

Agenda



Monday, 28 June 2021 7.00pm

Ordinary Meeting of Council

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 7 June 2021

Disclosure of Interests

1. Urgent Business

REPORTS:

2. Petitions

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3. People – Community Strengthening and Support

Nil

4. Planet – Environmental Sustainability

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7. Performance - Use Our Resources Wisely

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7.5 Record of Councillor Meetings 89

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 -
Assessment of Build to Rent Option

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 to ensure compliance with the Government's COVID -19 restrictions.

*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, 19 July 2021.

2.1 **PETITION - MONTMORENCY COMMUNITY HUB**

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

SUMMARY

1. A petition with 225 signatures has been received.
2. The petition request is as follows:
“We, the undersigned, noting Council’s significant support of community centre projects in other parts of Banyule, petition Council to commit meaningful financial support to enable the Montmorency Community Hub to be established.”
3. Council’s Governance Rules outline criteria for every petition that is submitted to Council. Not all signatories met the criteria and a breakdown of the total signatures is included in the report.

RECOMMENDATION

That Council:

1. Receives and notes the petition.
2. Refers the petition to the Community Programs Directorate to investigate.
3. Advises the primary petitioner of this resolution.

DISCUSSION

- Council offers are currently developing a comprehensive, evidenced based approach to community services and infrastructure planning (CSIP).
- Consideration of council support for the proposed Montmorency Community Hub will be assessed in the context of this approach.
- A petition with 225 signatures has been received requesting Council to commit financial support to establish the Montmorency Community Hub.
- Council’s Governance Rules outline that every petition submitted to Council must include names, addresses and original signatures.

PETITION - MONTMORENCY COMMUNITY HUB cont'd

- A number of the signatories didn't include one or more of the required criteria but have been included in the total number of signatures.

Total signatories	225
Complete	205
Incomplete	15
Non-compliant	5

- The signatories of this petition were from the following suburbs:

Briar Hill	10
Burwood	1
Diamond Creek	2
Doreen	2
Eaglemont	1
Eltham	25
Eltham North	7
Frankston	3
Greensborough	10
Hawthorn	1
Ivanhoe	3
Lower Plenty	23
Mill Park	1
Montmorency	107
Mount Eliza	2
Research	1
St Helena	1
Viewbank	1
Watsonia	1
Wollert	1
Yallambie	2

ATTACHMENTS

Nil

4.1 POWER PURCHASE AGREEMENT (PPA) - COMMENCEMENT OF 100% GREEN POWER

Author: Louise Lovell - Senior Energy Officer, City Development

Previous Items

Council on 22 Mar 2021 7.00pm (Item 7.2 - Procurement of Energy through Power Purchase Agreements)

Council on 24 Jun 2019 7.00pm (Item 4.1 - Power Purchase Agreement - Renewable Energy and Large-scale Generation Certificates)

SUMMARY

1. Banyule Council has established an ambitious target of carbon neutrality by 2028, without the purchase of carbon offsets.
2. To achieve this goal, renewable energy must be generated, or procured, to meet Council's electricity consumption.
3. From 1 July 2021 to 30 June 2030, 100% of Council's electricity will be purchased through two power purchase agreements for renewably sourced electricity, reducing Council's 2018/19 baseline emissions by 56%.

RECOMMENDATION

That Council note the commencement of Council's contracts to procure 100% of Council's electricity from renewably sourced electricity from 1 July 2021, reducing Council's 2018/19 baseline emissions by 56%.

COUNCIL PLAN

- This report is in line with Banyule's Council Plan key direction to "Lead in planning for, and responding to climate change".

BACKGROUND

- Banyule has established an ambitious target of carbon neutrality by 2028, without the purchase of carbon offsets.
- Council's priority actions over the short term (2019 – 2023) are outlined within Banyule's Corporate Emissions Reduction Plan. Notably, this includes the action to maximise the use of renewables via energy generation at our sites and power purchasing agreements (PPAs). PPA's are an agreement between an independent power generator and a buyer for the sale of energy.
- In 2019, Council decided to procure 100% of electricity through two power purchase agreements for renewably sourced electricity. On 5 May 2019 the then CEO signed a contract to purchase 5% of Council's electricity after 1 July 2021 until 30 June 2030 from the Procurement Australia (PA) PPA.

