
- Stage One of the Structure Plan project commenced in February 2020. It involved a period of significant community engagement during February to April 2020 to inform a Liveability Study and several technical background documents focused on the local economy, built form, movement and place. These are all available on Shaping Banyule, Council's project engagement website.
- The Liveability Study, prepared by Place Score, provides important benchmark data of what the community value and ranks how important certain issues are to

HEIDELBERG STRUCTURE PLAN - KEY DIRECTIONS cont'd

people. This allowed Council to focus additional background work around the issues most important to Heidelberg's community. Council will also be able to measure future progress of the structure plan in terms of how it responds to what the community identified as most important to the liveability of the Centre.

- Further background information is available on *Shaping Banyule* where all the above-mentioned reports are available.

KEY ISSUES

- Stage 2 of the Heidelberg Structure Plan, (the Structure Plan), will use the Key Directions paper (Attachment 1) to guide community engagement and stakeholder input during Stage 2. This document is an important link between the findings of the technical background work and themes expressed in the 2020 community survey, and the intended Structure Plan framework, objectives and priorities. It signals the future intent and direction of the structure plan in terms of the issues that the community feel is most important and need to be addressed.
- The Key Directions paper will be available on *Shaping Banyule* to guide broad community discussion as the draft Structure Plan progresses. It will also facilitate targeted further consultation and workshops with key stakeholders, including the hospitals, traders, residents and schools to provide input into the draft plan.

SUPPORTING REPORT DETAILS

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.

Sustainable Procurement Outcomes

- There are no sustainable procurement activities arising from the recommendation contained in this report.

Financial Implications

- There are no financial implication arising from the recommendation contained in this report.

Key Considerations

- The Key Directions paper will be available on *Shaping Banyule* to guide broad community discussion as the draft Structure Plan progresses. It will also facilitate targeted further consultation and workshops with key stakeholders, including the hospitals, traders, residents and schools to provide input into the draft plan.
- The third and final stage of the project is preparing the new Structure Plan. A draft version will be presented to Council for adoption with the intent it is then placed on formal community consultation for a 4-6-week period. The community will be invited to make submissions on the draft Plan.

HEIDELBERG STRUCTURE PLAN - KEY DIRECTIONS cont'd

- The final Structure Plan will take on board further feedback and go to Council for adoption, which is anticipated to be in October 2021.

Officer Declaration of Conflict of Interest

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

ATTACHMENTS

N	Title	Page
0	.	
1	Heidelberg Activity Centre - Key Directions ⇒	

5.3 ROAD MANAGEMENT PLAN

Author: Mohammad Rashid - City Assets Coordinator, Assets & City Services

SUMMARY

1. Council is required to review its Road Management Plan (RMP) every four years as a requirement of the *Road Management Act 2004* (the Act).
2. Council's current RMP was adopted in June 2017 and is due to expire at the end of June 2021. It is required to review the current RMP and adopt four-year RMP by June 2021.
3. Council officers have completed the review and updated the RMP in accordance with this Act.
4. The review process included:
 - a) Consultation with all internal stakeholders
 - b) Discussions with three neighbouring councils (Boroondara, Yarra and Moreland) to review standard practice and identify opportunities for improvements
 - c) Benchmarking across 79 Victorian councils as well as 30 Melbourne metro councils.
5. The benchmarking indicated Banyule's level of service for road assets is satisfactory compared to other Melbourne metro councils. Therefore, it is proposed to maintain the current level of service.
6. Some key changes are proposed in the revised plan to remove confusions between temporary repair and permanent repair. Both types of repairs are not applicable for all type of defects.
7. In addition, the road register is reviewed annually and published on Council website.
8. A formal public exhibition is required, as specified in the Act, to receive feedback from the community. It is proposed to run the public exhibition over four weeks, commencing on 13 April 2021 and closing on 12 May 2021.

RECOMMENDATION

That:

1. Council approve the draft Road Management Plan for public exhibition commencing on 13 April 2021 and closing on 12 May 2021.
2. A further report to be presented to Council at the conclusion of the public exhibition period which considers the feedback received prior to adoption of the updated Road Management Plan.

ROAD MANAGEMENT PLAN cont'd

COUNCIL PLAN

- This report is in line with Banyule's Council Plan key direction to "Renew and maintain Banyule's public assets and infrastructure".

BACKGROUND

- The *Road Management Act 2004* (the Act) outlines that Road Authorities are required to act 'reasonably' by inspecting and maintaining assets to protect the general public.
- This has created the need for Council, being the Road Authority for local roads, to have a clear sense of responsibility for its road network and minimise exposure to liability. Council achieves this by having a Road Management Plan (RMP).
- The RMP comprises of two sections
 1. The RMP itself (Attachment 1), which includes:
 - A description of Council's road management process including the road assets hierarchy, the nature and frequency of inspections, the intervention levels for defects and the response times for repairs.
 - Reference to the systems for the recording of information collected from inspections, periodic road condition surveys, Council's customer management system, traffic data and other community input.
 2. Register of Public Roads which includes:
 - Reference to the register of public roads (Road Register) for which Council is responsible, and a description of Council assets in the road reserve. This updated annually and published on Council's website.

KEY ISSUES

- Council's current RMP was adopted in June 2017 and is due to expire at the end of June 2021. Therefore, it is required to review the current RMP and adopt the updated plan by June 2021.
- Council officers have completed the review and updated the RMP.
- The purpose of this paper is to present the draft RMP to the Council including all proposed changes prior to Public Exhibition and final adoption.

SUPPORTING REPORT DETAILS

Legal Consideration

- For Council to mitigate exposure to liability and meet its obligations under the *Local Government Act 2020* and the *Road Management Act 2004*, it is required to review its Road Management Plan every four years.

Human Rights Charter

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.

ROAD MANAGEMENT PLAN cont'd

Sustainable Procurement Outcomes

- There are no sustainable procurement activities arising from the recommendation contained in this report.

Financial Implications

- The review of the RMP is part of Council's ongoing operations.
- All repairs undertaken to the assets in the road reserve are currently funded under Council's existing operational and capital budgets.
- There are no financial implication arising from the recommendation contained in this report.

Community Engagement

- The formal public exhibition process, as specified in the section 54 of the Act, will commence utilising a dedicated section in the Shaping Banyule webpage, publishing in the Government Gazette and local newspaper including hard copies available at Banyule's customer service centres in Greensborough and Ivanhoe.
- The public exhibition process is proposed to run over four weeks, commencing on 13 April 2021 and closing on 12 May 2021.

Collaboration/Benchmarking

- A benchmarking study has been conducted across 79 Victorian councils as well as 30 Melbourne metro councils to review Banyule's levels of service for road assets.
- Figures 1 and 2 depict a comparison across 30 metro councils regarding two key indicators, target response times for high priority road defects (e.g. pothole) and footpath defects (e.g. displacement greater than 20 mm) respectively.

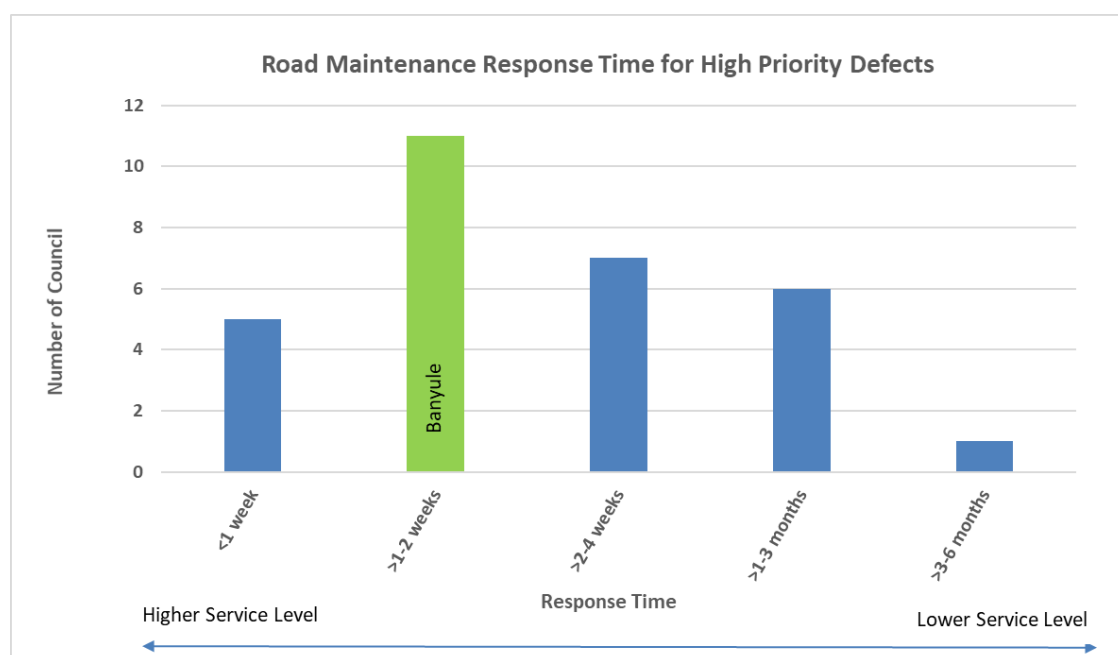


Figure 1: Response Time of Road Defects across 30 Melbourne Metro Councils

ROAD MANAGEMENT PLAN cont'd

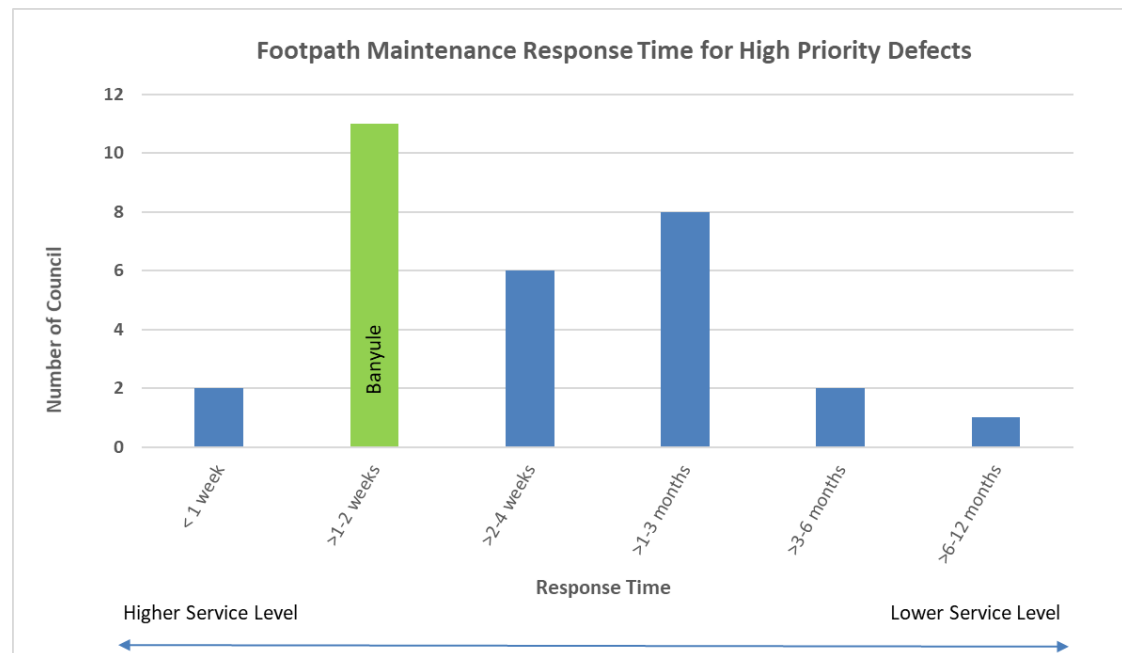


Figure 2: Response Time for Footpath Defects across 30 Melbourne Metro Councils

- Results show Banyule’s target response time for high priority road defects is 1 to 2 weeks, which is shorter than that of 14 other metro councils. Only five councils are responding within one week.
- Response time for high priority footpath is also 1 to 2 weeks, which is followed by 11 councils. Only two councils are responding within a week time for this defect.
- The study indicates Banyule’s level of service is satisfactory compared to other metro councils. Therefore, it is proposed to maintain the same level of service.

Key Considerations

- Summary of the Proposed Changes to the RMP are:
 - All the proposed changes have been listed in Appendix 7 of the RMP.
 - Some key changes proposed in the revised plan are to alleviate confusion between temporary repair and permanent repair. Both types of repairs are not applicable for all type of defects. For example, most of the road surface defects (e.g. crack, pothole) require only temporary repair. Permanent repair is completed through road resurfacing under capital works program.
 - It is anticipated that proposed changes will clarify individual defect types.
 - In addition, the road register is reviewed annually and published on Council website.

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* 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.

ROAD MANAGEMENT PLAN cont'd

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

ATTACHMENTS

N	Title	Page
0	.	
1	Banyule Road Management Plan (2021-2025) - Draft - April 2021	

[⇒](#)

5.4 ROSANNA LIBRARY AND TURNHAM AVENUE REDEVELOPMENT

Author: Scott Walker - Director City Development, City Development

Ward: Ibbott Ward

SUMMARY

1. Council has entered into a “Heads of Agreement” (HoA) with Woolworths to progress a partnership project which will deliver a new 1,300sqm Rosanna Library on the corner of Turnham Avenue and Douglas Street, Rosanna alongside a supermarket in Turnham Avenue. The project involves the sale of approximately 828m² of land to Woolworths, which will be subject to formal statutory processes whilst Woolworths will in turn deliver a new library in accordance with a plan to be agreed. The library and supermarket are subject to planning approval.
2. The partnership proposal with Woolworths will provide positive community, social and infrastructure outcomes for Rosanna. It will deliver a contemporary library facility by 2024, which will provide a vital community hub, easily accessible for older people, people with disability, library members and the Rosanna community generally and meet the needs of the area well into the future. The proposal is a financially sustainable and favourable way of achieving this outcome.
3. A three stage Community Engagement Plan (CEP) has been developed to inform the community and key stakeholders about the project. The aim of the engagement is initially to provide information about the redevelopment of the Library and ancillary projects within the Turnham Avenue precinct, including further improvements to the Turnham Avenue Streetscape, capital works at the Heidelberg Theatre and support for the Rosanna Traders.
4. Stage 1 of the CEP will commence in April 2021 and include a range of public information forums, individual stakeholder meetings, letters to surrounding properties and information on Councils *Shaping Banyule* website. There will also be formal opportunities for community input when the statutory processes associated with the sale of the land and planning approvals are undertaken.
5. Consideration will also be given to allocate appropriate funding for the library project as well as the ancillary projects associated with the Turnham Avenue Streetscape, Heidelberg Theatre and Rosanna Village Traders Association in future capital works budgets.

ROSANNA LIBRARY AND TURNHAM AVENUE REDEVELOPMENT cont'd

RECOMMENDATION

That Council:

1. Notes that the Heads of Agreement (HoA) has been entered in to with Fabcot Pty Ltd (Woolworths) to progress the next stages of a partnership project for the delivery of a new 1300 square metre, two storey library on the corner of Turnham Avenue and Douglas Street, Rosanna alongside a supermarket in Turnham Avenue.
2. Supports a multi-stage Community Engagement Plan to:
 - a. Inform the community on the project including an explanation of the anticipated economic, social and community benefits of the proposal.
 - b. Seek feedback on the draft concept design of the new Rosanna library and ancillary projects to inform detailed design with a focus on:
 - i) The materials, finishes and landscaping of the library and surrounds;
 - ii) The internal allocation of space, fit out, functioning, community use and programming of the new library;
 - iii) An updated Turnham Avenue Streetscape Concept Plan;
 - iv) Opportunities for improvement at the Heidelberg Theatre;
 - v) Changes to car parking restrictions and management which may be necessary;
 - vi) Any other relevant issue within the scope of the project.
3. Announces the partnership with Woolworths and an outline of the proposal as well as the proposed Community Engagement Plan.
4. Writes to the Yarra Plenty Regional Library Corporation (YPRL), Rosanna Village Traders Association and the Heidelberg Theatre Company to advise of the project and Community engagement Plan.
5. Receives a further report on the outcomes of the community engagement phase in 2021 which will:
 - a. provide feedback on Stage 1 of the Community Engagement Plan.
 - b. outline the next steps and confirm Council's commitment to progress the project.
 - c. propose commencement of statutory procedures required under section 189 and 223 of the *Local Government Act* 1989 (or section 114 of the *Local Government Act* 2020 if applicable at the time) to sell Council's land by private treaty.
6. Refers the allocation of funds to future capital works budgets for:
 - a. The delivery of a new 1,300sqm two storey library at Rosanna as part of a partnership project with Woolworths with associated fit out;
 - b. Completion of the Turnham Avenue Streetscape upgrade in accordance with the final Turnham Avenue Streetscape Concept Design;
 - c. Contributions towards upgrades at the Heidelberg Theatre up to a maximum amount of \$1m;
 - d. Support for the Rosanna Traders Association including Council paying the 2021/2022 Traders contribution to the Rosanna Village Traders Association Special Charge Scheme of \$40,000.

ROSANNA LIBRARY AND TURNHAM AVENUE REDEVELOPMENT cont'd

COUNCIL PLAN

- This report is in line with Banyule's Council Plan key direction to "Invest in and support activity centres and employment precincts".

BACKGROUND

Locality Plan

- Rosanna is a middle ring suburb located 12 kilometres from the Melbourne CBD and centred around a railway station and traditional strip shopping centre located within the Salt Creek Valley. The map below (fig 1) identifies the location of a number of key establishments discussed below.



Existing Conditions

- There is considerable background information available on recent projects and approvals in Rosanna and the Turnham Avenue precinct which is relevant to the current partnership project. This is included in Attachment 1. In particular, the information relates to:
 - The existing Woolworths Redevelopment Permit:
(A copy of the plans which formed the assessment of the proposal is included as Attachment 2);
 - Rosanna Urban Design Guidelines;
 - Turnham Avenue Streetscape Concept Plan;
 - Lower Plenty Road Level Crossing Removal and Rosanna Station Reconstruction;
 - Heidelberg Theatre;

ROSANNA LIBRARY AND TURNHAM AVENUE REDEVELOPMENT cont'd

- Rosanna Village Traders Association;
- Rosanna Activity Centre Streetscape Renewal; and
- Rosanna Library.

LEGAL CONSIDERATION

- The sale of any Council land must comply with sections 189 and 223 of the *Local Government Act 1989*, *The Local Government Best Practice Guideline for the Sale, Exchange and Transfer of Land and Council's Community Engagement Policy in accordance with section 55 of the Local Government Act 2020*.
- From the 1 July 2021, section 114 of the *Local Government Act 2020* comes into operation and shall apply to the sale of any Council land.
- Planning Approvals are also required in accordance with the *Planning and Environment Act 1987* and provisions of the Banyule Planning Scheme.

Private Treaty Sale

- Legal advice has been obtained in relation to pursuing an exclusive private treaty sale with Woolworths, rather than a traditional sale process (such as auction, for sale, expression of interest or tender). Council's legal advice indicates that a private treaty arrangement can be justified where the benefits outweigh a standard process. It indicates that in this case it would be reasonable for Council to conclude that the proposal by Woolworths in respect of the Rosanna Library Site is sufficiently unique to justify a private treaty sale by Council.
- Council has considered the Local Government Best Practice Guideline for the Sale, Exchange and Transfer of Land and is of the opinion that the Proposed Development is sufficiently unique a proposal to justify Council treating privately with Fabcot Pty Ltd (Woolworths) in respect of the sale of the Land.
- Council has entered into a non-binding Heads of Agreement (HoA) with Woolworths. Prior to entering into a contract of sale with Woolworths, Council must complete statutory procedures in accordance with sections 189 and 223 of the *Local Government Act 1989* (or section 114 of the *Local Government Act 2020* if applicable at the time) and resolve whether or not to sell the subject land. Key steps to be undertaken and conditions precedent to a contract of sale are as follows:
 - Entering a Section 173 Agreement with Council specifying certain requirements to be undertaken by Woolworths relating to use and development of the land, car parking, maintenance of common areas, access, and completion of the development.
 - Building construction specification requirements, tender process and construction cost in accordance with an agreed concept design.
 - Satisfactory results from due diligence works to be completed by Woolworths.
 - Woolworths obtaining planning approval.
 - Achieving Council's stipulated ESD outcomes for design and construction.
 - Construction of the new library and associated infrastructure.

ROSANNA LIBRARY AND TURNHAM AVENUE REDEVELOPMENT cont'd

- Registration of a plan of subdivision dividing the supermarket land from the Council owned library land.

Planning Approval Process

- The Banyule Planning Scheme regulates the use, development, protection and conservation of land in Banyule through planning provisions and established objectives and policies. The library site is zoned Public Use Zone 6 (PUZ6) while the site owned by Woolworths is zoned Commercial 1 Zone (C1Z) and Mixed Use Zone (MUZ).
- A Planning Scheme Amendment will ultimately be required to rezone the parcel of Council land to be acquired by Woolworths from Public Use Zone 6 (PUZ6) to Commercial 1 Zone (C1Z).
- Woolworths is required to obtain planning approval for the proposed supermarket and library development. Woolworths will therefore need to undertake a planning process that provides them with planning approval for the combined supermarket/library redevelopment. Woolworths will be the proponent and applicant in this process whilst Council will be the responsible planning authority. Nothing in the Contract of Sale will fetter the power or discretion of Council in the exercise of its statutory duties or powers under the *Planning and Environment Act 1987*, *Local Government Act 1989* or the *Local Government Act 2020*. As the responsible authority, Council may make or impose requirements or conditions on the development of the site or granting of any planning approval.

HUMAN RIGHTS CHARTER

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.