POWER PURCHASE AGREEMENT (PPA) - COMMENCEMENT OF 100% GREEN POWER cont'd

- Council has now agreed to purchase the remaining 95% of Council's electricity from 1 July 2021 until 30 June 2030 from the Victorian Energy Collaboration (VECO) PPA (previously known as the Local Government PPA) through a contract with red Energy. These long-term energy contracts will support us to procure electricity sourced from Victorian wind. An explanation of the VECO PPA can be found [here](#).

KEY ISSUES

- The purchase of renewably sourced electricity is expected to reduce Council's 2018/19 baseline greenhouse gas emissions by 56%.
- The VECO PPA with Red Energy will be linked to two wind farms located in regional Victoria; Dundonnell Wind Farm near Mortlake in South-West Victoria, and Murra Warra II wind farm near Horsham.
- With the combined investment of 46 Councils, total greenhouse emissions will be reduced by 260,000 tonnes CO₂-e per year - this is equivalent to annually powering 48,000 homes.
- The Procurement Australasia PPA with Alinta Energy will secure renewable, sustainable energy outcomes for Banyule Council, 12 other Victorian councils and 1 State Government Authority. Under the agreement, the purchase of renewable energy will be linked to the Bald Hills Wind Farm in Gippsland.

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

- Beyond the clear environmental benefits, the purchase of Victorian wind power will lead to significant economic and community benefits for local communities in regional Victoria and the state. As an example, the construction of the Dundonnell Wind led to approximately 200 direct jobs and 1500 indirect jobs.

Financial Implications

- Climate and Energy consultancy *Energetics* has done comprehensive modeling against Council's projected power use and cost. This modeling has confirmed the VECO agreement will cost less over the life of the contract and also reduce risk exposure as the electricity market transitions from predominantly coal-fired generation to renewable energy.

POWER PURCHASE AGREEMENT (PPA) - COMMENCEMENT OF 100% GREEN POWER cont'd

Innovation and Continuous Improvement

- The renewable electricity contracts negotiated are a leading example of innovative, risk managed agreements. The long-term PPA contracts provide price certainty, which is important given the volatility we've seen in energy markets over the last decade. There will be also be avoided costs and time associated with re-contracting.

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 ADOPTION OF ROAD MANAGEMENT PLAN 2021

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

SUMMARY

1. As a requirement of the *Road Management Act 2004* (the Act) Council is obligated to review its Road Management Plan (RMP) every four years.
2. Council's current RMP was adopted in June 2017 and is due to expire at the end of June 2021. Therefore, Council has reviewed its current RMP in preparation for adoption by June 2021.
3. The review process included:
 - a) Consultation with all internal stakeholders.
 - b) Discussions with three neighbouring councils to review standard practice and identify opportunities for improvements.
 - c) Benchmarking across 79 Victorian councils as well as 30 Melbourne metro councils.
4. 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 with an increased inspection frequency of low usage footpath.
5. There are minor changes proposed in the revised plan to remove confusion between temporary repair and permanent repair.
6. Council conducted a formal public exhibition process utilising a dedicated section in the Shaping Banyule webpage, publishing in the Government Gazette and Herald Sun. Hard copies were also made available at Banyule's customer service centres and no submissions were received.
7. The purpose of this paper is to provide an update of the Public Exhibition and present the revised RMP for adoption.

RECOMMENDATION

That Council:

1. Adopt the Road Management Plan 2021.
2. Advertise the adoption of the Road Management Plan in the Victorian Government Gazette.

ADOPTION OF ROAD MANAGEMENT PLAN 2021 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 liability exposure. Council achieves this by having a Road Management Plan (RMP).
- The RMP comprises of two sections
 - 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.
 - 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 register is 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, Council has reviewed its current RMP in preparation for adoption by June 2021.
- The purpose of this paper is to present the revised RMP to Council for 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.

ADOPTION OF ROAD MANAGEMENT PLAN 2021 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.
- All budgets listed in this report have been included in the Annual Budget and Long Term Financial Plan. There are no financial implication arising from the recommendation contained in this report.