CURRENT SITUATION

- Woolworths approached Council in January 2019 expressing interest in a joint venture development proposal with Council, whereby Woolworths would acquire part of the existing Rosanna Library site in exchange for the delivery of a new multi-level Council library to a 'warm shell'. This will deliver a new significantly larger Library on Council land at the corner of Turnham Avenue and Douglas Street and also enable Woolworths to achieve a slightly larger footprint than is currently approved as part of a new supermarket on the former Council Service Centre site.
- During late 2019 and 2020, Council and Woolworths undertook confidential discussions to explore a range of development options for a new Rosanna Library, developing a project proposal involving the library development and land acquisition and negotiating a "Heads of Agreement" (HoA) to enable the project planning to take place. The Yarra Plenty Regional Library (YPRL) has been consulted regarding preliminary scoping for the new Rosanna Library. These were provided to Woolworths to prepare some broad-based options.
- The preferred development option, which forms the basis of the HoA, includes a two-level library (i.e. ground & mezzanine) with a landscaped green entry at the corner of Turnham Avenue and Douglas Street. The agreed library floorspace of 1300sqm is more than double the existing library and will accommodate the

ROSANNA LIBRARY AND TURNHAM AVENUE REDEVELOPMENT cont'd

growing needs of the YPRL service. It provides Woolworths with a new supermarket development area of 2,824m² which will necessitate Woolworths acquiring an area of Council land of approximately 828m². The land to be sold to Woolworths is shown in Figure 2.



Figure 2: Land to be sold to Woolworths (828m²) shown shaded in blue

- The HoA with Woolworths establishes a framework and timeline for the progress of the project and finalisation of documentation such as the contract of sale of the land and detailed requirements for the construction of the new library. In particular, the offer from Woolworths and the HoA includes:
 - Fabcot Pty Ltd (Woolworths) to purchase 828m² of Council land and construct a new library 'warm shell' (completed library building ready for library fit-out) to agreed specifications on land to be retained by Council for an agreed sum which will be offset by the purchase price. A 'warm shell' includes lifts, staircase, balustrades, air conditioning, internal lining of external walls, carpet, ceiling tiles, timber decking, fire and electrical services.
 - Woolworths will develop the site to provide both the library and supermarket incorporating a basement carpark. The basement carpark will be constructed at Woolworth's cost and will be a shared use car park for the supermarket and library customers.
 - Construction cost of the proposed development must be acceptable to both parties once tendered prices have been submitted.
 - A car park management agreement will be entered into by both parties that allows for the carpark to be used for library patrons and Woolworths shoppers and staff and that Council assume a parking enforcement role.
 - Woolworths is to undertake a due diligence program, to establish that the property is acceptable for the purposes of the proposed development.

ROSANNA LIBRARY AND TURNHAM AVENUE REDEVELOPMENT cont'd

- At this stage it is expected that Council will be responsible for the fitout of the library which includes signage, artwork, lighting, AV equipment, furniture and security systems. However, an option can be considered where Woolworths delivers the fitout on behalf of Council.

FUNDING IMPLICATIONS

- There are funds available within existing budgets to enable the project to be progressed through the consultation and planning phase. Additional funds will need to be allocated within the future capital works plan to enable the library project to be delivered and the fit out undertaken. Funding will also need to be allocated for the Turnham Avenue Streetscape works, any capital upgrades at the Heidelberg Theatre and support for the Rosanna Traders Association.

CONSULTATION

- Early project investigation and consultation to date has mainly focused around the YPRL and identifying their needs to help inform the preliminary library design and fit-out. The redevelopment of the Rosanna library is identified in the YPRL Infrastructure development plan (2019). The plan has been informed by community and library members feedback and identifies that the current library size and service offering does not meet current and future population needs.
- Going forward this project will be supported by a consultation program that is open and transparent and aims to answer as many questions about what is happening, when it is happening and why.
- A Community Engagement Plan (CEP) has been developed to inform the community and key stakeholders about the project and to gain key stakeholder and community input to inform the redevelopment of the Library and ancillary projects within the Turnham Avenue precinct.
- The CEP is staged and essentially involves two key engagement processes.
 1. **Strategic community** engagement around the library and ancillary projects.
 2. **Statutory** engagement and processes around the sale of the land and the planning scheme amendment.
- Council's *Shaping Banyule* platform will be go live following the Council meeting as the central portal for key project information and communication of engagement opportunities. This will be supported by a range of public information forums, on site pop ins, individual stakeholder meetings, postcards, letterbox drops and project updates which will be implemented throughout the two stages below. More detail on the Community Engagement Plan is contained in Attachment 3.

DISCUSSION

Rosanna Library Redevelopment

- The Rosanna Library is an important community building conveniently located within the Rosanna Neighbourhood Activity Centre and close to public transport. The building is starting to age and does not fully meet the current and future needs of the library service. Although a formal capital works project to replace or upgrade the library has not yet been allocated in Council's future budgets, planning of the library at Rosanna has been contemplated since the

ROSANNA LIBRARY AND TURNHAM AVENUE REDEVELOPMENT cont'd

Yarra Plenty Regional Library Service identified their future needs in the in their 2019 Infrastructure Development Plan.

- Funding was allocated in the 2020-2021 capital works plan to develop concept plans for the Rosanna Library. This enabled a number of options to be considered. Three key options were contemplated for the redevelopment of the Rosanna Library:
 - **Option 1** – Partnership redevelopment with Woolworths to deliver a new library;
 - **Option 2** – Stand Alone redevelopment of a new library;
 - **Option 3** – Stand Alone refurbishment and extension of the existing library.
- Option 3 has been deemed unfeasible due to various site constraints, difficulties to deliver on the needs of the Yarra Plenty Regional Library Service and the likely future short to medium term need to demolish the existing library and build a new library which would make refurbishment of the existing library a futile exercise.
- The two feasible options are a joint venture project or stand alone option. A table summarising some of the key components of each option is included as Attachment 4.
- The joint venture project with Woolworths is the preferred option being pursued due to the following key factors:
 - The optimal size and design configuration of the library (1300sqm over two levels);
 - Operational functionality of the library;
 - Feasibility to efficiently deliver the project in a reasonable timeframe (delivery by June 2024);
 - Cost effectiveness;
 - Woolworths taking responsibility for the project management and contract management risk;
 - The Woolworths Supermarket will be delivered and provide economic benefit to the Rosanna Activity Centre as well as short term construction and ongoing employment;
 - The integrated building approach and upgrade to Turnham Avenue will have an overall positive impact on the streetscape.
- The joint venture project with Woolworths is favourable to Council and will result in significant social benefit by delivering a contemporary library and new supermarket in the Rosanna activity centre to meet current and future community needs. A proposal for a mid-size Woolworths supermarket will significantly strengthen the centre's neighbourhood retail role. It may also grow the Rosanna Activity Centre retail catchment to the north into the suburbs of Viewbank and Yallambie where there is an absence of major supermarkets.
- Turnham Avenue is a strong focal point for the local community. The proposed supermarket development will increase activity in the precinct and may strengthen the role of the remaining community facilities.
- A copy of the proposed combined partnership development is shown in Attachment 5.

ROSANNA LIBRARY AND TURNHAM AVENUE REDEVELOPMENT cont'd

Turnham Avenue Streetscape

- The first stage of an upgraded Turnham Avenue streetscape was implemented as part of the level crossing removal project and included new bus stops, shared user path and the pedestrian crossings. However, the streetscape upgrade has not been fully implemented as it is awaiting confirmation of redevelopment of the Woolworths supermarket proposal. Now that there is a partnership with Woolworths to deliver a new supermarket and library as well as consideration of upgrades at the Heidelberg Theatre, now is an opportune time to prepare an updated streetscape plan and program the delivery of the upgrade.
- An updated streetscape concept plan has been prepared which incorporates the current “as built” conditions in the street and proposes a potential stage 2 upgrade reflecting the new development proposals (Attachment 6). This plan will form part of the Community Engagement package for consultation with the community.

Heidelberg Theatre

- The Heidelberg Theatre has been seeking an upgrade to facilities including much needed additional storage. Concepts for a potential upgrade are currently being explored with the Theatre Company although at this stage there has been no commitment to fund the proposal in the future. Given the proposed partnership development it is an appropriate time to concurrently consider funding improvements at the Theatre in future capital works budgets.

Rosanna Traders

- There is a recognition that the Rosanna Traders have been significantly impacted over recent years. Whilst there will be benefits to the activity centre brought about by the partnership project it is important that the Traders are supported in the shorter term. One opportunity to provide support could be for Council to pay the 2021/2022 Rosanna Traders Association contribution to the Rosanna Village Traders Association Special Charge Scheme of \$40,000.

TIMELINES

Table 1 - Indicative Timeframes:

Actions	Dates
Community Engagement Plan – Stage 1	April - May 2021
Council Report to advise on CEP outcomes and seek Council authority to commence sale of land process.	June 2021
Commence sale of land statutory process	July 2021 – August 2021
Report to Council to decide on the sale of land proposal.	September 2021
Potential Contract of Sale with Woolworths incorporating conditions precedent.	September - November 2021
Undertake planning approval process	December 2021– September 2022
Commence library and supermarket building project works.	February/March 2023
Project completion (building) (fit-out)	February/March 2024 April - June 2024

ROSANNA LIBRARY AND TURNHAM AVENUE REDEVELOPMENT cont'd

OFFICER DECLARATION OF CONFLICT OF INTEREST

- The *Local Government Act 2020* (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 partnership proposal with Woolworths will provide positive community, social and infrastructure outcomes for Rosanna and is a financially sustainable opportunity for Council. The project will provide significant social and economic benefit for the Rosanna community with the provision of a contemporary library facility and supermarket by 2024, meeting learning, cultural and retail needs of the Rosanna community well into the future.
- It is recommended that Council proceed with the Community Engagement Plan to progress the project and consider appropriate funding for the partnership project and ancillary projects in future capital works budgets.

ATTACHMENTS

N	Title	Page
•	.	
1	Rosanna and Turnham Avenue Precinct Background Information ↗	
2	Rosanna Woolworths existing permit application plans ↗	
3	Community Engagement Plan ↗	
4	Rosanna Library Options Evaluation Summary ↗	
5	Rosanna Library Concepts ↗	
6	Turnham Avenue Streetscape Plan (Draft for Consultation) ↗	

5.5 PROPOSED DECLARATION OF PUBLIC HIGHWAY - 1017 HEIDELBERG ROAD, IVANHOE

Author: Gary Mills - Senior Property Officer, City Development

Ward: Chelsworth

SUMMARY

1. The land parcel known as 1017 Heidelberg Road, Ivanhoe (Land) provides pedestrian access to Darebin Station. The Land status is Lot 1 on TP573493L contained on Certificate of Title volume 5593 folio 592 registered in the name of H W Buckley, the original subdivider of the land.
2. Currently, Council does not control or manage the Land. The Land is not recorded in Council's Road Register required to be kept under the *Road Management Act 2004*.
3. The Darebin station precinct is undergoing considerable change with higher density residential development occurring, resulting in increased use of the Land by rail commuters, pedestrians and cyclists.
4. The current condition of the Land is poor and requires upgrading to make it safe for users and to mitigate risk. The cost of resurfacing is approximately \$60,000 plus GST. In future years, Council could consider beautification and safety improvements such as landscaping and lighting.
5. The adjoining development site at 1023-1027 Heidelberg Road, Ivanhoe does not have legal access to the Land. The proposed development (P459/2018) provides basement parking with access via Heidelberg Road.
6. It is proposed that Council formally declares the Land a public highway. Legal advice has been obtained which supports the proposal.
7. A declaration made under section 204(1) of the *Local Government Act 1989* (the Act) will automatically make the Land a public highway under the *Road Management Act 2004* (RMA) and impose on Council a statutory duty to inspect, repair and maintain the road in accordance with the standards and requirements specified in Council's road management plan.
8. Council may consider assigning a name to the pedestrian way at a future time.

PROPOSED DECLARATION OF PUBLIC HIGHWAY - 1017 HEIDELBERG ROAD, IVANHOE cont'd

RECOMMENDATION

That Council:

1. Commence statutory procedures under section 204(1) of the *Local Government Act 1989* (the Act) to declare the land to be a public highway for pedestrian use only:
 - a) by giving public notice of the declaration;
 - b) notifying owners and occupiers of nearby properties; and
 - c) notifying the registered proprietor of the land.
2. Consider any written submissions received under section 223 of the Act and community engagement principles set out in section 56 of the *Local Government Act 2020*.
3. Receive a further report on the proposal at a future meeting.
4. Receive a further report on a proposal to assign a name to the road (pedestrian way) in accordance Council's Road and Place Naming Framework (2017).

COUNCIL PLAN

- This report is in line with Banyule's Council Plan key direction to "Renew and maintain Banyule's public assets and infrastructure".

BACKGROUND

- This report deals with the land parcel known as 1017 Heidelberg Road, Ivanhoe (the Land) and described as Lot 1 on TP 573493L (not a road). The Land provides pedestrian access to Darebin Station underpass and platforms. Refer Figure 1.
- The Land is described as Lot 1 on TP573493L contained on Certificate of Title volume 5593 folio 592 registered in the name of H W Buckley dated 21 March 1940, the original subdivider. The Land has been used as a road for many decades. Primarily, it provides pedestrian access to Darebin Station underpass and platforms. It is not a 'Road' on title.
- The Darebin station precinct has undergone considerable change in recent years, with higher density residential development occurring, with potential for increased use of the Land by rail commuters, pedestrians and cyclists.
- A planning permit P459/2018 has been issued for a multi-unit development at 1023-1027 Heidelberg Road, which adjoins the Land. The development site will not use the Land for vehicular access. Basement parking will be provided on the development site with access via Heidelberg Road.
- The Land is generally in poor condition and Council custodianship requires surface improvement to make the pedestrian way safe for users.

PROPOSED DECLARATION OF PUBLIC HIGHWAY - 1017 HEIDELBERG ROAD, IVANHOE cont'd



Figure 1: 1017 Heidelberg Road, Ivanhoe (Lot 1 on TP573493)

KEY ISSUES

- There is now an opportunity for Council to formally resolve the current status of the Land and declare the Land a public highway. This action is supported by Council's legal advice which is summarised below.
- A formal declaration made under section 204(1) of the *Local Government Act 1989* (the Act) will automatically make the Land a public highway under the *Road Management Act 2004* (RMA) and impose on Council a statutory duty to inspect, repair and maintain the road in accordance with the standards and requirements specified in Council's road management plan.
- The Land should be declared as a 'public highway for pedestrian access only'.
- It may be appropriate, at a future time, for Council to assign a name to the pedestrian way in accordance with its Road and Place Naming Framework (2017). This matter will be subject to a further report to Council, should the public highway declaration proposal be successful.

SUPPORTING REPORT DETAILS

Legal Consideration

- Legal opinion has been obtained concerning the status of the Land and is summarised as follows:
 - Because of the long-term existing use of the Land being primarily, a pedestrian way, it is already a public highway under the Act and at common law.
 - The Land is already vested in and owned by Council free of all encumbrances by virtue of section 45, schedule 5, clauses 1(4) and (5) of the *Road Management Act 2004* (RMA).
 - The Land is not subject to the *Land Acquisition and Compensation Act 1986* (meaning that Council is not required to acquire the land or liable to pay compensation for the land).

PROPOSED DECLARATION OF PUBLIC HIGHWAY - 1017 HEIDELBERG ROAD, IVANHOE cont'd

- Notwithstanding the above, it is recommended that Council formally declare the Land a public highway under section 204(1) of the Act. The effect of which would be to make the road a public highway under the RMA and to impose on Council a statutory duty to inspect, repair and maintain the road in accordance with the standards and requirements specified on Council's road management plan.
- Council will be required to give public notice of the declaration, separate written notice to the owners and occupiers of nearby properties and registered proprietor of the Land. The registered proprietor, H W Buckley, is likely deceased.
- Council will need to consider any written submissions received under section 223 of the Act and community engagement principles set out in section 56 of the *Local Government Act 2020*.
- Following a Council resolution, publish a notice in the Victorian Government Gazette.

Human Rights Charter

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.

Sustainable Procurement Outcomes

- There are no sustainable procurement activities arising from the recommendation contained in this report.

Financial Implications

- An inspection and condition report has been undertaken on the Land. In summary, the surface exhibits longitudinal cracking across the entire length of the Land and is recommended to be resurfaced to Council standard.
- The estimated cost of resurfacing is \$60,000 plus GST which will need to be referred to the 2022/23 capital works budget. The annual maintenance costs will be minimal. In future years Council may also consider beautification and safety improvements such as landscaping and lighting.

Community Engagement

- The community engagement process comprises:
 - Public notice of the proposal in accordance with section 223 of the Act and community engagement principles pursuant to section 56 of the *Local Government Act 2020* (e.g. Council website and a daily newspaper).
 - Written notification to registered proprietor, nearby owners and occupiers.
 - 28-day notice period, receive and consider any written submissions and Council resolution.
 - Publish notice in Victorian Government Gazette.

**PROPOSED DECLARATION OF PUBLIC HIGHWAY - 1017 HEIDELBERG ROAD,
IVANHOE cont'd**

Collaboration

- VicTrack and Metro Trains Melbourne have both indicated their support for the proposal.

Officer Declaration of Conflict of Interest

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

ATTACHMENTS

Nil

5.6 COUNCIL OWNED PROPERTIES - 35-37 BARDIA STREET AND 158-160 LIBERTY PARADE, HEIDELBERG WEST

Author: Amanda Allen - Property Coordinator, City Development

Ward: Olympia

SUMMARY

1. Council is the owner of four contiguous residential properties in Heidelberg West; 35 and 37 Bardia Street and 158 and 160 Liberty Parade, purchased specifically as strategic development sites which could potentially leverage redevelopment of the adjoining Bell/Bardia Housing Estate by the State Government.
2. On 16 July 2018, Council resolved to run an Expression of Interest (EOI) process for interim community occupation of these sites whilst the development options were pursued and ultimately entered into a two-year lease with Olympic Adult Education (OAE) on 10 April 2019.
3. The properties were renovated as a joint community initiative between OAE, Olympic Exodus Community and Melbourne Polytechnic and are currently sub-let to families in need of accommodation.
4. During this time there has been some damage reported and in December 2020, 35 Bardia Street was the subject of two fires which burnt down the backyard bungalow.
5. The current lease expired on 9 April 2021 and is currently on a month to month overhold. OAE have requested a two-year extension to the lease and a waiver of make good requirements in relation to the bungalow.

RECOMMENDATION

That Council:

1. Release Olympic Adult Education (OAE) from their obligations to make good the fire damaged bungalow at 35 Bardia Street, Heidelberg West.
2. Make an offer to OAE that they remain in agreed overholding for a period of twelve months.
3. Continue to explore the potential for an integrated development with the State Government as part of the re-development of the Bell/Bardia Housing Estate.
4. Receive a further report in relation to the future use of the properties in twelve months.

COUNCIL OWNED PROPERTIES - 35-37 BARDIA STREET AND 158-160 LIBERTY PARADE, HEIDELBERG WEST cont'd

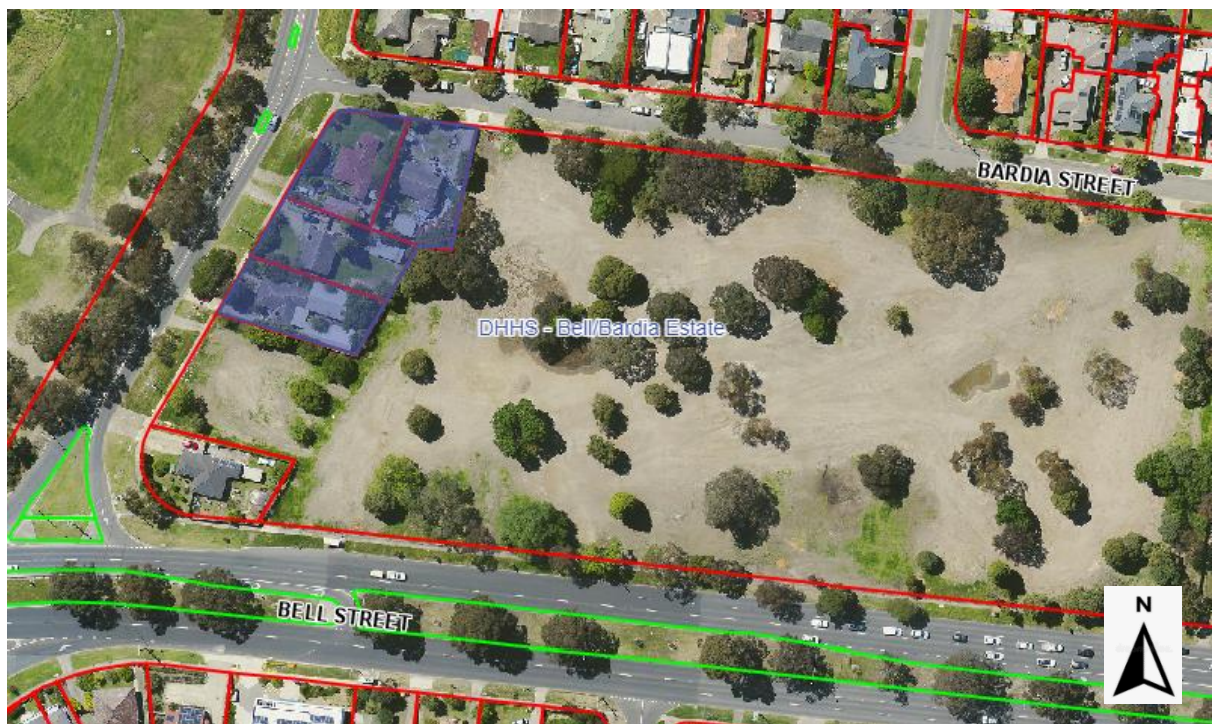
COUNCIL PLAN

- This report is in line with Banyule’s Council Plan key direction to “Provide responsible financial management and business planning”.

BACKGROUND

- Council was the successful purchaser of four contiguous properties in Heidelberg West during 2017. These properties, which back on to the Department of Health and Human Services Bell/Bardia Housing Estate (see Figure 1), were identified as strategic property acquisitions with the intent that the State Government-led redevelopment of the Housing Estate may enable Council to leverage an integrated development.
- In 2018 Council ran an EOI process, to enable short-term community occupation of the properties until a development option was identified. At the conclusion of the EOI, Council entered into a two-year lease with Olympic Adult Education (OAE).
- OAE have worked with Olympic Exodus Community, Miles Real Estate and the community to sub-let the properties to families in need.

Locality Plan



KEY ISSUES

- There was some damage recently reported with the backyard bungalow at 35 Bardia Street destroyed by fire.
- The current lease expired on 9 April 2021 and is currently in overholding month to month pending a decision on the interim and future use of the premises.

COUNCIL OWNED PROPERTIES - 35-37 BARDIA STREET AND 158-160 LIBERTY PARADE, HEIDELBERG WEST cont'd

- In a letter to Council on 10 February 2021 OAE requested a two-year extension to the lease citing a sound position of the current housing initiative, the support and contributions of many organisations and the benefits to four families who have been accommodated.
- In a supplementary letter, OAE have requested a waiver of the make good requirements in relation to the bungalow.
- Considering the eventual intent is to redevelop the properties, the loss of the bungalow at 35 Bardia Street is inconsequential. As such, it is proposed to release OAE from this make good provision.
- The properties were purchased specifically for redevelopment and to provide a financial return to Council to be reinvested into providing community services and new infrastructure. They will eventually be sold and developed. However, it is premature to make a formal decision on the future of these properties, whilst the State Government is considering its next steps as part of the re-development of the Bell/Bardia Housing Estate.
- In addition, the property market and community are still recovering from the impacts of COVID. While the property market is regaining momentum following impact to jobs and the real estate industry in 2020, it may be prudent to wait another 12 months prior to making any decision regarding the future of the properties.
- This low-cost housing owned by Council provides a significant benefit to the community, hence it is proposed that Council permit OAE to remain in agreed overholding for a period of twelve months whilst continuing to explore the potential for an integrated development with the State Government as part of the re-development of the Estate or alternate options.

SUPPORTING REPORT DETAILS

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 *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.

Sustainable Procurement Outcomes

- There are no sustainable procurement activities arising from the recommendation contained in this report.

Financial Implications

- There are no financial implications arising from the recommendation contained in this report.

**COUNCIL OWNED PROPERTIES - 35-37 BARDIA STREET AND 158-160
LIBERTY PARADE, HEIDELBERG WEST cont'd**

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* 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.

ATTACHMENTS

Nil

5.7 NOTICE OF INTENTION TO DECLARE A SPECIAL CHARGE - HEIDELBERG CENTRAL SHOPPING PRECINCT

Author: Daniela Ahimastos - Economic Development Officer, City Development

Ward: Griffin

SUMMARY

1. The Heidelberg Central Shopping Precinct is one of eleven retail precincts located in the City of Banyule that benefits from a Special Rate or Charge program. The program allows traditional shopping strips and their trader associations to strategically plan, market and manage as a collective group.
2. Operating since 1993 over a number of schemes, Heidelberg Central's current seven-year program is set to expire on 30 June 2021. In response, Council has received a letter from the Heidelberg Central Traders' Association requesting that Council declare, by way of renewal, a new Special Charge Scheme for a period of five years, raising \$97,856 annually.
3. The Heidelberg Central Traders Association further requests Council's continued support by way of a Council contribution amount of \$88,797 per annum to supplement the amount raised by the proposed Scheme.
4. The continuation of a Special Charge Scheme will aim to achieve the following:
 - Collective marketing and promotion of the precinct as a whole, which will assist in raising the profile of the area, including what it has to offer to the community and its customers,
 - A resourced and supported Traders Association that coordinates the daily management of activities and drives the overall strategic direction of the precinct with the support of Council, and
 - Enhanced property values and improved use, enjoyment and occupation of properties and overall business goodwill within the Shopping Precinct.
5. To declare a Special Charge Scheme, Council is required to comply with the statutory process under the Local Government Act 1989. The statutory process provides the community with the opportunity to make a submission and/or an objection to the Council on the proposed Scheme. Council will consider any submissions and take into account any objections in accordance with the Local Government Act 1989 prior to making a final decision.

NOTICE OF INTENTION TO DECLARE A SPECIAL CHARGE - HEIDELBERG CENTRAL SHOPPING PRECINCT cont'd

RECOMMENDATION

That Council:

1. Commences the statutory process under the *Local Government Act 1989* (the Act) and the *Local Government Act 2020* to reintroduce a Special Charge in the defined Heidelberg Central Shopping Precinct. This Charge will raise \$97,856 per annum for a period of five years, commencing on 1 July 2021 and ending on 30 June 2026.
2. Publishes a public notice in *The Herald Sun* newspaper of the intention of Council to declare a Special Charge at its ordinary meeting on 9 August 2021 in accordance with the Proposed Declaration of Special Charge (being Attachment 1).
3. Issues separate letters to owners and occupiers, enclosing a copy of the public notice and advising:
 - of the intention of Council to declare the Special Charge at its ordinary meeting on 9 August 2021,
 - the amount for which the property owner or the occupier will be charged, and
 - that submissions and/or objections in writing in relation to the Proposed Declaration of a Special Charge will be considered by Council in accordance with the Act.
4. Will consider funding allocation as part of Council's 2021 to 2026 budgeting process.
5. Authorises the appropriate members of Council's staff:
 - to carry out administrative procedures necessary to enable Council to carry out its functions under the Act; and
 - to prepare a funding agreement between Council and the Traders Association to formalise the Special Charge.
6. Reviews the funding agreement, and if satisfied, approves and signs (by a delegated authority) before funds are paid to the Traders Association.

COUNCIL PLAN

- This report is in line with Banyule's Council Plan key direction to "Stimulate business, employment and investment opportunities".

BACKGROUND

- The *Local Government Act 1989* enables Council to levy a special rate or charge on properties within a defined area if it considers that the land in that area will receive a 'special benefit' from the use of funds raised.

NOTICE OF INTENTION TO DECLARE A SPECIAL CHARGE - HEIDELBERG CENTRAL SHOPPING PRECINCT cont'd

- A Special Charge Scheme has operated in the Heidelberg Central Shopping Precinct since 1993. The current Scheme is a seven year program that expires on 30 June 2021 and raises \$99,300 per annum. This amount has been supported by a Council contribution of \$88,797 per annum to provide a total annual budget of \$188,097. This amount (as a combined sum) has been used for the purposes of marketing, promotions, event delivery, business development, place improvement and beautification of the Heidelberg Central Shopping Precinct.
- Council has received a letter from the Heidelberg Central Traders' Association to re-introduce a Special Charge Scheme for the Heidelberg Central Shopping Precinct. The letter received from the Association requests that the new Scheme operate over a five-year period, commencing on 1 July 2021 and ending on 30 June 2026.
- The purposes of Council declaring a Special Charge for the Heidelberg Central Shopping Precinct include:
 - To defray the expenses incurred by Council in providing funds to the Heidelberg Central Traders' Association, the Association must spend the funds raised by the Special Charge only in accordance with the approval, direction and control of Council; and
 - To spend the funds raised by the Special Charge on contracted support, promotional, advertising, marketing, business development and other incidental expenses associated with the encouragement of commerce, retail and professional activity and employment in the Shopping Precinct.

KEY ISSUES

- The economic impact of COVID-19 on our retail centres has been significant. The Special Charge Scheme will proactively encourage commerce and business activity within Heidelberg Central Shopping Precinct at a time when businesses recover from COVID – 19 impacts and will need the support to do so.
- The Heidelberg Central Traders Association and Council believe that the scheme will assist the entire shopping precinct to attract visitation back to the shopping precinct as well as support business through the transition via joint promotion, marketing and business development activities. A Special Charge can play a critical role in helping to fund these activities.

SUPPORTING REPORT DETAILS

Legal Consideration

- There are several legislative processes that must be undertaken when declaring a special rate and/or charge for a shopping precinct (Refer to Attachment 2). 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 *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.

NOTICE OF INTENTION TO DECLARE A SPECIAL CHARGE - HEIDELBERG CENTRAL SHOPPING PRECINCT cont'd

Sustainable Procurement Outcomes

- There are no sustainable procurement activities arising from the recommendation contained in this report.

Financial Implications

- The Heidelberg Central Traders' Association has requested that the charge amounts in the proposed Scheme remain the same as charge amounts in the current Scheme. Based on a total of 262 properties included in the Scheme, it is proposed that each property will be levied a Special Charge on the current amounts as follows:
 - \$552 charge per annum for properties located on or fronting Burgundy Street at ground level.
 - \$276 charge per annum for properties located on adjoining side streets and on Burgundy Street - first floor and above.
 - \$223 charge per annum for properties located in Warringal Shopping Centre.
- Based on the 262 rateable assessments included in the Scheme, an amount of \$97,856 per annum will be raised for a period of five years. This amount will be supplemented by Council's contribution of a further \$88,797 per annum for a period of five years.
- Council's contributions have allowed the Shopping Precinct to address many of the physical development, maintenance and amenity issues that the Special Charge proceeds cannot be spent on. For example, Council's contribution can be used for:
 - Physical works;
 - maintenance
 - Infrastructure; and
 - Beautification of the Shopping Precinct.
- This joint approach to funding ensures that both the marketing of the Shopping Centre, as well as the physical and social environment is supported by the Scheme.
- Council resolved on 23 April 2012 to cap its contributions at the 2011-12 levels for all of the eleven special rate and/or charge schemes operating within the Council's municipal district (including the Heidelberg Central Shopping Precinct). Accordingly, Council's contribution to the Shopping Precinct's Special Charge Scheme renewal is proposed to remain at \$88,797 per annum for the life of the Scheme subject to Council's annual budget process.

Community Engagement

- Heidelberg Central Traders' Association have been working over the past few months to review the current program and develop a draft Business Plan (the 2021 Heidelberg Central Shopping Precinct Business Plan). The Business Plan will guide the precinct's business and marketing activities over the next five years in the event that a new Special Charge Scheme is successfully declared.

NOTICE OF INTENTION TO DECLARE A SPECIAL CHARGE - HEIDELBERG CENTRAL SHOPPING PRECINCT cont'd

- The review and consultation process has included:
 - The Traders Association's list of key achievements over the last seven years sent to all owners and occupiers (refer Attachment 3).
 - Owners and occupiers surveyed in order to give feedback and opinions on past marketing and management activities and suggested activities for the future.
 - Conversations with local businesses.
 - Owners and occupiers invited to a workshop presented by the Heidelberg Central Traders' Association to discuss ideas and priorities for the future.
 - Survey responses along with workshop and conversational feedback have been considered in developing priorities for the 2021-2026 Business Plan.
 - Owners and occupiers have received correspondence from Council informing them of the Traders Association's request to renew the Special Charge Scheme.
 - The key directions of the draft 2021 Heidelberg Central Shopping Centre Business Plan.
- The Business Plan is currently in draft format. Owners and occupiers will be invited to comment on the plan when the official notice of intention letter is distributed.
- The Funding Agreement states that the Traders Association cannot receive any Special Charge payments from Council until a final Business Plan is submitted and approved by Council's Economic Development Unit. It is noted that the Business Plan will be finalised before Council makes its decision on whether to declare a new Special Charge Scheme at its meeting on 9 August 2021. The Funding Agreement further advises that funds raised from the Scheme are to be used in accordance with the Business Plan. As such, any significant deviations from the plan must involve consultation with Council and written approval of Council must be sought.
- To declare a Special Charge Scheme, Council is required to comply with the statutory process under the *Local Government Act 1989*. The statutory process provides the community with the opportunity to make a submission and/or an objection to the Council on the proposed Scheme. Council will consider any submissions and take into account any objections in accordance with the *Local Government Act 1989* prior to making a final decision.
- In addition to the requirement to give statutory public notice, the community engagement to be undertaken by Council will be in accordance with Council's community engagement policy, the community engagement principles set out in section 56 of the *Local Government Act 2020 (2020 Act)*, Council's public transparency policy and the public transparency principles set out in section 58 of the 2020 Act.

NOTICE OF INTENTION TO DECLARE A SPECIAL CHARGE - HEIDELBERG CENTRAL SHOPPING PRECINCT cont'd

Key Considerations

TIMELINES

- The key process and timelines for Heidelberg Central Shopping Precinct Special Charge Scheme are as follows:
 - Notice of Intention to Declare Council Report – 12 April 2021
 - Public Notice of Proposed Declaration of Special Charge in local newspaper – 20 April 2021
 - Notice of Intention to Declare letter mailed to all property owners and business operators with a copy of the Proposed Declaration of Special Charge Public Notice – 22 April 2021
 - Submissions and Objections due – 21 May 2021
 - Council formally considers submissions and objections received – 28 June 2021 Ordinary Meeting, and
 - Council makes a decision on proposed Scheme at Ordinary Meeting of Council – 9 August 2021

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* 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.

ATTACHMENTS

N	Title	Page
○	.	
1	Proposed Declaration - Heidelberg Central Shopping Precinct Special Charge Scheme	
2	The Statutory Process - Key Stages	
3	HCTA Achievement Summary	

5.8 WARRINGAL HOSPITAL REDEVELOPMENT - P1297/2020 - 210-216 BURGUNDY STREET & 81-83 DAREBIN STREET, HEIDELBERG

Author: Walla Idris - Development Planner, City Development

Ward: Griffin

SUMMARY

1. The application seeks to expand the Warringal Private Hospital on the existing Burgundy Street site and establish a new Medical Centre at the adjoining Darebin Street site in four stages from 2021 through to 2027.
2. An intensification of the existing hospital use and development is proposed through a higher and more robust built form, the addition of beds, specialised hospital facilities, a new emergency department and on-site car parking and the provision of 20 medical consulting suites within a new medical centre.
3. The proposal represents a major investment in a medical precinct of State importance and will deliver significant employment opportunities as well as an expanded offer of quality health services to meet the health needs of local and regional communities.
4. The proposal meets the objectives of the zone and overlays that apply and will deliver a significant net community benefit and sustainable development for the benefit of present and future generations.
5. It is considered that the proposal should be supported subject to conditions requiring further changes as discussed in this report.

RECOMMENDATION

That Council having complied with Section 52, 58, 60, 61 and 62 of the Planning and Environment Act 1987, issue a **Notice of Decision to Grant a Planning Permit** in respect of Application No. P1297/2020 for Buildings and works to expand an existing hospital, construction of a medical centre, vegetation removal, provision of parking to the satisfaction of the Responsible Authority, a reduction in the required motorcycle parking at 210 – 216 Burgundy Street and 81 -83 Darebin Street HEIDELBERG subject to the following conditions:

General plans

1. Before the development permitted by this permit commences, amended plans 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 be submitted in an electronic format acceptable to the Responsible Authority. The plans must be substantially in accordance with the advertised plans and documents but modified to show:
 - a. An existing car park plan showing the layout and provision of 278 car spaces, consistent with the existing parking supply as described in the Cardno Report dated 2 March 2021

WARRINGAL HOSPITAL REDEVELOPMENT - P1297/2020 - 210-216 BURGUNDY STREET & 81-83 DAREBIN STREET, HEIDELBERG cont'd

- b. The allocation of 122 on-site car spaces within the Darebin Street Medical Centre car park for exclusive use by the Darebin Street Medical Centre.
- c. The provision of no more than an additional 25 surgical and specialist consulting suites (39 in total, including the existing 14 suites) within the Warringal Hospital (Burgundy Street) Building.
- d. On-site car parking provided at the minimum rate of 2.4 spaces per each of the additional 25 surgical and specialist consulting suites (60 spaces in total) and shown as allocated to these suites.
- e. The provision and allocation of 40 on-site car spaces to the existing medical consulting suites at 210 Burgundy Street Heidelberg. The allocated car parking is not to be taken from the on-site supply of car parking required for hospital beds at the rate of 1.18 spaces per bed.
- f. The provision and allocation of 27 on-site car spaces to the existing medical consulting suites at 214 Burgundy Street, Heidelberg. The allocated car parking is not to be taken from the on-site supply of car parking required for hospital beds at the rate of 1.18 spaces per bed.
- g. On-site car parking provided at the minimum rate of 1.18 spaces per each of the existing 151 beds (178 spaces).
- h. On-site car parking provided at the minimum rate of 1.18 spaces per each of the additional 197 beds (232 spaces).
- i. A staging plan showing the whole of the site and addressing all buildings and works (including plant and equipment) including acoustic treatments and car parking provision. The development staging plan must show the on-site provision of the required parking as per the requirements of Conditions 1a) to 1h) inclusive for each Stage of the development. If the minimum requirements cannot be provided on-site, the balance of the required car parking must be provided off-site to the satisfaction of the Responsible Authority as per the Car Parking Management Plan required by Condition 2.
- j. The last car space in Basement 5 identified as a turning bay and not available for parking. This space is to be shown as suitably line marked to reflect its function as a turning bay.
- k. Internal access ramps adopting 1:5 ramp grades with 2 metre long 1:8 transitions.
- l. Detailed design of the ambulance access and ambulance bays demonstrating suitable ramp grades have been adopted.
- m. The clear identification of showers and change rooms ('end of trip facilities') as required by Clause 52.34-5 of the planning scheme.
- n. The finished floor level of habitable areas of the proposed development (all corresponding floors with entrance/exits access to the building and/or to the car park; access entry/exit points; and the apex of the proposed basement ramp of the medical centre) must be at least 300mm above the following applicable flood levels, or otherwise to the satisfaction of the Council's drainage engineers:
 - i. Proposed Tower 1: - 51.798m AHD
 - ii. Proposed Tower 2 Level 2: - 55.345m AHD
 - iii. Proposed Tower 2 Level 3: - 57.73m AHD

WARRINGAL HOSPITAL REDEVELOPMENT - P1297/2020 - 210-216 BURGUNDY STREET & 81-83 DAREBIN STREET, HEIDELBERG cont'd

- iv. Proposed medical centre ground floor: 64.199m AHD.
- v. Proposed medical centre access to basement ramp apex: 64.199m AHD

- o. The Level 2 access to the courtyard constructed to at least 55.645m AHD, or otherwise to the satisfaction of the Council's drainage engineers.
- p. Further material/design refinement of the pre-cast concrete panels to the eastern elevation (lift core) and the western concrete wall at the base of the Darebin Street Medical Centre. This may involve the use of off form concrete or similar treatments.
- q. Variation in materiality applied to the large expanses of white cement sheeting to the eastern and western elevations of the main hospital entry.
- r. An updated schedule of materials, colours and finishes to reflect changes required by Conditions 1p) and 1q).
- s. Overlooking diagrams demonstrating there will be no unreasonable overlooking of any adjacent habitable room window or secluded private open space of existing residential dwellings within 9m of proposed windows, decks, landings and external stairs of the proposed development. Where screening measures are required to restrict the extent of overlooking, they must be shown on the plans as designed and constructed generally in accordance with the requirements of Standard B22, Clause 55.04-6 of the Banyule Planning Scheme.
- t. An amended Acoustic Report as required by Condition 16.
- u. An amended easement removal/easement variation plan to reflect the requirements of Yarra Valley Water in Conditions 33 & 34
- v. All relevant ESD measures as contained in the amended Sustainable Management Plan as required by Condition 19.
- w. All relevant Water Sensitive Urban Design measures as contained in the Stormwater Management System Report as required by Condition 21
- x. Landscape Plan as required by Condition 12.
- y. Detailed drainage plans as required by Condition 3.
- z. Bin store layout including location of compactors bins with baler to be provided and hard waste store;

Car parking and loading management

- 2. Prior to the commencement of any buildings and works permitted by this permit, a Car Parking and Loading Management Plan (CPLP) must be prepared to the satisfaction of the Responsible Authority. It must include, but is not limited to, the following:
 - a. Vehicle parking and access
 - i. Parking to be available based on the staging plan referred to in Condition 1. This must include measures to secure the availability of temporary parking within the Heidelberg Activity Centre or other convenient location approved by the Responsible Authority if the full quantum of car parking as required by Condition 1 cannot be provided on site for each stage of the development. Arrangements must be made to transport users of the temporary parking to the

WARRINGAL HOSPITAL REDEVELOPMENT - P1297/2020 - 210-216 BURGUNDY STREET & 81-83 DAREBIN STREET, HEIDELBERG cont'd

subject site and make such arrangements known to hospital staff to the satisfaction of the Responsible Authority;

- ii. A monitoring and review program during each stage of the development if the full quantum of parking cannot be provided on site including:
 1. Surveys of on-site and off-site car parking usage by staff, residents and visitors to the site;
 2. An assessment of the parking needs of the hospital based on those surveys;
 3. An agreed timeframe for monitoring and review;
 4. Any recommended changes to the CPLP arising from the monitoring and review program;
 - iii. Minimum number of car parking spaces to be provided on the land as per the requirements set out in Condition 1 (end of stage development);
 - iv. An allocation plan for the number and location of car parking for hospital staff and visitors, owners of the strata titled lots, and persons providing health services within the Medical Centre including taking into account the staging plan required under Condition 1 and including visitor parking for disabled persons within the basement;
 - v. No vehicle access to the hospital site shall be created from the basement car parking of the Darebin Street Medical Centre until a traffic assessment report is undertaken, which identifies any impacts of the additional traffic associated with that use & any mitigating works required, to the satisfaction to Department of Transport and the Responsible Authority.
 - vi. Parking provision for a shuttle bus if provided.
- b. Loading

- i. Hours of deliveries;
- ii. Nature and location of deliveries (including oxygen deliveries)
- iii. Management of loading areas to prevent vehicle and pedestrian conflicts;
- iv. Restrictions on the size and type of vehicles as required.