Community Engagement

- Council conducted a formal public exhibition process, as specified in section 54 of the Act and occurred over four weeks, commencing on 13 April 2021 and closing on 12 May 2021. This public exhibition utilised a dedicated section in Shaping Banyule webpage, published in the Government Gazette and Herald Sun, in addition hard copies were made available at Banyule's customer service centres in Greensborough and Ivanhoe Cultural Hub.
- Council did not receive any formal submission during the public exhibition process.
- A condition audit of Banyule's footpath network was last completed in June 2018 where the audit identified that one-sixth (16.8 per cent) of footpaths were in poor condition.
- As an outcome of this condition audit, Council has increased its footpath renewal budget from \$1.38M (2018/19) to \$2.0M (2019/20 and 2020/21). As an extension of this funding Council has increased its investment in footpaths across the municipality by \$6.6 million from 2021/22 to 2024/25. A summary of the next four years budget is included below:
 - \$14.60M - Footpath renewal
 - \$ 0.61M - New footpath
 - \$ 2.94M - Maintenance works
 - **\$18.15M - Total expenditure of footpaths (2021/22 to 2024/25)**
- The increased funding in footpath has been included in the council budget which is has recently undertaken a community consultation process.
- There is a condition audit of the footpath network programed to be completed within the 2021/22 budget

Collaboration

- A benchmarking study was conducted across 79 Victorian councils including 30 Melbourne metro councils to review Banyule's levels of service for road assets as outlined in the RMP. Discussions were also held with some neighbouring councils.

ADOPTION OF ROAD MANAGEMENT PLAN 2021 cont'd

- 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.