The CPLP may be amended from time to time and must be to the satisfaction of the responsible authority. When approved the CPLP will form part of this permit and must be complied with to the satisfaction of the Responsible Authority.

Development Drainage Plans

3. Before the development permitted by this permit commences, Development Drainage Plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority.

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The plans must be prepared by a suitably qualified engineer or similar person showing a properly prepared design with computations for the internal drainage and method of disposal of stormwater from all roofed areas and sealed areas including:

- a. The use of an On-site Stormwater Detention (OSD) system;
- b. The connection to the Council nominated legal point of discharge;
- c. The outfall drainage works necessary to connect the subject site to the Council nominated Legal Point of Discharge;
- d. The specified flood levels for the property;

Please note the 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.

Specifically, all drainage plans must show for Trees #1, #4-7 and #31-32: 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 Arbor Survey – Mark Reynolds, 9th November 2020.

Confirmation of Architect

4. As part of the ongoing consultant team, The Project Architects or an architectural firm to the satisfaction of the Responsible Authority must be engaged to oversee the design development process ensuring the design quality and appearance of the approved development is realised as shown in the endorsed plans during the construction unless with the prior written approval of the Responsible Authority.

Owners Corporation & Rules

5. Unless otherwise agreed in writing by the Responsible Authority, prior to the commencement of the development, all such permissions of Owners Corporation No. 1 Plan No. PS321255A and all necessary changes to the rules of the Owners Corporation for the said Plan of Subdivision as are required for the construction of the use and development on common property on Plan of Subdivision No. PS321255A shall be obtained to the satisfaction of the Responsible Authority.

General

6. The 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.
7. 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 CC are installed to the satisfaction of the Responsible Authority.
8. Unless otherwise agreed in writing by the Responsible Authority the development permitted by this permit must not be occupied until:

WARRINGAL HOSPITAL REDEVELOPMENT - P1297/2020 - 210-216 BURGUNDY STREET & 81-83 DAREBIN STREET, HEIDELBERG cont'd

- a. The parking area(s) shown on the endorsed plan(s) have been constructed to the requirements and satisfaction of the Responsible Authority.
- b. The garden and landscape area(s) shown on the endorsed plan(s) have been planted to the requirements and satisfaction of the Responsible Authority.
- c. Drainage works have been undertaken and completed to the requirements and satisfaction of the Responsible Authority.
- d. The necessary approvals and associated fee for landscaping works to be carried out within the adjoining road reserve, must be obtained and paid to the Responsible Authority

Urban Design

9. All external surfaces of the building elevations must be finished in accordance with the schedule on the endorsed plans and maintained in good condition to the satisfaction of the Responsible Authority.
10. Unless otherwise agreed in writing by the Responsible Authority, all telecommunications and power connections (where by means of a cable) and associated infrastructure to the land must be underground to the satisfaction of the Responsible Authority.
11. All pipes (except down-pipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from external view to the satisfaction of the Responsible Authority.

Landscape Plan

12. Before the development permitted by this permit commences, a satisfactory detailed landscaping plan must be submitted to and approved by the Responsible Authority. Such plan must be prepared by a person suitably qualified or experienced in landscape design and must show:
 - a. Amendments required by Condition 1 of this permit;
 - 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 along the front property boundary and within the front setback to prevent cars parking;
 - d. Planting adjacent to driveways and within landscaping zones to consist of varying heights and species;
 - e. An indigenous and/or drought tolerant planting theme;
 - f. 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;
 - g. Tree species and planting locations must be carefully selected to avoid canopy or root conflicts with overhead wires, easements and existing trees;
 - h. Location and details of paving, steps, retaining walls, water tanks, clotheslines, 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

WARRINGAL HOSPITAL REDEVELOPMENT - P1297/2020 - 210-216 BURGUNDY STREET & 81-83 DAREBIN STREET, HEIDELBERG cont'd

Management Plan and STORM report, with reference to connection details on the engineering plans.

When approved the plan will be endorsed and form part of this permit.

Landscaping in accordance with this approved plan and schedule must be completed prior to the occupation of the development.

Tree Protection Zone Conditions

13. Prior to the commencement of any building and or demolition works on the land, a Tree Protection Zone (TPZ) must be established and maintained during and until completion of all buildings and works including landscaping, around the following trees in accordance with the distances and measures specified below, to the satisfaction of the Responsible Authority:
 - a. Tree protection zone distances:
 - i. Tree #1- 2.4 metre radius from the centre of the tree base.
 - ii. Tree #4- 2.3 metre radius from the centre of the tree base.
 - iii. Tree #5- 2.4 metre radius from the centre of the tree base.
 - iv. Tree #6- 3.6 metre radius from the centre of the tree base.
 - v. Tree #7- 9.1 metre radius from the centre of the tree base.
 - vi. Tree #31- 8 metre radius from the centre of the tree base.
 - vii. Tree #32- 5 metre radius from the centre of the tree base.
 - b. Tree protection zone measures are to be established in accordance to Australian Standard 4970-2009 and including the following:
 - i. Erection of solid chain mesh or similar type fencing at a minimum height of 1.8 metres held in place with concrete feet.
 - ii. Signage placed around the outer edge of perimeter fencing identifying the area as a TPZ. The signage should be visible from within the development, with the lettering complying with AS 1319.
 - iii. Mulch across the surface of the TPZ to a depth of 100mm and undertake supplementary watering in summer months as required.
 - iv. No excavation, constructions works or activities, grade changes, surface treatments or storage of materials of any kind are permitted within the TPZ unless otherwise approved within this permit or further approved in writing by the Responsible Authority.
 - v. All supports, and bracing should be outside the TPZ and any excavation for supports or bracing should avoid damaging roots where possible.
 - vi. No trenching is allowed within the TPZ for the installation of utility services unless tree sensitive installation methods such as boring have been approved by the Responsible Authority.
 - vii. Where construction is approved within the TPZ, fencing and mulching should be placed at the outer point of the construction area.

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- viii. Where there are approved works within the 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.
- ix. For street trees, protection must be to the extent of the entire nature strip where the Calculated Tree Protection Zone (TPZ) occurs (not obstructing a footpath or cross-over).
- x. For neighbouring trees, protection must be to the extent of the calculated Tree Protection Zone (TPZ) where it occurs within the subject Land.
- xi. Ground protection must be laid down where access is required through a TPZ outside the fenced area detailed in (a). It must consist of a permeable membrane beneath a layer of mulch or crushed rock with rumble boards on top. 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.

Specific Tree Protection Measures

14. During the construction of any buildings or works, the following tree protection requirements must be carried out to the satisfaction of the responsible Authority:

Specific construction recommendations

- *Landscaping within the TPZ of Tree 7 must be undertaken above existing grade*

Specialised Tree Protection Measures

- *Ground protection is installed:*
 - *Within the TPZ of Tree 7 (within the northern section of Property 83)*
 - *Within the TPZs of Trees 30-32 if the existing concrete driveways are to be removed & reinstated*

Council Trees

15. Prior to the commencement of development and removal of street tree ID # 39590 and #39589 (Tree #2 and 3 in the submitted arborist report), the required fee for the planting of 14 new street tree/s must be paid to the Responsible Authority.

Acoustic Report

16. Prior to the commencement of development permitted by this permit, an acoustic report prepared by a suitably qualified acoustic engineer must be submitted to the Responsible Authority for approval. The acoustic report must assess the level of noise emissions from the existing plant and the proposed additional rooftop plant and must propose measures including, but not limited to the installation of acoustic enclosures around the proposed plant to ensure compliance with the State Environment Protection Policy (Control of Noise from Commerce, Industry and trade),

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- No. N-1. Details of mechanical plant noise controls to comply with SEPP N-1 limits are to be coordinated with the design team during the detailed design stages of the Project. The Acoustic Consultant must review the noise emissions of external mechanical plant final selections during the detail design stage of the Project to ensure compliance with SEPP N-1 environmental noise limits at nearest sensitive receivers and compliance with internal noise level criteria within the Project areas. Once the acoustic report is approved, the recommended measures in the acoustic report must be implemented to the satisfaction of the Responsible Authority prior to occupation of the building approved by the permit.
17. Any ongoing requirements of the approved acoustic report, including the monitoring of plant, must be carried out to the satisfaction of the Responsible Authority.

Amenity

18. The use or development permitted by this permit must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.

Sustainable Management Plan

19. Unless otherwise agreed in writing, prior to the endorsement of plans, the Sustainability Management Plan (SMP) prepared by Stantec dated 3rd February 2021 must be amended by a suitably qualified environmental engineer or equivalent to the satisfaction of the Responsible Authority. When approved, the amended SMP will be endorsed and will then form part of this Permit. The amended SMP must be generally in accordance with the document identified as Warringal Private Hospital – Stage 2 Sustainability Management Plan and BESS report achieving a 53% score prepared by Stantec 3rd February 2021, but modified to show:
- a. Engineering drawings to show design details of fire protection systems to include temporary storage for 80% of the routine fire protection system test water and maintenance drain-downs for reuse on-site;
 - b. Revised Water Sensitive Urban Design report, as specified in condition 1
 - c. Drawings to show details communal landscaped podium will be provided on Level 1 above the ground floor car park;
 - d. Application of FSC or PEFC certified timber throughout;
 - e. End of trip facilities to include: 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter; 1 change room or direct access to a communal change room to each shower. The change room may be a combined shower and change room;
 - f. Where alternative initiatives are proposed to those specified in condition 1 the Responsible Authority may vary the requirements of this condition at its discretion, subject to the development achieving equivalent (or greater) sustainable outcomes in association with the development.
20. The requirements of the endorsed SMP must be implemented and complied with to the satisfaction of the Responsible Authority.

WARRINGAL HOSPITAL REDEVELOPMENT - P1297/2020 - 210-216 BURGUNDY STREET & 81-83 DAREBIN STREET, HEIDELBERG cont'd

Water Sensitive Urban Design Report

21. Unless otherwise agreed in writing, prior to the endorsement of plans, a detailed Stormwater Management System Report must be amended by a suitably qualified environmental/civil engineer or equivalent to the satisfaction of the Responsible Authority. When approved, the Stormwater Management System Report will be endorsed and will then form part of this Permit. The report must include:
 - a. Details of how the stormwater management system is designed to meet the current best practice performance objectives for stormwater quality contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (BPEM, Victorian Stormwater Committee, 1999), including:
 - i. Evidence that the proprietary stormwater quality improvement devices (SQIDs) have been designed and installed to meet BPEM requirements under local environmental conditions;
 - ii. Details of these treatment measures including cross sections, materials, plants and drainage directions;
 - iii. A construction and maintenance schedule specific to the project site, to include a signed maintenance agreement.
 - b. Unless otherwise agreed in writing, rainwater tanks to be applied, sized to supply water demand for toilet flushing of non-clinical areas and landscape irrigation.
22. The requirements of the endorsed Stormwater Management System Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Monitoring of SMP

23. The development must not be occupied until a report to the satisfaction of the Responsible Authority prepared by the author of the Sustainability Management Plan (SMP) approved under Condition 8 of this Permit, or similarly qualified person, is submitted to the Responsible Authority, confirming that all measures specified in the SMP have been implemented in accordance with the endorsed SMP.

Number of Beds

24. At no time may more than 348 beds be in operation within the building permitted by this permit, unless otherwise agreed in writing by the Responsible Authority.

Medical Centre

25. No more than 40 persons providing health services are to operate from the Darebin Street Medical Centre at any one time.

Car Parking/Access

26. 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

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- 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.
27. 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.
 28. 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.
 29. 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 naturestrip to the satisfaction of the Responsible Authority prior to occupation of the development. 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
 30. 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 0.3sqm. in area.
 31. The loading and unloading of goods from vehicles and the delivery of goods must at all times be carried out within the boundaries of the subject land.

Conditions Required by Yarra Valley Water

32. Yarra Valley Water does not approve of the removal of easement encumbering Lot 16 PS 321255A benefiting Yarra Valley Water as the sewerage asset that it covers has not yet been abandoned.
33. The owner of the land must enter into an agreement with Yarra Valley Water for the provision of sewerage services.

Conditions required by Department of Transport

34. Prior to commencement of development, a revised Traffic Impact Assessment Report must be prepared to the satisfaction of the Head, Transport Victoria. This report must address traffic and access issues arising from the proposed development on this site and include those raised by the Head, Transport for Victoria's in its letter dated 24/03/2021.
35. Prior to commencement of development, a Road Safety Audit must be submitted to and approved by the Head, Transport for Victoria and the Responsible Authority. The road safety audit must be undertaken by a suitably qualified road safety auditor.

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Waste Management

36. Prior to the occupation of the approved development, the permit holder must prepare and have approved in writing by the Responsible Authority a Waste Management Plan (WMP) for the site with respect to the collection and disposal of waste (including medical waste) and any recyclables associated with the proposed uses on the site to the satisfaction of the Responsible Authority. The WMP must be generally in accordance with the plan prepared by Leigh Design submitted with the application and provide for the following:
- a. Waste collection arrangements in accordance with staging plan required under Condition 1;
 - b. The collection of waste associated with the medical uses on the land, including the provision of bulk waste collection bins or approved alternative, recycling bins, the storage of other refuse, medical waste and solid wastes in bins or receptacles within suitably screened and accessible areas to the satisfaction of the Responsible Authority;
 - c. Designation of methods of collection including the need to provide for private services. This method must incorporate recycling services where practicable and must comply with the relevant EPA noise guideline relating to the time of collection;
 - d. Appropriate areas of bin storage on site and areas of waste bin storage on collection days;
 - e. Details for best practice waste management once operating;
 - f. Provisions for food organics;
 - g. Confirmation that the WMP addresses the entire development and clarification between detail and assessment provided for the existing and proposed elements;
 - h. Bin store layout including location of compactors bins with baler to be provided and hard waste store;
 - i. Details of clinical storage layout to confirm adequate space for totality of building needs;
 - j. Clarification of Clinical Waste (Full) and Clinical Waste (IN) where designated;
 - k. Bin washdown location;
 - l. Hook lift truck clearance (including overhead clearance to lift bin);
 - m. Confirmation that waste truck access will not be impacted;
 - n. Management of polystyrene diversion;

Once approved the WMP will be endorsed to form part of this permit and must be complied with to the satisfaction of the Responsible Authority and must not be varied except with the written approval of the Responsible Authority.

37. Adequate provision must be made for the storage and collection of waste, to the satisfaction of the Responsible Authority.

Construction Management & Amenity

38. Prior to the commencement of any site works including demolition and excavation, the permit holder must submit a Construction Management Plan to the Responsible Authority for approval. No works including demolition and excavation are permitted to occur until the Plan has been approved in writing by the Responsible Authority. Once approved, the Construction Management Plan will be endorsed to form part of this permit

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and must be implemented to the satisfaction of the Responsible Authority. The Plan must be to the satisfaction of the Responsible Authority and must provide details of the following:

- a. Construction and works in accordance with the staging plan required under Condition 1;
- b. Delivery and unloading points and expected frequency;
- c. Any disruption to or use of adjoining Council owned land;
- d. The management of traffic during the construction periods;
- e. Provision of security fencing;
- f. Measures to ensure public safety;
- g. A liaison officer for contact by owners / residents and the Responsible Authority in the event of relevant queries or problems experienced;
- h. An outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- i. Any requirements outlined within this permit as required by the relevant referral authorities;
- j. Hours for construction activity in accordance with any other condition of this permit;
- k. Measures to control noise, dust, water and sediment laden runoff;
- l. Disposal of site waste and any potentially contaminated waste;
- m. The temporary parking of vehicles, including associated with construction activities;
- n. Redirection of any above ground or underground services;
- o. Measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan; and
- p. Any construction lighting to be baffled to minimise intrusion on adjoining lots.

39. Upon commencement and until conclusion of the staged development, the developer shall ensure that the development does not adversely affect the amenity of the area in any way, including:

- a. the appearance of building, works or materials on the land;
- b. parking of motor vehicles;
- c. transporting of materials or goods to or from the site;
- d. hours of operation;
- e. stockpiling of top soil or fill materials;
- f. air borne dust emanating from the site;
- g. noise;
- h. rubbish and litter;
- i. sediment runoff.

Should the development cause undue detriment to the amenity of the area then immediate remedial measures must be undertaken to address the issue as directed by, and to the satisfaction of, the Responsible Authority.

Development Contribution Levy

40. 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.

Permit Expiry

41. This permit will expire if one of the following circumstances applies:

WARRINGAL HOSPITAL REDEVELOPMENT - P1297/2020 - 210-216 BURGUNDY STREET & 81-83 DAREBIN STREET, HEIDELBERG cont'd

- a. The development is not started within two years of the date of this permit.
- b. The development is not completed within eight years of the date of this permit.

Pursuant to Section 69 of the Planning & Environment Act 1987, the Responsible Authority may extend:

- The commencement date referred to if a request is made in writing before the permit expires or within six (6) months afterwards.
- The completion date referred to if a request is made in writing within 12 months after the permit expires and the development started lawfully before the permit expired.

Planning Permit Application:	P1297/2020
Development Planner:	Walla Idris
Address:	210-216 Burgundy Street & 81-83 Darebin Street HEIDELBERG
Proposal:	Buildings and works to expand an existing hospital, construction of a medical centre, vegetation removal, provision of parking to the satisfaction of the Responsible Authority, a reduction in the required motorcycle parking, removal of Easement E1 and variation of Easement E2
Existing Use/Development:	Hospital, Medical Consulting Rooms and Dwellings
Applicant:	HCOA Operations Australia Pty Ltd
Zoning:	Special Use Zone - Schedule 3
Overlays:	Vegetation Protection Overlay – Schedule 5 Design and Development Overlay – Schedule 5 Development Contributions Plan Overlay – Schedule 1 Parking Overlay – Schedule 2
Notification (Advertising):	Letters to adjoining and nearby owners/occupiers (including the subject land) and signage on site
Objections Received:	Eight (8)
Ward:	Griffin

- The proposal can be generally described as follows:
 - Provision of an additional 197 hospital beds (348 beds in total)
 - Provision of an additional 3 operating theatres
 - Establishment of an emergency department adjacent to the Burgundy Street entrance with ambulance access from the Burgundy Street service road
 - 26 additional hospital surgical/specialist suites within the hospital building

WARRINGAL HOSPITAL REDEVELOPMENT - P1297/2020 - 210-216 BURGUNDY STREET & 81-83 DAREBIN STREET, HEIDELBERG cont'd

- 20 Medical Centre consulting rooms within a new Medical Centre (Darebin Street)
- An additional 388 on-site car spaces across the hospital and medical centre buildings (666 car spaces in total)
- Provision of 77 bicycle spaces for staff and visitors, together with hospital staff 'End of Trip' facilities on Level 5 of Tower 1
- Provision of 15 motor bike spaces
- The proposed development includes the following new and expanded facilities:
 - A new central building (8 levels above ground) above predominantly basement parking over five levels (referred to as Tower 2). The building will include hospital surgical/specialist suites at Levels 3 and 4, day surgery, intensive care ward, imaging (Level 2), theatre facilities, new wards (Levels 5-9) and rooftop plant
 - An emergency department predominantly within the existing Burgundy Street building including ambulance bays
 - New ward levels within Tower 1 (at Levels 6-8)
 - A day surgery extension at Level 3 within the existing building setback to Burgundy Street above the hospital entry
 - Reconfiguration of essential hospital services within the Burgundy Street building
 - A new medical centre in a three-storey building in Darebin Street above a five-level basement / undercroft parking area with vehicle access from Darebin Street. The medical centre car park will be linked to the proposed Level 1 hospital carpark under Tower 2
- In total, the proposal will add approximately 18,000 sqm. of new hospital floor space, and a new 2,050 sqm. medical centre.
- The expanded hospital will also include an expanded 'back of house' area at Level 1, including kitchen and waste handling, a central arrival area at Level 2 in Tower 2 accessed from the car parking areas, and a dedicated corridor from the Burgundy Street entrance.
- The total parking provision for the expanded hospital will be 519 cars, an increase of 241 car spaces. The new medical centre will provide an additional 147 spaces. When all stages are complete, it is intended that the two car parking areas will be linked.
- Bicycle spaces will be provided at Level 1 under Tower 1 and within the medical centre, with staff 'End of Trip' facilities within the hospital extension (Level 5, Tower 1). Additional visitor bicycle parking will be provided on street (to the Council's satisfaction) or within the building setbacks convenient to the hospital entries.
- The hospital will operate 24 hours, 7 days a week.
- The medical centre will operate 9 am to 6 pm, weekdays.
- The application also seeks to remove sewerage easement E-2 encumbering Lot 16 on PS 321255A Created in Instrument No 2612972 and to vary sewerage

WARRINGAL HOSPITAL REDEVELOPMENT - P1297/2020 - 210-216 BURGUNDY STREET & 81-83 DAREBIN STREET, HEIDELBERG cont'd

easement E-1 encumbering the same lot pursuant to Clause 52.02 of the planning scheme. These easements are in favour of Yarra Valley Water.

Staging

- The development will proceed in stages, essentially related to a practical construction program and the hospital operations/facility requirements. It is proposed that Stage 1 will proceed as soon as practical after the grant of the relevant approvals. Stages are described as follows:
 - **Stage 1:** The extension of Tower 1 (existing), provision of a recovery area and demolition work for Stage 2 will occur from the middle of 2021 to late 2022. An additional 28 beds will be provided.
 - **Stage 2:** The central Tower 2 building (proposed) and associated basement car parking will occur late 2022 to late 2024. An additional 97 beds and 241 car spaces will be provided.
 - **Stage 3:** Redevelopment of the existing hospital buildings to provide the emergency department and essential hospital support services will occur late 2022 to late 2024.
 - **Stage 4:** The medical centre building in Darebin Street and associated car parking, use of the Tower 2 shells at Levels 8 & 9 will all be undertaken within 6 years of commencement. An additional 62 beds, 20 medical centre suites and 147 car spaces will be provided at this Stage.
- The new central building is proposed to enable construction relatively independent of ongoing hospital operations. The existing eastern building or Tower 1 which abuts the park has an existing approval for an additional two levels and relocation of plant to the roof (see commentary below re planning permit P1009/2008).
- A copy of all Advertised Documents are available in the Public Notice Section of Councils website.

OFFICER DECLARATION OF CONFLICT OF INTEREST

- The *Local Government Act 2020* (the 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.

BACKGROUND

- The subject site has an extensive planning history, with hospital operations commencing in the 1970s and recent planning permit history is detailed in attachment 1.

WARRINGAL HOSPITAL REDEVELOPMENT - P1297/2020 - 210-216 BURGUNDY STREET & 81-83 DAREBIN STREET, HEIDELBERG cont'd

Locality Plan



SUBJECT SITE AND SURROUNDING AREA

- The subject site is known as 210-216 Burgundy Street and 81-83 Darebin Street, Heidelberg and is comprised of multiple Certificates of Title, including the existing strata titled medical consulting rooms at 210 & 214 Burgundy Street.
- It is a large, irregularly shaped parcel of approximately 11,400 sqm. assembled over some years by the incorporation of residential and commercially used land adjacent to the original Warringal Hospital landholding.
- The site has a Burgundy Street frontage of approximately 76 metres, a Darebin Street frontage of approximately 32 metres and a depth of approximately 172 metres. The land slopes down from its Darebin Street frontage to the existing hospital site, a fall of approximately 8 metres. The land along Burgundy Street slopes from west to east with a fall of approximately 3.5 metres.
- The Darebin Street site is currently occupied by two dwellings and established vegetation, including tall canopy trees to the rear of the buildings.
- The 'hospital' site includes the Warringal Private Hospital building, together with medical consulting rooms. Vehicle access to the hospital is currently from the Burgundy Street service road.
- Surrounding land is used and developed for a mix of residential, recreational, office and medical uses within both retrofitted and purpose-built developments. A higher, more intensive built form is emerging within the precinct, including multi-level residential apartment, office, and mixed-use developments. Notable nearby use and development includes the Austin and Mercy Hospital complex located on the southern side of Burgundy Street, directly opposite the existing hospital building. Despite that some single and double storey buildings are located within the medical precinct (including immediately adjacent to the site), the built form typically ranges from 4 storeys to 10 storeys in height.

WARRINGAL HOSPITAL REDEVELOPMENT - P1297/2020 - 210-216 BURGUNDY STREET & 81-83 DAREBIN STREET, HEIDELBERG cont'd

- Direct interfaces with the subject site are identified and considered in this report. They include residential, recreational, medical and office use and development, together with a public reserve known as 'service reserve'.
- The site is located close to public transport routes. Heidelberg Train Station, which also serves as a bus interchange, is located approximately 190 metres to the south.

PUBLIC NOTIFICATION

- The current planning permit application has undergone a formal pre-application process with Council officer involvement /occurring in mid to late 2020. There has also been a thorough public consultation process including as facilitated by the Permit Applicant (prior to and independent of the pre-application phase) and two online information sessions facilitated by the Council during the formal public notification period on 9 March 2021 with the further session on 25 March 2021.
- Formal notification of the permit application was undertaken in March 2021 via letters to surrounding landowners/residents and the placement of public notices on the subject site. As the land is in multiple ownership, owners of all lots comprising the subject site were also notified.
- At the time of writing this report, eight (8) objections have been received. The main grounds of objection are summarised as follows:
- The consulting suites at 210 Burgundy Street are privately owned and are not part of HCOA. The reference in the permit application to 210 Burgundy Street is incorrect.
- The proposed additional 3 storeys above the existing building to the rear of the consulting suites (at 210 Burgundy Street) is opposed due to additional overshadowing of the consulting suites, affecting the internal amenity of the work environment.
- The proposal will overlook the consulting suites and toilets at 210 Burgundy Street.
- The noise, dust, and pollution from heavy vehicle access by construction workers/equipment will affect the normal operation of the consulting suites at 210 Burgundy Street.
- The brick dwelling at 81 Darebin Street is one of the fast-diminishing original houses of Heidelberg. The dwelling should be retained and accommodated as part of the development. Banyule Council could play a role in promoting and preserving historic buildings within the municipality.
- There will be additional and unacceptable overshadowing of the City of Heidelberg Bowling Club bowling green.
- The proposal is an unacceptable fire risk to staff, patients, and the surrounding community.
- The proposal is an example of planning by stealth.
- The proposed Emergency Department is not a key service that will be locally available to the community.
- The proposal is clearly a business expansion for profit for a privately listed company, not a medical service based on community needs.

WARRINGAL HOSPITAL REDEVELOPMENT - P1297/2020 - 210-216 BURGUNDY STREET & 81-83 DAREBIN STREET, HEIDELBERG cont'd

- The proposal, including the provision of on-site car parking, will create unprecedented traffic problems in Heidelberg. Traffic is already congested and unsafe to the local community and users of health facilities in the precinct.
- Unacceptable noise impacts from the plant and equipment which will operate continuously. Noise will create sleep disturbance.
- There will be unacceptable amenity impacts to patients.
- Hazardous waste and radiation will pose an unacceptable health risk to nearby residents.
- The 'one way' access provided by the Burgundy Street service road to the hospital will not accommodate emergency vehicle access for the Emergency Department or the additional volumes of traffic accessing the hospital site.
- The proposed removal of vegetation, including mature trees will impact negatively on the natural environment. The hospital has already removed vegetation without the necessary approvals.
- The local community will be subjected to unacceptable amenity impacts throughout the period of construction spanning many years.
- The submitted traffic and parking report's assessment of existing on-site parking supply is incorrect as it does not reflect the separate ownership and allocation of car spaces to different owners/tenants within consulting rooms and medical suites at 210 Burgundy Street and 214 Burgundy Street (the detail of this objection is set out in detail in the car parking assessment section of this report).
- The Planning Permit Application should be refused unless a condition is inserted, as was done for the 2010-12 development, requiring the provision of off-site parking sufficient for the whole hospital (the wording used then), or at least 142 spaces, from commencement of works until the completion and opening of the new additional on-site parking under Tower 2.

REFERRAL COMMENTS

- External and Internal referral advice has been sought from:
 - Yarra Valley Water (YVW)
 - Urban Design
 - Traffic and Transport
 - Department of Transport
 - Environmental Sustainable Development Adviser
 - Drainage and Developments
 - Waste Management
 - Development Planning Arborist

PLANNING CONTROLS

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

WARRINGAL HOSPITAL REDEVELOPMENT - P1297/2020 - 210-216 BURGUNDY STREET & 81-83 DAREBIN STREET, HEIDELBERG cont'd
Table 1: Applicable Planning Controls

Control	Clause	Permit Triggered
Special Use Zone – Schedule 3	37.01	Yes
Vegetation Protection Overlay – Schedule 5	42.02	Yes
Design and Development Overlay - Schedule 5	43.02	Yes
Development Contributions Overlay – Schedule 1	45.06	Payment of contribution required
Parking Overlay - Schedule 2	45.09	No
Car Parking	52.06	Car parking for the <i>hospital</i> must be to the satisfaction of the Responsible Authority
Easements, Restrictions and Reserves	52.02	Yes
Bicycle facilities	52.34	No
Stormwater Management in Urban Development	53.18	No-but must be considered
Operation of the Planning Policy Framework	71.02	No-but must be considered

POLICIES CONSIDERED

- The relevant Planning Scheme Policies are outlined in Table 2 below:

Table 2: Relevant Planning Scheme Policy

Policy	Clause
PPF	
Settlement (including <i>Activity centres - Metropolitan Melbourne</i>)	11 (11.03-1R)
Environmental Risk and Amenity (including <i>Noise abatement</i>)	13 (13.05-1S)
Built Environment and Heritage (including <i>Urban design and Building design</i>)	15 (15.01-1S, 15.01-2S)
Economic Development (including <i>Diversified economy - Metropolitan Melbourne</i>)	17 (17.01-1R)
Transport (including <i>Principal Public Transport Network</i>)	18 (18.02-2R)
Infrastructure (including <i>Health facilities and Health precincts - Metropolitan Melbourne</i>)	19 (19.01-2S, 19.01-2R)
Vision and Strategic Framework	21.02
Land Use (including <i>Community facilities</i>)	21.04 (21.04-4)
Natural Environment	21.05
Built Environment	21.06
Transport and Infrastructure	21.07
Local Places (<i>Heidelberg Activity Centre</i>)	21.08 (21.08-2)
Reference Documents	21.09
Safer Design Policy	22.03
Environmentally Sustainable Development	22.05

WARRINGAL HOSPITAL REDEVELOPMENT - P1297/2020 - 210-216 BURGUNDY STREET & 81-83 DAREBIN STREET, HEIDELBERG cont'd

TECHNICAL CONSIDERATIONS

- At State and Regional levels, planning policy support for the intensification of the hospital and medical centre use and development on the subject site is strong and unambiguous.
- The proposal is clearly consistent with the objective and strategies of Clause 19.01-2S *Health facilities* which seek *'To assist the integration of health facilities with local and regional communities'* and *'Locate hospitals and other large health facilities in designated health precincts and areas highly accessible to public and private transport'* (among others) respectively.
- Similarly, a relevant strategy of Clause 11.03-1R *Activity centres - Metropolitan Melbourne* seeks to *'Locate significant new education, justice, community, administrative and health facilities that attract users from large geographic areas in or on the edge of Metropolitan Activity Centres or Major Activity Centres with good public transport.'*
- Relevant strategies of Clause 17.01-1R *Diversified economy - Metropolitan Melbourne* seek to *'Facilitate the development of National Employment and Innovation Clusters'* and *'Support the employment and servicing role of Health and Education Precincts.'*
- Clause 18.02-2R seeks to *'Maximise the use of existing infrastructure and increase the diversity and density of development along the Principal Public Transport Network, particularly at interchanges, activity centres and where principal public transport routes intersect.'*
- There is also strong local policy support for the proposal. The Ramsay Health Care facility, including the Warringal Private Hospital and associated consulting suites, is an important community facility and service within the area and for the broader area. The use provides additional healthcare options for local and regional residents as well as being a significant employer in the region. The planning scheme recognises the importance of the cluster of healthcare uses in Heidelberg and is geared to facilitate the ongoing operation and sustainable growth of the healthcare industry in this area. There is in principle support for the growth and extension of the use on this site, whilst at the same time, the impact to neighbouring residential amenity must be managed to ensure any detrimental impact is limited to reasonable levels.
- The purpose of the Special Use Zone – Schedule 3 *Residential and Medical Services Precinct (SUZ3)* includes *'To encourage the consolidation of medical services within this precinct.'* The purpose of the zone also seeks *'To enable a mix of uses within developments that provides dwellings within upper levels of buildings'* and *'To protect the amenity of patients and residents within and around this precinct.'*
- A permit is not required to use land for a *Medical centre* within the SUZ3.
- *Hospital* is a Section 2 (permit required) use in the zone however a permit is not required in this instance as the hospital use is established on the subject site.

WARRINGAL HOSPITAL REDEVELOPMENT - P1297/2020 - 210-216 BURGUNDY STREET & 81-83 DAREBIN STREET, HEIDELBERG cont'd

- It is clear from the zone purpose and the permit triggers outlined above that the subject site and broader SUZ3 land that adjoins and surrounds it is envisioned as a mixed medical and residential use precinct with a preference for any dwelling uses establishing in the upper levels of developments. Residential and patient amenity are equally weighted considerations, consistent with the site forming part of a *Diversity Area* under the Residential Areas Framework at Clause 21.06 *Built Environment* of the Banyule Planning Scheme.
- Clause 21.08 *Local Places* identifies that the site is within the Heidelberg Activity Centre. Clause 21.08-2 *Heidelberg Activity Centre* provides a description of the Heidelberg Activity Centre and separates it into 7 precincts. The subject site is located within Precinct 4 – *Medical Services*. The vision for Precinct 4 provides that *'The Medical Services Precinct will continue to provide a consolidated range of medical and hospital related services, both to the local community and to the broader north-eastern region. The precinct will be strongly linked to the train station to allow for easy access to public transport for users of the precinct. The existing vegetation along Burgundy Street and Stradbroke Avenue will be enhanced.'*
- There are three objectives listed under Clause 21.08-2 for Precinct 4, which each objective listing corresponding strategies:
 - *To consolidate the wide range of health care, family support and professional services, adjacent to the major hospitals and to encourage medical facilities and services to locate in the precinct.*
 - *To improve the image and identity of Heidelberg's Medical Precinct.*
 - *To promote the integrated development of hospital and associated facilities in the Medical Services Precinct, such as car parking, to be sensitive to nearby residential areas.*

Built Form Guidance

- At a local level, the suite of policy statements and planning controls in Clause 21.08 and DDO5 provide guidance as to the preferred building heights and setbacks within the area. The background document informing these controls is the Heidelberg Structure Plan. The Heidelberg Structure Plan and the controls are currently being reviewed in light of recent development trends throughout Metropolitan Melbourne. These trends include a move towards taller building heights and more intensive development further out from the traditional inner-city core, including within designated Major Activity Centres.
- Design objectives of DDO5 seek (among other things) to promote new development that provides a positive contribution to the built form and public realm, to discourage the underdevelopment of land, and to utilise vegetation to help create a strong identity for the Heidelberg Activity Centre. DDO5 identifies seven different precincts, and pursuant to this clause, the subject site is located within the *Medical Services* precinct, which is numbered Precinct 4 under this clause.

WARRINGAL HOSPITAL REDEVELOPMENT - P1297/2020 - 210-216 BURGUNDY STREET & 81-83 DAREBIN STREET, HEIDELBERG cont'd

- For Precinct 4, the DDO5 sets out preferred maximum heights of no more than 10 metres, 19 metres and 25 metres above ground level, across the northern (Darebin Street), central and southern (Burgundy Street) parts of the subject site respectively. This accords with the heights envisaged for the site in the Heidelberg Structure Plan. This is further reinforced through Clause 21.08 *Local places* which translates the key directions of the structure plan into local policy.
- DDO5 also identifies two different 'setback standards' for the site, with the Darebin Street frontage deferring to the Clause 55 ResCode provisions and the remaining setbacks seeking a harder edge presentation of boundary construction to a height of 10 metres, with setbacks of 1.5 metres for every additional 3 metres of height (to 16 metres) with no additional setbacks above 16 metres required.
- Table 1 below demonstrates the extent of the variations sought to the DDO5 preferred building heights:

Table1: DDO5 preferred and proposed approximate heights

Works	Planning Overlay Preferred Height	Designed Height (excludes roof plant)
Tower 1	25m	30.69m (west elevation) to 36.88m (north elevation) 38.38m (east elevation)
Tower 2	19-25m	35.08m (north elevation) (north elevation to top of lift overrun) 32.48m (west) 38.3 (west elevation to top of lift overrun) 37.83m (east elevation)
Darebin Street	10m	11.3m (north elevation) 17.6m (south elevation) 11.3m (east elevation)

- The key question in respect to the relevant DDO5 provisions is whether the objectives are met by a development proposal. Subject to recommended changes outlined in this report it is considered that the proposal meets the objectives for the following reasons which are set out, in detail in Attachment 1:
 - The Darebin Street front building setback enables a front, landscaped garden treatment and responds appropriately to the front setbacks of adjoining residential development
 - The height and scale of the Darebin Street development transitions from the lower (northern) street element to the taller (southern element) in a way that respects the siting and scale of development on adjoining sites, whilst also responding to an emerging character of taller buildings within Darebin Street.
 - Landscaping at the common boundaries with adjoining residential development in Darebin Street is proposed and supported.
 - The taller, more robust elements of the proposal (Towers 1 & 2) are generally sited away from the most sensitive residential interfaces. The exception is the northern interface of Tower 2, however for the reasons stated above in relation to its impact on 6/79 Darebin Street, the response to this interface is considered acceptable.

WARRINGAL HOSPITAL REDEVELOPMENT - P1297/2020 - 210-216 BURGUNDY STREET & 81-83 DAREBIN STREET, HEIDELBERG cont'd

- Car parking is provided within basements and vehicle access points are minimised.
- The architecture and materiality of the additional hospital levels are consistent with and complement the recently completed taller elements of the hospital building.
- The scale, height and intensity of the proposed development aligns with policy expectations for this large site and the emerging form in the precinct, including, but not limited to mixed-use developments nearing completion/completed at 91 Darebin Street and 9-11 Martin Street. Plan TP-31-B usefully illustrates the height and scale of the proposal as being broadly consistent with the height and scale of nearby established developments within Martin Street (Austin car park and office development at No. 8-10) and on the southern side of Burgundy Street (Austin Hospital).
- In relation to offsite amenity impacts:
 - It is not considered that there are unreasonable impacts on adjoining properties in relation to overshadowing and overlooking.
 - Acoustic requirements including design, implementation and monitoring phases can be addressed by permit conditions.

Vegetation Removal and Landscaping

- Detailed consideration of vegetation removal and landscaping is set out in Attachment 1 which are summarised as follows:
 - It is proposed to remove six trees from the site and two street trees from the nature strip.
 - The removal of vegetation, including two trees of high retention value trees is considered to be acceptable given the strategic drivers of the site.
 - A contribution toward the planting of 14 street and park trees should be sought as a condition of permit.
 - The submitted landscape plan will need to be further developed into a detailed landscape plan, however the concept is considered acceptable given the constraints imposed by the intensive development of the site. This and the requirement for planting to be undertaken off-site can be addressed by permit conditions.

Drainage/Overland Flows

Flooding

- The property is subject to risk of flooding and is affected by overland stormwater flows during a storm event with a 1% chance of occurrence in any given year. Council engineers believe that overland stormwater flows will cross the site from the Northwest to the South East of the property.

WARRINGAL HOSPITAL REDEVELOPMENT - P1297/2020 - 210-216 BURGUNDY STREET & 81-83 DAREBIN STREET, HEIDELBERG cont'd

- As detailed in attachment 1, there are changes required for the Level 2 access to the courtyard, which is at 55.0m AHD, similar to the courtyard level. Level 2 needs to be at least 55.645m AHD, as the level is subjected to 354mm of overland flow. In addition, there is need for the ramp to the basement of the medical centre to be at least 64.499m AHD. Windows /access of the appropriate floor levels needs to be higher than the stipulated floor level, to reduce the risk of inundation in large storm events. These matters can be addressed by permit conditions.

Environmental Sustainable Design

- The submitted Sustainability Management Plan (SMP) prepared by Stantec demonstrates a Built Environment Sustainability Scorecard (BESS) outcome of 53% which is above the minimum requirement of 50% deemed to achieve a 'Best Practise' score (the project must achieve a minimum score of 50% in the Water, Energy, Stormwater, and IEQ categories in addition to scoring a minimum of 50% overall).
- As highlighted above, the Council's ESD adviser seeks improvement with the ESD performance of the proposal in the areas of *Energy, Indoor Environmental Quality, Stormwater and Materials*.
- A subsequent memo addressing concerns raised by the Council's ESD Adviser and discussions held on 17/03/2021 between Council officers and the permit applicant's project team was received from Stantec on 24 March 2021. The memo details additional information concerning the performance of the proposal in the above four areas.
- The response has largely resolved the concerns raised by Council officers, however there will be a need for a range of additional ESD measures to be incorporated into the design and operation of the development and use. These matters can be addressed by permit conditions.

Car Parking and Transport

- As described in attachment 1, the application has been assessed by Council's traffic engineers. As detailed in the 'Response to parking demand' section below, a satisfactory car parking outcome can be achieved via permit conditions which is supported by Council's Transport team.
- The following is a summary of the Permit applicant's position (as per Cardno 1 March 2021 report and 24 March 2021 advice):
 - The Darebin Street medical centre is provided with the full quantum of car parking required under PO2. Surplus spaces are available within the medical centre basement car park.
 - The 2018 parking survey results equate to a car parking demand for 1.15 car parking spaces per bed (inclusive of the existing consulting suites).
 - A 'conservative' rate of 1.27 car parking spaces per bed (inclusive of the existing consulting suites) has been applied as derived from case study data. The end stage proposal will have a surplus of 102 car spaces (2 March 2021 report).

WARRINGAL HOSPITAL REDEVELOPMENT - P1297/2020 - 210-216 BURGUNDY STREET & 81-83 DAREBIN STREET, HEIDELBERG cont'd

- The parking surplus reduces from 102 car spaces to 77 car spaces by applying the existing peak parking rate for the hospital and the additional case-study parking rates of between 1.75 and 2.4 spaces per consulting suite (24 March 2021 advice).
- As a further alternative, Stage 3 peak parking requirement of 337 spaces is indicated by applying a rate of 1.18 spaces per bed (derived from NSW data), leaving around 182 spaces for the 39 suites equating to around 4.7 spaces per suite (24 March 2021 advice).

Objector parking concerns

- Concerns have been raised by objectors that the claimed existing 278 car spaces (as set out in the advertised traffic report ('Cardno report') appears to include spaces not available to the hospital. Concerns have also been raised that there are errors in the submitted documentation in calculating additional parking provision. This objection is addressed in detail in Attachment 1.

Response to objection and assessment of parking demand

- The Cardno report acknowledges an existing allocation of 67 spaces 'by agreement' under planning permit P1009/2008.
- Relevantly, planning permit P1009/2008 (as amended) does require plans to show the allocation of 40 car spaces to the existing medical consulting suites at 210 Burgundy Street and the allocation of 27 car spaces to the existing medical consulting suites at 214 Burgundy Street (see Conditions 1(vii) and 1(viii) of the amended permit). This requirement is preferred to the objector position. These conditions should be included on any permit granted for the proposal.
- The Darebin Street medical centre is provided with the full quantum of car spaces required under PO2.
- Adopting any of the three approaches taken by Cardno for the hospital results in a car parking surplus, with the reduced surplus of 77 spaces being the more conservative and therefore preferred analysis.
- Permit conditions will require a parking management plan, including the application of the 'agreed' parking rates that will result in the required car parking to be provided on-site or as appropriate for each stage of the development. The conditions should also require that plans showing correct number of existing car spaces indicated in the submitted Traffic report as 278 and that all car parking is allocated with no surplus.

Motorcycle parking

- For all development requiring more than 20 car parking spaces, motor-cycle parking must be provided at a rate of 1 space for every 20 car spaces (prior to any dispensation of the car parking rate), unless the responsible authority is satisfied that a lesser number is sufficient. In this case 15 motorcycle parking spaces are provided which is considered satisfactory.

WARRINGAL HOSPITAL REDEVELOPMENT - P1297/2020 - 210-216 BURGUNDY STREET & 81-83 DAREBIN STREET, HEIDELBERG cont'd

Bicycle parking

- Clause 52.34 of the Planning Scheme specifies bicycle parking requirements for new developments and changes in use. The development has a statutory bicycle requirement of 50 bicycle spaces, including 28 staff spaces and 22 visitor spaces across the hospital and medical centre uses.
- The proposed expansion has a bicycle parking provision of 77 bicycle parking spaces, exceeding the statutory requirement by 27 spaces. Based on the above, the provision of bicycle parking and end of trip facilities in the development is acceptable and exceeds the relevant requirements.

Traffic Impacts

- Department of Transport have requested that conditions be included in the permit.

Waste Management

- Council's Waste Management Department have raised various concerns with the submitted Waste Management Plan. Given the extent of development proposed by this application, it is considered that the Waste Management Plan should reflect contemporary requirements and practice. This can be addressed by permit conditions.

Development Contributions

- Schedule 1 *Banyule Development Contributions Plan* to the Development Contributions Plan Overlay applies (DCPO1). Pursuant to Clause 45.06-1, a permit granted must be consistent with the provisions of the relevant development contributions plan and include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay.
- The review site is located within Charge Area 18 as shown on Map 1 to the Schedule.
- The proposal is not an exempt development as the proposal does generate a net increase in demand units.

Response to Objections

- Most of the grounds of objection have been addressed in the above commentary, leaving the following concerns raised for consideration.

Heritage

- The double fronted Victorian building located at 81 Darebin Street has been identified in previous heritage studies undertaken within Banyule as being of local significance, however there is no Heritage Overlay applying to the land, nor is there is any current proposal to seek to introduce either interim or permanent heritage controls. Demolition of the building is therefore to be addressed through the building permit approval process.

WARRINGAL HOSPITAL REDEVELOPMENT - P1297/2020 - 210-216 BURGUNDY STREET & 81-83 DAREBIN STREET, HEIDELBERG cont'd

Fire Risk and Operational Hazards

- Fire risk in this instance is not a planning consideration, but rather a matter to be addressed as part of the building approvals process.
- Operational hazards, including radiation and the storage of chemicals and medical waste is addressed under separate regulatory systems and is not addressed as part of the planning approvals process in this instance. It is highlighted that 'hospital' and 'medical centre' are not land uses listed under Clause 53.10 *Uses and activities with potential adverse impacts*.

Construction Impacts

- There will inevitably be long periods of disturbance and inconvenience to residents and business operators during the construction phase. Managing these impacts so that the impacts are not unreasonable will be a requirement of any planning approval. Specifically, Construction Management and Traffic Management Plans will be required.

CONCLUSION

- Clause 71.02-3 *Integrated decision making* of the planning scheme provides that '*Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.*'
- The conflicting policy objectives relevant to the subject site and proposal have been identified in this report. Subject to the relatively minor design and material changes recommended above and expressed in the draft permit conditions, the proposal is considered to meet the above test of delivering a net community benefit and constituting sustainable development and should be supported by the Council.

ATTACHMENTS

N	Title	Page
o	.	
1	Background, Referral Comments and Detailed Assessment	
	⇒	
2	Advertised Plans	
	⇒	

7.1 **PROPOSED BUDGET 2021-2025 - PUBLIC EXHIBITION**

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

SUMMARY

1. Councils must prepare a Budget under Section 94 of the *Local Government Act 2020* for each financial year and the subsequent 3 financial years (2021/2022 through to 2024/2025).
 - The budget is required to outline how resources will be allocated across initiatives, programs, services and capital works, as well as financing and debt redemption.
 - The budget also provides a comprehensive outline of all income derived from rates, fees and charges, grants and other revenue.
 - The Budget will ensure Council's finances remain sustainable and that appropriate resources are allocated to meet the services and capital requirements of the City.
 - The information provided in the Proposed Budget 2021-2025 is current at the time of its preparation.
2. Council are required to meet all legislative requirements and through this Proposed Budget 2021-2025 aims to best reflect the most likely financial performance and position of Council in the years ahead.
3. Councils are required to adopt their budgets by 30 June.
4. The objectives intended via this report are to give notice of:
 - The preparation of Council's Proposed Budget for 2021-2025;
 - The opportunity for additional public feedback and to hear all public submissions on the Proposed Budget 2021-2025 at a Council meeting on Monday, 26 May 2021.
 - The opportunity for Council to consider all public submissions on the Proposed Budget 2021-2025 at a Council meeting on Monday, 6 July 2020
 - Council's intention to consider adopting Banyule's Budget for 2021-2025 at a Council Meeting on Monday, 28 June 2021 in accordance with the *Local Government Act 2020*.
5. The consultation period will be open from 14 April 2021 – 11 May 2021. At the close of the consultation period, feedback will be presented to Councillors for consideration and incorporation into the Budget 2021–2025 for Council's adoption on 28 June 2021.

PROPOSED BUDGET 2021-2025 - PUBLIC EXHIBITION cont'd

RECOMMENDATION

That:

1. The Proposed Budget 2021-2025 be the Proposed Budget prepared by Council for the purposes of Section 94 of the *Local Government Act 2020*.
2. Council makes available for public inspection the information required to be made available in accordance with *the Local Government Act 2020* (and where relevant due to transitional arrangements *the Local Government Act 1989*) and *Local Government (Planning and Reporting) Regulations 2014*.
3. Council to hear any submissions regarding the Proposed Budget 2021-2025 at a Council Meeting to be held on Monday, 26 May 2021.
4. Council to consider all submissions regarding the Proposed Budget 2021-2025 at a Council Meeting to be held on Monday, 7 June 2021.
5. Council to consider the adoption of the Proposed Budget 2021-2025 at a Council Meeting to be held on Monday, 28 June 2021.

COUNCIL PLAN

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

BACKGROUND

- The Proposed Budget 2021-2025 has been prepared to deliver the Proposed Council Plan objectives, which set the overall strategic direction for Banyule.

Budget Development Process

- The Proposed Budget 2021-2025 has been prepared with a focus on responsible financial management and in accordance with *the Local Government Act 2020* (and where applicable *the Local Government Act 1989*) *Local Government (Planning and Reporting) Regulations 2014* and *Accounting Standards*.
- The Proposed Budget 2021-2025 is for the Years 1 July 2020 to 30 June 2025 (2021/2022 through to 2024/2025)
- The financial statements included in the Proposed Budget 2021/2025 have been prepared for the 4-year period and are consistent with the annual financial statements which are prepared in accordance with applicable Australian Accounting Standards.
- The Proposed Budget 2021-2025 also includes information about the rates and charges estimated to be levied, the capital works program to be undertaken, the human resources required to deliver Council services, and other financial information required for Council to make informed decisions about its financial future.
- In advance of preparing the Proposed Budget 2021-2025, officer's first review and update Council's long-term financial projections. Financial projections for 10 years are ultimately included in long term Financial Plan, which is the key financial plan produced by Council on a rolling basis for consideration.

PROPOSED BUDGET 2021-2025 - PUBLIC EXHIBITION cont'd

- The preparation of the budget, within this broader context, begins with Banyule's financial sustainability modelling, including the strategic operating and capital requirements to deliver the required level of service delivery. Budget parameters are determined, and model scenarios are prepared. This includes consideration of the appropriate rate increase and projections on the likely rate cap increase to be determined by the Minister for Local Government.
- The budget parameters are discussed at briefings throughout the year. This process allows consideration of changes in areas of the budget and includes changes based on ongoing and extensive information received from the community consultation processes throughout the year.
- This Proposed Budget 2021-2025 has been prepared and is now submitted to Council for 'in principle' approval. Subject to approval Council will make the budget available on its internet web site from 14 April 2021 to 11 May 2021.
- A person can make a submission on any proposal contained in the Proposed Budget 2021-2025 and any submission will be considered before the final adoption of the Budget by Council. It is at Council's discretion whether any submission or submissions affect the final budget outcome.
- The final step is for Council to adopt the Budget after receiving and considering any submissions from interested parties.

Proposed Budget 2021-2025 Highlights

- The Proposed Budget 2021-2025 works in line with the directives of the Council Plan. Councillors and staff are committed to achieving these medium and long-term objectives that ensure we are building a better Banyule.
- During the preparation on this Budget, great care has been taken to ensure Council can demonstrate responsible financial management and governance. It looks to balance competing demands on providing community services, maintaining and renewing infrastructure with the community's capacity to pay for it.
- Council will continue delivering quality and inclusive services to the community that offer value for money and respond to community needs; lead on environmental sustainability; invest in infrastructure and community facilities that service our community today and for future generations; plan for our growing City addressing development, transport, open space and diversity; and maintain our public and open spaces and preserve neighbourhood character.
- To help us to deliver on these main focus areas and important initiatives above Council will work in partnership with the community; engage with our community to ensure they are well informed and represented and meaningfully involved in decision making; encourage community participation and inclusion to provide opportunities for all; and advocate for our community to improve services, infrastructure and social outcomes.

PROPOSED BUDGET 2021-2025 - PUBLIC EXHIBITION cont'd

Financial Sustainability

- Through this budget Council represents as being financially sustainable. Council is providing further support to ratepayers and has maintained core services, investment in infrastructure, renewal through its continuous capital work programs and major initiatives.
 - The draft Income Statement reports a surplus for each year of the four-year Budget.
 - An underlying deficit will be reported in 2021/22 as Banyule recovers from the negative financial impacts of COVID-19 and underlying surpluses in Y2-Y4.
- Surplus \$12.5 million (Underlying deficit \$0.73 million) in 2021/22
 - Total Income \$171 million (Rates \$109 million)
 - Total Expenditure \$158 million (Employee Costs \$71 million)

Rate Cap

- Each year the Minister for Local Government will set the rate cap that will specify the maximum increase in Councils' rates for the forthcoming financial year. For 2021/22 the rate cap has been set at 1.5%
- The CPI has been forecast at 1.50% for 2021/22 and slowly increases over the next five years to 2.50% (the long-term RBA's expected level is between 2.00% and 3.00%)

Projection	Y1	Y2	Y3	Y4	Y5-Y10
CPI	1.50%	1.75%	2.00%	2.25%	2.50%
Rate Cap	1.50%	1.75%	2.00%	2.25%	2.50%

EFT

- The proposed equivalent full-time staffing profile (EFT) for 2021/22 Budget totals 686.7 from 691.50 EFT in 2020/21.
- The four-year budget for employee costs is planned to reduce to 661.76 in 2024/25. This accounts for several roles supported for the 2021/22 Budget being temporary (e.g. project based or have short term external funding) the impact from the transition out of Home Support Services of Domestic Assistance, Personal Care and Respite (Council decision March 2019) to take effect from 1 July 2021.
- The four-year budget does not take account of any other staff reductions as a result of service reviews and process efficiencies.

PROPOSED BUDGET 2021-2025 - PUBLIC EXHIBITION cont'd

Revenue and Rating Plan 2021-2025

- Banyule City Council's Revenue and Rating Plan is reviewed annually to ensure that Council supports the rating principles used to levy rates and charges, in collaboration with determining the Proposed Budget 2021-2025.
- Rates and charges contribute funds to address ageing infrastructure, improve the amenity and quality of community assets and deliver vital services across the breadth of the City.
- Council propose to increase rates by 1.50% in line with the State Government's Fair Go Rates System.
- Council do not currently have a separate waste charge but continue to be exposed to the significant changes in legislation surrounding waste management. It will be necessary each year to monitor and assess the rising costs and Council's ability to manage waste costs within the rate cap.

Fees and Charges

- Statutory fees and charges are fixed by statute and can only be increased in line with the annual increases announced by State Government. The balance of fees and charges are discretionary in that Council can levy the amount it believes is equitable for each service/item (user fees).
- Council has over 800 user fees (excludes statutory fees) allocated as either commercial or community fees. Community fees are where no competition for the service exists. The services provided aim to strengthen capacity and connections to build healthy and strong communities. Commercial fees are for where services are predominately provided to commercial clients, or for the services operating under a commercial environment.
- Council aims to ensure that the services provided by Council are affordable. Council in its determination of user fee increases has taken into consideration the needs and accessibility of the community; demand for the service, pricing and cost to sustain a viable service
- Council has, through the development of the proposed Budget 2021-2025 propose that fees and charges generally increase by CPI (1.50%). Where feasible our community fees, such as ground, pavilion, hall and festival stall hire fees will continue to remain frozen for another year (this means no increase for 3 years in some fees - since 2019/2020).
- Council will continue to annually review fees and charges considering the affordability of the services, costs to provide the services and market conditions as appropriate.
- Council's proposed Schedule of Fees and Charges (as included in the Proposed Budget 2021-2025) has 43% of all fees increasing by 0% or less and 62% of all fees reported as increasing by CPI or less.

PROPOSED BUDGET 2021-2025 - PUBLIC EXHIBITION cont'd

Investing in infrastructure and initiatives

- The proposed Budget 2021-2025 has an allocation of \$56 million to deliver capital works projects and \$6 million to deliver Council initiatives (excluding projects carried forward from 2020/21). Of the total capital works budget 90% is invested into asset renewal and upgrade.
- There is significant investment into our parks, gardens, playgrounds and shared paths; upgrade to sporting grounds, facilities and pavilions; whilst continuing to invest in the maintaining of our roads, bridges and drainage.

Delivery of Core Services

- Council's Services and initiatives are outlined within the Proposed Budget 2021-2025 under the following key objectives of:
 - People: Strong, Healthy and Inclusive Communities.
 - Planet: Environmental Sustainability.
 - Place: Great Places and Spaces.
 - Participation: Engagement and Advocacy.
 - Performance: Efficiency and Good Governance.
- A major focus of Council is to promote and support good health for people of different ages, life stages and backgrounds.
- Council assists local businesses and shopping precincts to thrive, while the neighbourhood houses and libraries continue to connect people and offer a vast array of learning opportunities.
- Council provides a range of popular community events and activities, and investing in recreation, leisure and arts, helping to support a vibrant, connected community.

Budget Assumptions

- The budget is the principle means for raising revenue through rates, fees and charges and external sources.
- The assumptions used for income are:
 - The average annual rate increase matches the projected rate cap e.g. 1.50% for year 1. Then 1.75% (Yr 2), 2.00% (Yr 3) and 2.25% in year 4.
 - The annual increase of Grants, User Fees & Charges, Statutory Fees & Charges, Contribution income, Rental Income and Other Income match projected CPI where feasible.
 - Interest income is based on predicted cash flows, cash balance and investment returns. The interest rate returns are predicted to remain low with a return aligned to CPI.
- The budget is the principle means for allocation of resources to:
 - Implement strategies and initiatives from the Council Plan (and Community Vision)
 - Deliver services to determined quality and cost standards

PROPOSED BUDGET 2021-2025 - PUBLIC EXHIBITION cont'd

- Maintain assets to policy and standards
- The assumptions used for expenditure are:
 - Council's Employee Benefit expenditure is based on 25 basis points less than Rate Cap, and an additional 0.50% has been included each year for natural banding level increments. After considering the 0.50% of banding increment with CPI, the increase on Employee Benefit for 2021/22 will be 1.75%.
 - The super guarantee rate will remain at 9.50% until 30 June 2021 and is expected to then increase to 10.00% from 1 July 2021 and increase by 0.50% increments each year until it reaches 12.00% by 1 July 2025.

Borrowing

- The budget document will include consideration to borrow in Year 2 for the Capital Works Program. Further details will be outlined in the Budget 2021-2025. If there is a decision to borrow later in the year and borrowing has not been included in the adopted budget 2021-2025 a revised budget will be required (as per the *Local Government Act 2020*).

Cash Balances

- The cash generated from Council's operating activities is estimated to be \$38 million (\$154 million over the 4-year budget)
- The projected cash balance is to be \$91 million at the end of 2024/25

Operational Efficiency

- In this proposed Budget several strategies have been considered to meet the service needs of the community as well as remain financially sustainable. As a result, the increase in operational expenditure has been set to be CPI-0.25%, after including the below strategies.
 - Service reviews – Council continues to conduct service reviews to ensure operations meet quality, cost and service standards in line with community expectations.
 - Continuous improvement – Council develops and implements a Continuous Improvement program to deliver operational efficiency and in achieving economic, social and environmental sustainability.
 - Digital Transformation – Council maintains its capital works investment in the maintenance and renewal of existing systems and infrastructure and provides additional funding for new systems to build customer capability and operational efficiency.
 - Collaboration and partnerships – Council continues to actively participate in collaborative opportunities with the Northern Region Alliance of Council to maximise procurement and purchasing power.

PROPOSED BUDGET 2021-2025 - PUBLIC EXHIBITION cont'd

KEY ISSUES

- Council are required to meet all legislative requirements and through this proposed Budget 2021-2025 aims to best reflect the most likely financial performance and position of Council in the years ahead, based on information known the time of preparation of the proposed Budget 2021-2025.
- This Budget highlights the longer-term financial impacts on Council services from the COVID-2019 economic and health crisis and Council's business recovery as planned over the next 4 years.
- Many of councils' critical services were severely impacted by the financial impacts of COVID-19. Council into 2021/22 continues to provide financial hardship support in relation to rates, to assist individuals and businesses in financial difficulty.

COMMUNITY ENGAGEMENT

- The *Local Government Act 2020* specifies that deliberative engagement must be undertaken in the preparation of a Council's Budget. Banyule has undertaken a comprehensive and meaningful engagement program throughout 2020/21 that empowers and enable community and Council to work together to plan for our future and how we would like to get there.
- The report outlining the key findings from Banyule 2041 Shaping Our Future has helped Council understand community aspirations and views to create the new 20-year Community Vision 2041 and 4-year Council Plan (2021-2025), inform Council's long-term Financial Plan (2021-2031) and Budget and Revenue and Rating Plan.

[Banyule 2041 Shaping Our Future - Engagement Findings Report](#)

- In addition to the Banyule 2041 Shaping Our Future project, the exhibition of the Proposed Budget 2021-2025 also enables any person affected by the Proposed Budget 2021-2025 to make a public submission to Council.
- Submissions received will be considered by Council prior to the final Council consideration of the adoption of the Budget on Monday, 28 June 2021.
- The Proposed Budget 2021-2025 will be available for public consultation between 14 April 2021 and 11 May 2021 on Council's online community engagement site 'Shaping Banyule'.
- Feedback will also be obtained from the community via:
 - in writing to PO Box 94, Greensborough;
 - Email: enquiries@banyule.vic.gov.au.
- The Proposed Budget 2021-2025 is developed within Council's overall strategic planning framework. This framework guides the Council with information that aids in identifying community needs and aspirations over the long-term, converting these into medium objectives, key directions, initiatives, activities and allocates resources in a considered manner with this information.
- Accountability to our community is ensured through audited Financial and Performance Statements (containing our key performance indicators) within the statutory annual report to the community. Council also presents regular financial reports and performance updates to the community throughout the year.

PROPOSED BUDGET 2021-2025 - PUBLIC EXHIBITION cont'd

- Essential in the planning and allocation of Council's resources is the critical link to the community. Banyule undertakes an ongoing and iterative process of engagement across all parts of the community and uses detailed demographics and industry benchmark information to stay informed about the needs of the community.
- Consultation on the Proposed Revenue and Rating Plan 2021-2025 is being undertaken parallel to the Proposed Budget 2021-2025.

TIMELINES

- The Proposed Budget 2021-2025 will be submitted to the Monday, 12 April 2021 Council Meeting (along with the Proposed Revenue and Rating Plan 2021-2025)
- Subject to Council approval, the final Proposed Budget and Proposed Revenue and Rating Plan will be on public exhibition from 14 April 2021 to 11 May 2021, giving the community a final opportunity for comment.
- At the Council Meeting on 26 May 2022 Council will hear submissions.
- At the Council Meeting on 7 June 2021 Council will consider submissions and determine if any changes need to be made to the Proposed Budget or Revenue and Rating Plan.
- At the Council Meeting on 28 June 2021, Council will consider adoption of the Proposed Budget and Proposed Revenue and Rating Plan.

SUPPORTING REPORT DETAILS

Legal Consideration

- This Proposed Budget 2021-2025 meets the requirements of Section 94 of the *Local Government Act 2020* which requires Council to prepare a budget for each financial year and the subsequent 3 financial years by 30 June each year.
- To ensure compliance with legislative disclosure requirements the compliance checklist provided in the Local Government Better Practice guide - Model Budget 2021/2022 through to 2024/2025 has been completed.
- The Proposed Budget for 2021-2025 is in line with Council's commitment to sustainable budgeting and responsible financial management.

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.
- The preparation and adoption of Council's Budget facilitates the protection of many of our communities' human rights as funding for many Council projects, programs and initiatives is directly related to protecting and enhancing the human rights of the community.
- Council continues to work on behalf of its community to ensure the upholding of human rights for all and it is considered that the subject matter does not raise any human rights issues.

PROPOSED BUDGET 2021-2025 - PUBLIC EXHIBITION cont'd

Sustainable Procurement Outcomes

- There are no sustainable procurement activities arising from the recommendation contained in this report.

Financial Implications

- The Budget will ensure Council's finances remain sustainable and that appropriate resources are allocated to meet the services and capital requirements of the City.
- The information provided in the Proposed Budget 2021-2025 is current at the time of its preparation and is a budget for the 2021/2022 financial year and the subsequent 3 financial years.

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* 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.

ATTACHMENTS

N	Title	Page
o	.	
1	Banyule City Council's Proposed Budget 2021-2025 (<i>Under Separate Cover</i>)	

7.2 PROPOSED REVENUE AND RATING PLAN 2021-2025 - PUBLIC EXHIBITION

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

SUMMARY

1. Councils must prepare and adopt a Revenue and Rating Plan under Section 93 of the *Local Government Act 2020*.
2. The Revenue and Rating Plan is a new requirement under the *Local Government Act 2020* and ensures that Council has a clear set of directions relating to revenue sources and strategies.
3. In developing the Proposed Revenue and Rating Plan 2021-2025 Council considered the various revenue options available including rates and charges.
4. Councils are required to adopt the Revenue and Rating Plan 2021-2025 by 30 June 2021.
5. The objectives intended via this report are to give notice of:
 - The preparation of Council's Proposed Revenue and Rating Plan for 2021-2025
 - The opportunity for additional public feedback and to hear all public submissions on the Proposed Revenue and Rating Plan 2021-2025 at a Council meeting on Monday, 26 May 2021
 - The opportunity for Council to consider all public submissions on the Proposed Revenue and Rating Plan 2021-2025 at a Council meeting on Monday, 6 July 2020
 - Council's intention to consider adopting Banyule's Revenue and Rating Plan for 2021-2025 at a Council Meeting on Monday, 28 June 2021 in accordance with the *Local Government Act 2020*.
6. The consultation period will be open from 14 April 2021 – 11 May 2021. At the close of the consultation period, feedback will be presented to Councillors for consideration and incorporation into the Revenue and Rating Plan 2021–2025 for Council's adoption on 28 June 2021.

RECOMMENDATION

That:

1. The Proposed Revenue and Rating Plan 2021-2025 be prepared by Council for the purposes of Section 93 of the *Local Government Act 2020*.
2. Council makes available for public inspection the information required to be made available in accordance with *the Local Government Act 2020* (and where relevant due to transitional arrangements *the Local Government Act 1989*).

**PROPOSED REVENUE AND RATING PLAN 2021-2025 - PUBLIC EXHIBITION
cont'd**

3. Council to hear any submissions regarding the Proposed Revenue and Rating Plan 2021-2025 at a Council Meeting to be held on Monday, 26 May 2021.
4. Council to consider all submissions regarding the Proposed Revenue and Rating Plan 2021-2025 at a Council Meeting to be held on Monday, 7 June 2021.
5. Council to consider the adoption of the Proposed Revenue and Rating Plan 2021-2025 at a Council Meeting to be held on Monday, 28 June 2021.

COUNCIL PLAN

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

BACKGROUND

- The *Local Government Act 2020* under Section 93 requires council to adopt a Revenue and Rating Plan prior to 30 June following a general election.
- The Revenue and Rating Plan must cover a period of at least four years.
- The adoption of the Revenue and Rating Plan 2021-2025 will direct the way that revenue sources are budgeted for, including the way rates are levied.
- Banyule City Council's Revenue and Rating Plan supports the rating principles used to levy rates and charges, in collaboration with determining the Proposed Budget 2021-2025.

Revenue Streams

- Council programs and services are funded from a variety of revenue sources. These income sources have traditionally been identified and included in Council's annual budget and long-term financial plan. These revenue sources contribute funds to address ageing infrastructure, improve the amenity and quality of community assets and deliver vital services across the breadth of the City.
- The attached Proposed Revenue and Rating Plan 2021-2025 has been prepared in line with the requirements of the *Local Government Act 2020* and includes the three major sources of revenue available to Council, being:
 - Rates (approx. 62-63% of total revenue),
 - Fees, charges & fines (approx. 18-20%) and
 - Grants (approx. 10-11%).
- Other streams of revenue that are not specifically covered as part of the Proposed Revenue and Rating Plan 2021-2025 include (but is not limited to)
 - Interest income
 - Contributions income
 - Rental income
 - Fair value adjustments

**PROPOSED REVENUE AND RATING PLAN 2021-2025 - PUBLIC EXHIBITION
cont'd**

- These items are not included as part of Plan as they are either;
 - Covered under other Council plans and/or strategies such as Investment Policy, Public Open Space Plan, Lease & Licence framework and Developer Contribution Plan),
 - Comparatively minor in nature, or
 - Council is unable to impact the revenue received.
- The Revenue and Rating Plan provides a medium-term plan for how Council will generate income to deliver on the Council Plan and services and capital works commitments over a 4-year period, including consideration of:
 - How revenue will be generated through rates on properties (including differential rate on different property classes)
 - Fixed service charges that might be applied on services such as waste or recycling
 - Fee and charges for services and programs – (including cost recovery policies, user charges and means testing)
 - Developer contributions and other revenue
 - Revenue generated from use or allocation of Council assets (including the application of discounts and waivers)
 - Recurrent and non-recurrent operational and capital grants from other levels of government
 - Entrepreneurial, business, or collaborative activities established to deliver programs or services and generate income or reduce costs.

Fees & Charges Revenue

- Fees and Charges are divided into two types, 'statutory fees' & 'user fees'.
- Statutory fees are set by State Government statute (e.g. planning fees) and Council usually has no control over the service pricing.
- User fees are set at Council's discretion and are used to offset the cost of delivering Council services (e.g. aquatic/gym memberships). User fees can be set at a level that recovers the full cost of providing the service (including indirect costs such as overheads), or at a reduced rate meaning that the service is partially subsidised by other income streams (i.e. Council rates).
- Many factors go into the decision of price setting including market competition, whether the fee type is of a commercial nature, and ensuring essential services are accessible to the most disadvantaged members of our community.
- Council has, where feasible, proposed that fees and charges increase by CPI (1.50%).

**PROPOSED REVENUE AND RATING PLAN 2021-2025 - PUBLIC EXHIBITION
cont'd**

Grant Revenue

- Grant income can also be split into two types, being recurrent and non-recurrent.
- Recurrent grants are those that Council receives regularly, year after year, and whilst there is often reporting requirements, the grants do not typically need to be applied for. The largest example is the Victorian Grants Commission Funding.
- Non-recurrent grants are those that are ad-hoc in nature, they generally need to be applied for and often relate to the funding of Capital Works projects.
- Grants, both State and Federal are provided at the discretion of the Government. The only influence that Council has over grant income is to ensure we apply for funding whenever we are eligible, and when planning for Capital Works to prioritise Capital Works which are eligible for grant funding.

Rates Revenue

- Council propose to increase rates by 1.50% in line with the State Government's Fair Go Rates System rate cap.
- The Proposed Revenue and Rating Plan also supports the continued use of:
 - Capital Improved Value as the valuation methodology to levy Council rates
 - Differential rates for the calculation of rates
 - A specific calculation of a reduced charge in lieu of rates for Cultural and Recreational Lands, with one calculation in the methodology changed
 - No separate municipal charge levied
 - No separate waste service charge
 - Special Rates and Charges to raise funds for dedicated purposes
 - Provision of the State Government Pensioner Rebate
 - Collection of rates and charges due to non-payment
 - Levying and collection of the Fire Services Property Levy.

Assumptions of the Revenue and Rating Plan

- The Proposed Revenue and Rating Plan is based on current assumptions, including:
 - That the framework and quantum of grants provided through Victorian Local Government Grants Commission will not change outside budgeted income
 - Council will pursue State and Commonwealth grants to help fund capital works and short-term initiative projects or to help fund the provision of regular Council services
 - Fees and Charges will be reviewed and adjusted annually as appropriate
 - That Council will raise rates by the rate cap in each year of the Plan.
 - That costs for waste management and disposal services can be managed within the rate cap in the short to medium term

**PROPOSED REVENUE AND RATING PLAN 2021-2025 - PUBLIC EXHIBITION
cont'd**

- That the rate cap for the following years will be:

Financial Year	Rate Cap	Financial Year	Rate Cap
2022/23	1.75%	2026/27	2.50%
2023/24	2.00%	2027/28	2.50%
2024/25	2.25%	2028/29	2.50%
2025/26	2.50%	2029/30	2.50%

Review

- The Proposed Revenue and Rating Plan covers the period 1 July 2021 to 30 June 2025. It is proposed that the Plan be reviewed annually to allow Council to consider the maximum increase in rate income permitted under the Fair Go Rates Cap, legislative or regulatory changes to the way Council funds services, changes in other revenue sources, budgeted expenditure and feedback from the community.
- It is also anticipated that outcomes out of the Victorian Local Government Rating System Review will be incorporated in to the *Local Government Act 2020* via amending legislation. These foreshadowed amendments will also need to be considered when reviewing the Revenue and Rating Plan 2021-2025 in early-2022.

Key Principles of the Revenue and Rating Plan

- The Proposed Revenue and Rating Plan outlines several principles including:
 - A progressive rating model, where owners of higher valued properties pay higher rates
 - Increasing rates levied by the Fair Go Rates Cap each year
 - Basing rates on the Capital Improved Value of the property
 - Levying differential rates, where a higher differential is applied to Commercial, Industrial and Vacant properties
 - Not levying a flat Municipal Charge
 - Not levying a user-pays Waste Charge
 - Not providing any universal rebates or pensioner concessions
 - Not providing any early-payment discounts
 - Prescribing that rates are paid in four instalments
 - Charging revenue-in-lieu of rates for properties that are included in the definition of Cultural and Recreational Land under the *Cultural and Recreational Land Act 1963*
 - The framework allowing partial waivers of rates due hardship resulting from the impact of the COVID-19 pandemic or its economic downturn, upon application

**PROPOSED REVENUE AND RATING PLAN 2021-2025 - PUBLIC EXHIBITION
cont'd**

- The framework around hardship assistance and collections, including through legal action.
- Council currently charges five properties in Banyule revenue in-lieu of rates under the *Cultural and Recreational Land Act 1963*. The amount in lieu of rates payable (in respect of each rateable land to which the Cultural and Recreations Land rate applies) is determined by a methodology that assesses community benefit and services used.
- The Community Benefit Criteria Discount is assessed each year and is currently based on:

Community Benefit Criteria	Maximum Discount
Social Interaction	20%
Culturally and Linguistically Diverse participation	20%
Access all abilities	20%
Environmental Programs	20%
Employment Opportunities / Volunteer Participation	20%
TOTAL POSSIBLE DISCOUNT	100%

KEY ISSUES

- Council are required to meet all legislative requirements and through this Proposed Revenue and Rating Plan 2021-2025 aims direct the way that revenue sources are budgeted for, including the way rates are levied.

Service Rate or Charge for the collection and disposal of refuse

- Section 162 (1)(b) of the *Local Government Act 1989* allows a council to declare either a service rate or a service charge for the collection and disposal of refuse.
- Most of Victoria's councils, including Banyule's neighbouring councils, levy a waste service charge.
- Council do not currently have a separate waste charge and/or rate and continue to be exposed to the significant changes in legislation surrounding waste management.
- It will be necessary each year to monitor and assess the rising costs and Council's ability to manage waste costs within the rate cap. (Refer Financial Implications section below)
 - A waste charge is levied only on those ratepayers who receive a waste collection service from their Council and it distributes the costs of providing that service across those ratepayers.
 - A waste service charge follows a user-pays approach, which is regressive in nature. The service charge approach has a strong correlation with the individual ratepayer's consumption of services. i.e. a ratepayer will pay the same charge for the service received, independent of the property valuation.

PROPOSED REVENUE AND RATING PLAN 2021-2025 - PUBLIC EXHIBITION cont'd

- A waste service rate based on property valuation follows a pure wealth-tax approach which is progressive in nature. This approach has no correlation with the individual ratepayer's consumption of services.

COMMUNITY ENGAGEMENT

- Banyule has undertaken a comprehensive and meaningful engagement program throughout 2020-2021 that empowers and enable community and Council to work together to plan for our future and how we would like to get there.
- The report outlining the key findings from Banyule 2041 Shaping Our Future has helped Council understand community aspirations and views to create the new 20-year Community Vision 2041 and 4-year Council Plan (2021-2025), inform Council's long-term Financial Plan (2021-2031) and Budget and Revenue and Rating Plan. Although the *Local Government Act 2020* does not specify that deliberative engagement is to be undertaken in the preparation of a Council's Revenue and Rating Plan.

[Banyule 2041 Shaping Our Future - Engagement Findings Report](#)

- In addition to the Banyule 2041 Shaping Our Future project, the exhibition of the Proposed Revenue and Rating Plan 2021-2025 also enables any person affected by the Proposed Revenue and Rating 2021-2025 to make a public submission to Council.
- Submissions received will be considered by Council prior to the final Council consideration of the adoption of the Revenue and Rating Plan on Monday, 28 June 2021.
- The Proposed Revenue and Rating 2021-2025 will be available for public consultation between 14 April 2021 and 11 May 2021 on Council's online community engagement site 'Shaping Banyule'.
- Feedback will also be obtained from the community via:
 - in writing to PO Box 94, Greensborough;
 - Email: enquiries@banyule.vic.gov.au.
- The Proposed Revenue and Rating 2021-2025 is developed within Council's overall strategic planning framework. This framework guides the Council with information that aids in identifying community needs and aspirations over the long-term, converting these into medium objectives, key directions, initiatives, activities and allocates resources in a considered manner with this information.
- Accountability to our community is ensured through audited Financial and Performance Statements (containing our key performance indicators) within the statutory annual report to the community. Council also presents regular financial reports and performance updates to the community throughout the year
- Essential in the planning and allocation of Council's resources is the critical link to the community. Banyule undertakes an ongoing and iterative process of engagement across all parts of the community and uses detailed demographics and industry benchmark information to stay informed about the needs of the community.
- Consultation on the Proposed Budget 2021-2025 is being undertaken parallel to the Proposed Revenue and Rating Plan 2021-2025.

PROPOSED REVENUE AND RATING PLAN 2021-2025 - PUBLIC EXHIBITION cont'd

TIMELINES

- The Proposed Revenue and Rating Plan 2021-2025 will be submitted to the Monday, 12 April 2021 Council Meeting (along with the Proposed Budget 2021-2025)
- Subject to Council approval, the final Proposed Revenue and Rating Plan and Proposed Budget will be on public exhibition from 14 April 2021 to 11 May 2021, giving the community a final opportunity for comment.
- At the Council Meeting on 26 May 2022 Council will hear submissions.
- At the Council Meeting on 7 June 2021 Council will consider submissions and determine if any changes need to be made to the Proposed Budget or Revenue and Rating Plan.
- At the Council Meeting on 28 June 2021, Council will consider adoption of the Proposed Budget and Proposed Revenue and Rating Plan.

SUPPORTING REPORT DETAILS

Legal Consideration

- The Proposed Revenue and Rating Plan 2021-2025 meets the requirements of Section 93 of the *Local Government Act 2020*.

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.
- Council continues to work on behalf of its community to ensure the upholding of human rights for all and it is considered that the subject matter does not raise any human rights issues.

Sustainable Procurement Outcomes

- There are no sustainable procurement activities arising from the recommendation contained in this report.

Financial Implications

- Consideration was undertaken of introducing a waste charge (separate from the general rate) for residential properties in 2021/22. Both a waste rate and a user-pay options were debated on the detailed analysis provided by officers. Officers are recommending, this year, not to introduce a separate waste charge (Rate or User-Pay) after full consideration of the advantages and disadvantages on ratepayers under each option.
- With the introduction of the Food Organics Green Organics waste service, the cost of waste collection and disposal is projected to decrease. This will need to be factored into future options analysis.
- The option remains for Council to consider introducing a Waste Charge in the remaining years of the Plan should the costs associated with waste management and disposal increase greater than the rate of inflation.

**PROPOSED REVENUE AND RATING PLAN 2021-2025 - PUBLIC EXHIBITION
cont'd**

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* 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.

ATTACHMENTS

N	Title	Page
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1	Proposed Revenue and Rating Plan 2021-2025	
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7.3 COUNCILLOR GIFT POLICY

Author: Vivien Ferlaino - Governance Co-ordinator, Corporate Services

SUMMARY

1. The *Local Government Act 2020* (Act) requires a Council to adopt a Councillor Gifts Policy within six months of when the section comes into operation, which was 24 October 2020. A Staff Gifts Policy will also be required and is due by 1 January 2022.
2. Whilst the new Act now stipulates that a Council must adopt a Councillor Gift Policy and one for Staff; at Banyule a Gifts Policy which applied to both councillors and staff has been in place for many years.
3. The draft Councillor Gifts Policy outlines Council's commitment to ensuring that Councillors act with integrity and honesty when performing their duties, or while attending functions as Council representatives.
4. The acceptance of gifts, benefits and hospitality can create perceptions that a Councillor, staff member or contractor's integrity has been compromised.
5. This Policy states Banyule's position on:
 - responding to offers of gifts, benefits and hospitality;
 - and providing gifts, benefits and hospitality.
6. This policy is intended to support Councillors to avoid conflicts of interest and maintain high levels of integrity and public trust.
7. The Policy must make provision for the maintenance of a gifts register and any matters in the Regulations, including a minimum value for gifts that must be disclosed. Councils must also ensure their Policy complies with the Public Transparency Principles.
8. The Policy is aligned with the Victorian Public Sector Commission (VPSC) and DELWP (Department Environment, Land, Water and Planning Department) model Gifts Policies, and takes into consideration good practice recommendations from the Independent Broad-based Anti-Corruption Commission's (IBAC) Local Government Integrity Frameworks Review in 2019.
9. The draft Policy was considered by Council's Audit & Risk Committee at its meeting in December 2020 and is now presented for Council adoption.
10. The Councillor Gifts Policy, and Gift Declaration Register, will be available on Council's website in accordance with the Banyule Transparency Policy.

COUNCILLOR GIFT POLICY cont'd

RECOMMENDATION

That in accordance with S138 of the *Local Government Act 2020*, Council adopt the Banyule Councillor Gift Policy.

COUNCIL PLAN

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

BACKGROUND

- In accordance with section 138 of the Act, a Council must adopt a Councillor Gift Policy within the period of 6 months after this section comes into operation.
- The Councillor Gift Policy must include
 - procedures for the maintenance of a gift register; and
 - any other matters prescribed by the regulations.
- The definition of gift remains the same across both the *Local Government Act 1989* (1989 Act) and *Local Government Act 2020* (2020 Act). The Act inserts a new provision on anonymous gifts.
- The draft Policy was submitted to the Banyule Audit & Risk Committee at the December 2020 meeting. The Committee provided feedback that the document was comprehensive. A discussion on token gifts and declarations with the Committee was held with the Committee supporting a token value where gifts did not have to be declared. The committee also requested that the draft policy be referred to the key integrity agencies for comment. The feedback is covered in the collaboration section.
- A self-assessment of the Independent Broad-based Anti-Corruption Commission's (IBAC), Local Government Integrity Frameworks Review in 2019 was undertaken against the findings and best practice recommendations, the self-assessment was submitted to the Audit & Risk Committee in June 2019.
- Recommendations on good practice have been included in the draft Gift Policy from this review and self-assessment:
 - Prohibiting the acceptance of monetary gifts or gratuities
 - Developing a 'GIFT test' to help Councillors decide whether or not to accept a gift or benefit.
 - Requiring Councillors to declare gifts, benefits and hospitality regardless of whether they are accepted or declined
 - Requiring all offers from suppliers to be declared and recording this information on the gifts, benefits and hospitality register

KEY ISSUES

- Whilst the Policy discusses declarations of any gifts received, the general rule is that all gifts should politely be refused as acceptance can be perceived as compromising an individual and then in turn leading to claims of conflict of interest.

COUNCILLOR GIFT POLICY cont'd

- A token gift threshold of \$20 is included in the draft policy. This requires only gifts over \$20 to be declared and recorded. This takes into consideration the variations in the model policies (\$50 threshold), public sector and local government sector policies.
- Any gifts/hospitality declined must be declared, declined gifts over \$20 will be form part of the publicly available gift register.
- The Policy outlines that Council will maintain a gift register which includes the name of the gift giver, a description of the gift and its estimated value, what was done with the gift, gifts declined, and gifts offers from suppliers (irregular approaches from suppliers). The register is reviewed by Council every 6 months with annual reporting to the Audit & Risk Committee. The register will be available on Council's website by end of April 2021.
- The Policy provides guidance on prohibited gifts such as:

Gift Disclosure threshold	Councillors are prohibited from accepting gifts that equal or exceed the gift disclosure threshold unless they know the name and address of the person making the gift
Anonymous Gifts	Anonymous gift not to be accepted
Conflict of Interest	Councillors are prohibited from accepting a gift that creates a conflict of interest (real, potential or perceived).
Money or equivalent	This includes gift cards (eg. gift vouchers) or those easily converted into money (eg. shares).
Regulatory processes	Where a Council regulatory process is underway (eg a planning permit application; infringement appeal) a Councillor should not accept any gifts from any individual or group that may be involved with the permit application or regulatory activity.
Bequests/Wills	Any bequests to Councillors resulting from their position with Council must not be accepted. Arrangements may be made to donate the bequest to a charitable institution in the name of the donor or returned to the immediate family.
Fly buy/Frequent Flyer	Councillors must not collect rewards for personal use via rewards programs for any Council related transactions (i.e.: fly buys or frequent flyers). This relates to any claims for reimbursement of expenses incurred in accordance with the Council Expense Policy.
Procurement & Tender Process	<ul style="list-style-type: none"> • Councillors must not accept any gifts, benefits and hospitality from a current or prospective supplier or any offer that is made during a procurement or tender process by a person or organisation involved in the process. • Where gifts are received or there are irregular approaches from suppliers, the Councillors must notify the Mayor and CEO and lodge a gift declaration form, so their refusal/action can be properly recorded. • Councillors must not visit a current supplier's premises without invitation and when not on official business.

COUNCILLOR GIFT POLICY cont'd

SUPPORTING REPORT DETAILS

Legal Consideration

- It is an offence for a councillor to receive an anonymous gift that has a value of or more than the gift disclosure threshold.
- The gift disclosure threshold is defined to be \$500 or a higher amount or value prescribed in regulations.
- A breach of these provisions could result in a maximum penalty of 60 penalty units and a requirement to pay the Council an amount equal to the value of the gift.
- A Councillor is not in breach of this clause if the anonymous gift is disposed of to the Council within 30 days.

Human Rights Charter

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the Charter of Human Rights and Responsibilities Act 2006 (Charter).
- Section 13 of the Charter requires a protection of privacy and gives an individual the right to not have their reputation unlawfully attacked.
- The Gift register will become a publicly available document on Council's website. Use of personal names will be avoided where possible ie the names of the Gift giver when it is an individual person. Names of Companies/organisations will appear where applicable.
- The declaring of declined gifts supports the right to reputational attacks.

Collaboration

- The draft Policy was submitted to both IBAC and the Local Government Inspectorate (LGI) for comment.
- Whilst both agencies advised that they do not review policies, they did pass on that good practice had been observed with Council having reviewed the Banyule Policy against DELWP model policy.
- Both agencies advised that the matter of the token threshold is a matter for each individual organisation.

Sustainable Procurement Outcomes

- There are no sustainable procurement activities arising from the recommendation contained in this report.

Financial Implications

- There are no financial implication arising from the recommendation contained in this report.

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* 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.

COUNCILLOR GIFT POLICY cont'd

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

Links

[Local-government-integrity-frameworks-review - IBAC](#)

[DELWP gifts-benefits-and-hospitality](#)

[VPSC gifts-benefits-and-hospitality-resource](#)

ATTACHMENTS

N	Title	Page
o		
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1	Councillor Gift Policy (draft)	
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7.4 SETTING OF MAYORAL AND COUNCILLOR ALLOWANCES FOR 2020-2024 TERM

Author: Emily Outlaw - Council Business Team Leader, Corporate Services

Previous Items

Council on 08 Feb 2021 7.00pm (Item 7.2 - Review and Determination of Mayor and Councillor Allowances)

SUMMARY

1. At the Council Meeting of 8 February 2021, Council resolved to give notice for the determination of the Mayoral and Councillor allowances for the 2020-2024 term.
2. Subsequently, Council commenced the public consultation process in accordance with section 223 of the *Local Government Act 1989 (the 1989 Act)* and published a notice in the Age newspaper (10 February 2021) and on Council's website.
3. The public notice informed the community of Council's intention to set Banyule's Mayoral and Councillor allowance at the top of the range for category 3 Councils, being the category Banyule City Council falls under. The amounts are as follows:
 - Mayor: \$100,434 per annum
 - Councillors: \$31,444 per annum
4. No submissions were received as a result of the public consultation which ended at 5.00pm on 12 March 2021.
5. The notice informed that public submissions would be considered at a Council Meeting on Monday 12 April 2021.
6. As no submissions were received, a final determination on setting the allowances is required by 30 June 2021 under section 74 (1) of *the 1989 Act*.
7. In line with the public notice and no submissions being received, this report recommends setting Banyule's Mayoral and Councillor allowance at the top of the range for category 3 Councils.

RECOMMENDATION

That Council, having complied with the requirements of sections 74 and 223 of the *Local Government Act 1989*, and no submissions being received, set the Councillor and Mayoral allowances for the 2020-2024 Council term at the top of the Category 3 range, currently being: \$31,444 per annum for Councillors and \$100,434 per annum for the Mayor.

SETTING OF MAYORAL AND COUNCILLOR ALLOWANCES FOR 2020-2024 TERM cont'd

COUNCIL PLAN

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

BACKGROUND

- Mayors and Councillors are entitled to receive an allowance while performing their duty as an elected official.
- Section 74(1) of *the 1989 Act* requires Councils to review and determine the level of Mayor and Councillor Allowances within 6 months after a general election or by next 30 June, whichever is later, and the allowance level determined remains in effect for the full term of the Council.
- Councils are divided into three allowance categories based on the income and population of each Council. Banyule Council is classified as a category 3 Council and the current limits and ranges of Mayoral and Councillor allowances, adjusted in accordance with the adjustment factor are currently:
 - Mayors: up to \$100,434 per annum
 - Councillors: between \$13,123 and \$31,444 per annum
- The Act provides for minimum and maximum allowances payable as set by Order in Council. Each Council has discretion within the allowable range to determine the allowances it will pay to its Mayor and Councillors, having regard to local circumstances and priorities.
- At the Council Meeting of 8 February 2021, Council resolved to give notice for the determination of the Mayoral and Councillor allowances for the 2020-2024 term. Subsequently, Council commenced the public consultation process in accordance with section 223 of *the 1989 Act* and published a notice in the Age newspaper (10 February 2021) and on Council's website.
- The public notice informed the community of Council's intention to set Banyule's Mayoral and Councillor allowance at the top of the range for category 3 Councils, being the category Banyule City Council falls under. The amounts are as follows:
 - Mayor: \$100,434 per annum
 - Councillors: \$31,444 per annum
- The public notice period for submissions closed at 5pm on 12 March 2021. At the close of the submission period, no submissions were received.

KEY ISSUES

- Banyule in the past has chosen to pay the Mayoral and Councillor allowances at the top of the range amounts for the four-year term. Which is currently \$100,434 per annum for the Mayor and \$31,444 per annum for Councillors.
- This has taken into consideration factors such as setting the remuneration levels to adequately reflect the substantial workload of Councillors, and to attract candidates with a broad life experience and skills base.
- Being a Councillor is a demanding and complex role. Significant time and work is required in attending meetings, keeping up with pertinent issues and dealing with community enquiries, but it can be hugely rewarding for those who are passionate about making a difference in their community.

SETTING OF MAYORAL AND COUNCILLOR ALLOWANCES FOR 2020-2024 TERM cont'd

- Loss of personal income is often a reality for many Councillors, and if the allowance is set at a fair and reasonable level, it can assist in not discouraging candidates due to financial concerns.
- Public notices were published to advertise Council's intention to set the Mayoral and Councillor allowances at the top of the range, seeking comment and feedback.
- No submissions were received as a result of the public consultation which ended at 5.00pm on 12 March 2021.
- As no submissions were received, a final determination on setting the allowances is required by 30 June 2021 under section 74 (1) of *the 1989 Act*.

SUPPORTING REPORT DETAILS

Legal Consideration

- The Act recognises that Councillors need to be compensated and reimbursed for their duties and roles as Councillors.
- The Government acknowledges the value and significance of the role of local government Councillors – both through their skills and ability to represent and engage with their constituents and their leadership in developing solutions to the pressing social and cultural, environmental and economic challenges facing communities everywhere.
- The review of Councillor allowances needs to be completed under the provisions of the *Local Government Act 1989* until the new requirements in the *Local Government Act 2020* commence.
- The responsibility for determining mayoral, deputy mayoral and councillor allowances will then transfer to the Victorian Independent Remuneration Tribunal.

Human Rights Charter

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.

Financial Implications

- Under section 73B(5) of *the 1989 Act*, Councils must increase their current Mayoral and Councillor allowances in accordance with this notice. The amount equivalent to the superannuation guarantee under Commonwealth taxation legislation (currently 9.5%) is payable in addition to these amounts.
- The amount equivalent to the superannuation guarantee is set to increase to 10% from 1 July 2021.
- The payment of these allowances cannot exceed more than one month in advance.

Community Engagement

- Under section 74(4) of *the 1989 Act*, a person has a right to make a submission under section 223 to this review. Council is required to advertise the new Mayoral

**SETTING OF MAYORAL AND COUNCILLOR ALLOWANCES FOR 2020-2024
TERM cont'd**

and Councillor allowances in accordance with Section 223 of *the 1989 Act* and provide for consideration of any submissions received before formally adopting the new allowance amounts.

- Advertisements were placed on Council's website on 9 February 2021 and in the Age newspaper on 10 February 2021 with a closing date for submissions of 5pm 12 March 2021.
- The notices informed that public submissions would be considered at a Council Meeting on Monday 12 April 2021.
- No submissions were received in response to the public notices of setting the Mayoral and Councillor allowances at the top of the range for category 3.

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* 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.

ATTACHMENTS

Nil

7.5 AWARD OF CONTRACT NO. 1105-2021 - CONSTRUCTION OF DAREBIN CREEK TRAIL UPGRADE STAGE 2, 3 & 5

Author: Conrad Borja - Project Engineer, Assets & City Services

Ward: Olympia

SUMMARY

1. This report is to consider the awarding of Contract No. 1105-2021 - Construction of Darebin Creek Trail Upgrade Stage 2, 3 & 5.
2. Council sought submissions from suitably qualified and capable civil contractors for the construction of Darebin Creek Trail Upgrade Stage 2, 3 & 5 located in between Southern Road, Heidelberg West and near Poplar Crescent Bellfield. The extent of this Contract includes works necessary for the construction of the trail including concrete path and associated works.
3. The Tender Evaluation Panel (TEP) has recommended awarding the contract to Citywide Service Solutions Pty Ltd in accordance with the tender and conditions as determined by Council.
4. Tenders were received from fourteen (14) contractors prior to closing date.

RECOMMENDATION

That Council:

1. Award Contract No. 1105-2021 - Construction of Darebin Creek Trail Upgrade Stage 2, 3 & 5 to Citywide Service Solutions Pty Ltd for the lump sum price of \$1,347,077.00 (ex. G.S.T).
2. Authorise the Director of Assets & City Services to sign the contract and any other associated documents.

COUNCIL PLAN

- This report is in line with Banyule's Council Plan key direction to "*Renew and maintain Banyule's public assets and infrastructure*".

AWARD OF CONTRACT NO. 1105-2021 - CONSTRUCTION OF DAREBIN CREEK TRAIL UPGRADE STAGE 2, 3 & 5 cont'd

TENDER DETAILS

Contract Period	April 2021 to December 2021
Contract Type	Lump Sum
Advertising Period	Saturday 13 February 2021 to Wednesday 10 March 2021 in the Age
Tenders Closed	Wednesday 10 March 2021
Works/Project	<ul style="list-style-type: none"> • As part of the proposed 2021/2022 financial year Capital Works program, Council is proposing to upgrade Darebin Creek Trail Stage 2, 3 & 5. • The scope of works includes but is not limited to construction activities involving: <ul style="list-style-type: none"> ○ Construction of the identified concrete path as per the staging identified in the documents. ○ Ensure works are undertaken in accordance with the Arborist report. ○ Ensure works are undertaken in accordance with Cultural Heritage Management Plan Number 15366 ○ Trimming and/or removal of trees and revegetation including maintenance and establishment period for 52 weeks following the issue of Practical Completion. ○ Construct fence and retaining walls as shown on the construction drawings. ○ Construct under pavement drainage as shown on the construction drawings ○ Install signage and line marking as shown on the construction drawings
No. of tender documents downloaded	Sixty (60)
Tender Evaluation Panel	<ul style="list-style-type: none"> • Capital Works Officer • Capital Works Officer • Capital Works Officer • Procurement Officer
Tender Evaluation Criteria	<ul style="list-style-type: none"> • Tendered 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);

AWARD OF CONTRACT NO. 1105-2021 - CONSTRUCTION OF DAREBIN CREEK TRAIL UPGRADE STAGE 2, 3 & 5 cont'd

	<ul style="list-style-type: none">• Qualifications and experience of nominated staff including experience of nominated sub-contractor• Existence of Accredited Management Systems and procedures covering Quality & OH& S;• Sustainable Procurement Questionnaire.• Any other information which the Council may deem to be relevant.
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TENDER/QUOTATION EVALUATION

- Prior to receiving the tenders, the tender evaluation panel convened to set the weightings for each of the evaluation criteria and establish how the tenders would be evaluated using the weighted evaluation matrix. A tender evaluation plan was developed and signed by all panel members.
- During the initial opening of tenders, and with regards to budget and the agreed weightings the TEP agreed that only the four (4) lowest priced submissions would be put forward for further consideration. The Tender Evaluation Plan contains provision to shortlist tenderers based on price.
- The TEP individually scored the tenders and then a tender evaluation panel meeting was held to agree on the consensus scores.
- Following the evaluation, the final scores of the preferred contractors are shown below:

Table 1 – Tenders received and weighted scores	
Contractor	Weighted Score
Citywide Service Solutions Pty Ltd	90.67
Tenderer B	82.31
Tenderer C	67.05
Tenderer D	65.01

- Based on the above scores, lowest price and that they have satisfactorily completed works for council, the TEP agreed to recommend award of the contract to Citywide Service Solutions Pty Ltd.

SUPPORTING REPORT DETAILS

Legal Consideration

- Section 186 of the *Local Government Act 1989* 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.

AWARD OF CONTRACT NO. 1105-2021 - CONSTRUCTION OF DAREBIN CREEK TRAIL UPGRADE STAGE 2, 3 & 5 cont'd

- The awarding of this contract complies with the tendering provisions of Section 186 of the *Local Government Act 1989* (this section will be repealed with the new 2020 Act provisions taking effect on 1 July 2020).

Human Rights Charter

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.

Sustainable Procurement Outcomes

- The tender submission includes a requirement for the contractor to complete a questionnaire which seeks clarifications on how they have included/considered sustainable procurement aspects of the contract which covers, Environmental, Economic and Social Sustainability
- There are no sustainable procurement activities arising from the recommendation contained in this report.

Financial Implications

- Council has allocated funding in its proposed 2021/2022 capital works budget for this project and has funding from the Federal Government via the Local Road and Community Infrastructure Programme.
- Council has also applied for Sport and Recreation Victoria funding for stages 3 and 5 for this project.

Additional information

- Attachment 1, as circulated in the confidential section of the agenda attachments. The information is designated as Confidential Information in accordance with Section 66(2)(a) of the *Local Government Act 2020* (as amended); as it contains confidential information relating to private commercial information being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.
- 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*. *Local Government Act 1989* and the Procurement Policy of Council are the primary reference points for how all procurement should be performed.
- The Policy specifies the principles, processes and procedures applying in respect of the purchase of goods and services by the Council
- The process for inviting quotations and evaluation was undertaken in accordance with the Policy.

AWARD OF CONTRACT NO. 1105-2021 - CONSTRUCTION OF DAREBIN CREEK TRAIL UPGRADE STAGE 2, 3 & 5 cont'd

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* 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.
- In undertaking the assessment, all members of the TEP completed and signed the Conflict of Interest and confidentiality declaration, and no conflicts were declared.

ATTACHMENTS

N	Title	Page
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1	Contract No. 1105-2021 - Tender Evaluation Sheet - CONFIDENTIAL	

7.6 RECORD OF COUNCILLOR MEETINGS

Author: Sam Moore - Council Business Officer, Corporate Services

SUMMARY

The *Local Government Act 1989* previously required that Assembly of Councillors (meetings of Councillors held outside of the formal Council Meeting program) were to be reported to the next available Council meeting, this section has now been repealed.

In accordance with the *Local Government Act 2020*, Council at its meeting on 17 August 2020 adopted the Banyule Governance Rules which include the requirement to report to Council on Councillor attendance at Briefings and Advisory Committees.

RECORD OF MEETINGS

1	Date of Meeting:	15 March 2021 – 5pm
	Type of Meeting:	Councillor Briefing Session
	Matters Considered:	
	<ul style="list-style-type: none"> • Heidelberg Structure Plan - Project Update • Rating & Revenue Strategy - Separate Waste Charge • Confidential Matters 	
	Councillors Present:	
	Peter Castaldo Alison Champion Peter Dimarelos Mark Di Pasquale Rick Garotti – <i>arrived 6.30pm</i> Tom Melican Fiona Mitsinikos – <i>arrived 6.30pm</i> Elizabeth Nealy	
	Staff Present:	
Allison Beckwith - <i>Chief Executive Officer</i> Geoff Glynn – <i>Director Assets & City Services</i> Marc Giglio – <i>Director Corporate Services</i> Scott Walker – <i>Director City Development</i> Kath Brackett– <i>Director Community Programs</i> Kerryn Woods – <i>Executive & Councillors Team Leader</i> Lucy Rasdell – <i>Manager Strategic Properties</i>		
Others Present:		
Nil		
Conflict of Interest:	Nil	

RECORD OF COUNCILLOR MEETINGS cont'd

2	Date of Meeting:	22 March 2021 – 6pm
	Type of Meeting:	Council Meeting Pre-briefing
	Matters Considered:	
<p>Items on the Council Agenda for the Ordinary Meeting of 22 March 2021 as listed below:</p> <ul style="list-style-type: none"> • 93 Watsonia Road WATSONIA - Packaged Liquor License (P1550/2020) • Minor Corrections to Amendment C120 - Postcode 3081 Urban Design Framework • Banyule 2041 Shaping Our Future - Stage 1 Community Engagement Findings • Yarra Plenty Regional Library Board & Audit Committee Vacancy • Proposed Leases - Skye Children's Cooperative Ltd and Children's Protection Society Inc t/as Kids First Australia (Fairy Hills Preschool) • Procurement of Energy through Power Purchase Agreements • Award of Contract No. 1089-2020 - Managed Tyre Service for Council Fleet • Award of Contract No. 1070-2020 - Automotive Smash Repairers, Vehicle Detailing and Towing Services • Award of Contract No. 1084-2020 - Provision of Hire of Plant and Operator • Award of Contract No. MAV NPN 2.15-2 - Provision of Heavy Plant Machinery and Equipment • Extension of Contract No. 0999-2020 - The Centre Ivanhoe - Venue Management, Catering and Hospitality Services • Highlights Report - New Council Term • Record of Councillor Meetings 		
Councillors Present:		
<p>Peter Castaldo Alison Champion Peter Dimarelos Mark Di Pasquale Rick Garotti Alida McKern Tom Melican Fiona Mitsinikos Elizabeth Nealy</p>		
Staff Present:		
<p>Allison Beckwith - <i>Chief Executive Officer</i> Geoff Glynn – <i>Director Assets & City Services</i> Marc Giglio – <i>Director Corporate Services</i> Scott Walker – <i>Director City Development</i> Kath Brackett– <i>Director Community Programs</i> Gina Burden – <i>Manager Governance & Communication</i> Vivien Ferlaino – <i>Governance Coordinator</i> Emily Outlaw – <i>Council Business Team Leader</i> David Pascolo – <i>Technical Analyst</i></p>		

RECORD OF COUNCILLOR MEETINGS cont'd

Others Present:	
Nil	
Conflict of Interest:	Nil

3	Date of Meeting:	29 March 2021 – 4pm
	Type of Meeting:	Councillor Briefing Session
	Matters Considered:	
	<ul style="list-style-type: none"> • Update: Waterdale Road Pocket Park • Climate Change – External presentation (NAGA) • Ivanhoe Sports Precinct Plan • Gender Equity - External Training • Engagement and reconciliation with the traditional owners of the land • Budget • Electronic Petitions - A Banyule Initiative • Council Meeting - Public Participation considerations 	
	Councillors Present:	
<p>Peter Castaldo Alison Champion – <i>arrived at 6.00pm, left at 8.00pm</i> Peter Dimarelos Mark Di Pasquale – <i>arrived 5.55pm</i> Rick Garotti – <i>arrived 5.20pm</i> Alida McKern – <i>arrived 4.35pm</i> Tom Melican Fiona Mitsinikos – <i>arrived 6.00pm</i> Elizabeth Nealy</p>		
Staff Present:		
<p>Allison Beckwith - <i>Chief Executive Officer</i> Geoff Glynn – <i>Director Assets & City Services</i> Marc Giglio – <i>Director Corporate Services</i> Scott Walker – <i>Director City Development</i> Kath Brackett– <i>Director Community Programs</i> Gina Burden – <i>Manager Governance & Communication</i> Vivien Ferlaino – <i>Governance Coordinator</i> Kerryn Woods – <i>Executive & Councillors Team Leader</i> Lisa Raywood – <i>Manager Public Health Protection, Aged & Community Planning</i> Darren Bennett – <i>Manager Environment & Place</i> Tania O'Reilly – <i>Manager Finance & Procurement</i> Nicole Maslin – <i>Manager Leisure & Recreation</i> Toni Toaldo – <i>Manager People & Culture</i> Katrina Neuhofer – <i>Organisational Development Coordinator</i> Les Chessells – <i>Aboriginal Community & Social Planner</i> Michael Fan – <i>Financial Performance & Planning Coordinator</i></p>		
Others Present:		
<p>David Meiklejohn – Northern Alliance for Greenhouse Action Rebecca Tipper – Women's Health in the North Sydel Fernandez – Women's Health in the North</p>		

RECORD OF COUNCILLOR MEETINGS cont'd

	Conflict of Interest:	Nil
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RECOMMENDATION

That the Record of Councillor meetings report be received.

ATTACHMENTS

Nil