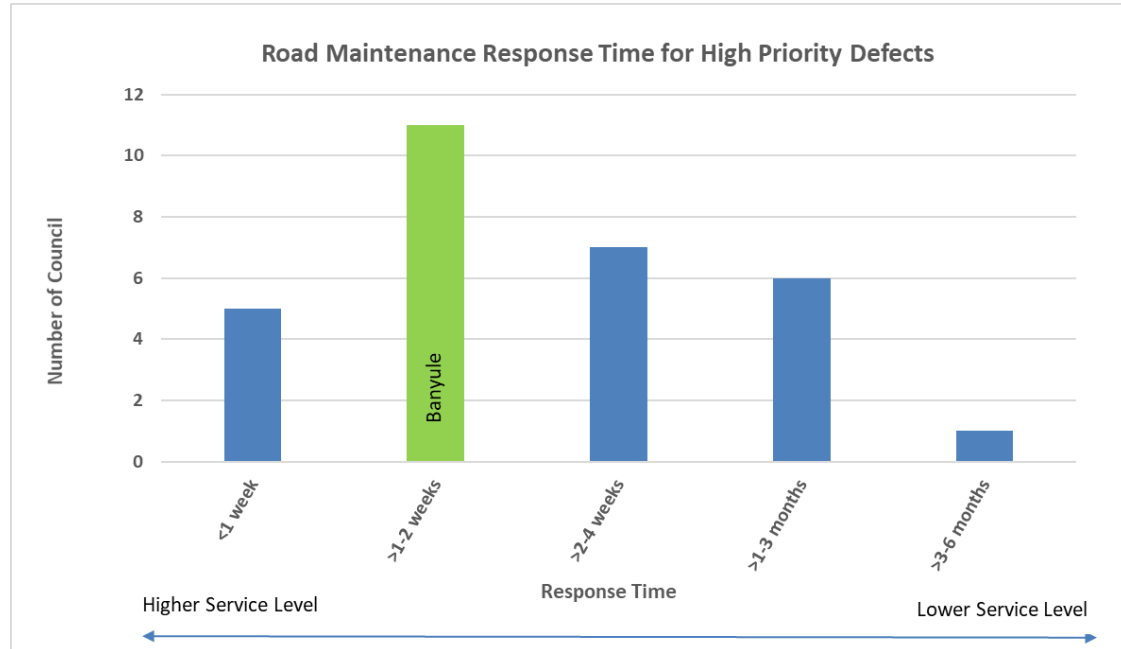


Figure 1: Response Time of Road Defects across 30 Melbourne Metro Councils

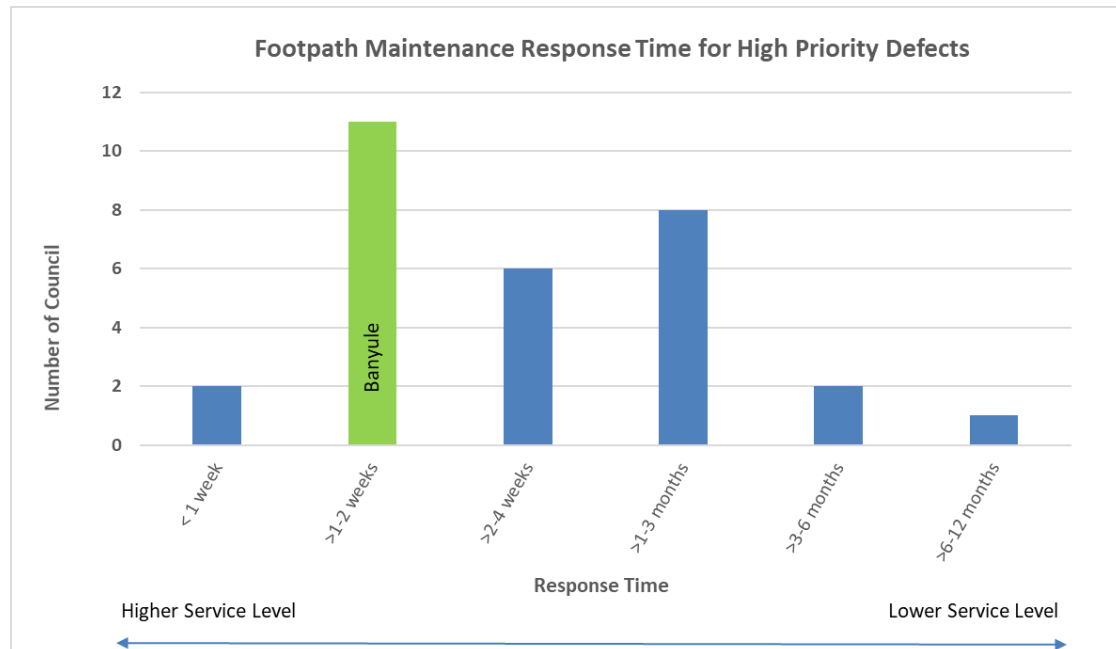


Figure 2: Response Time for Footpath Defects across 30 Melbourne Metro Councils

- 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.

ADOPTION OF ROAD MANAGEMENT PLAN 2021 cont'd

- 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

All the proposed changes have been listed in Appendix 7 of the RMP.

- Summary of the Proposed Changes to the RMP are:
 - An increased frequency of defect inspection for Level 2 (Low pedestrian usage) footpath from every four years to every two years. This will help identify footpath defects more frequently.
 - Minor changes to remove 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 the capital works program.
 - It is anticipated that proposed changes will clarify individual defect types.
 - In addition, the road register has been reviewed and updated.

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	Draft Banyule Road Management Plan (2021-2025)	

[⇒](#)

5.2 TEMPORARY OUTDOOR DINING PARKLETS

Author: Helena Celejowski - Business Support Officer, City Development

SUMMARY

1. In October 2020, Banyule Council introduced Temporary Outdoor Dining Permits for eligible hospitality businesses in support of the Victorian Government's Temporary Outdoor Dining Initiative.
2. Banyule Council received a total of \$650,000 in grant funding which was used to facilitate extended outdoor dining on footpaths, waive Temporary Outdoor Dining Permit fees and invest in infrastructure to support businesses transition to temporary outdoor dining, including the installation of seven parklets in key activity strips in Banyule.
3. Temporary Outdoor Dining Permits expire on 30 June 2021. In May 2021 the impact of parklets on community and businesses was analysed and a summary of the outcomes is included in this report.
4. This report also makes recommendations regarding the future of the Temporary Outdoor Dining Parklets and all Outdoor Dining Permits.

RECOMMENDATION

That Council:

1. Approve an extension for the seven temporary Outdoor Dining Parklets in Banyule to 30 June 2022.
2. Seek an extension of the Memorandum of Authorisation (MOA) from the Department of Transport (DoT) to facilitate the use of the parklets to 30 June 2022.
3. Waive the permit fees (approximately \$36,050) for footpath trading (which includes extended outdoor dining) for the 2021/22 financial year.

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

- On 14 September 2020, the Victorian Government announced an *Outdoor Eating and Entertainment Package* that provided \$87.5 million to councils and businesses in Victoria to make widespread outdoor dining safe and practical.
- Of the \$29 million set aside for local councils to help implement the Outdoor Dining Initiative, Banyule Council received \$500,000 in grant funding which was used to waive permit fees and invest in infrastructure to support eligible businesses transition to temporary outdoor dining.

TEMPORARY OUTDOOR DINING PARKLETS cont'd

- In January 2021, Council received an additional \$150,000 in a second round of the Victorian Government *Outdoor Eating and Entertainment Grant* funding to support further temporary outdoor dining initiatives.
- Banyule Council supported over 50 hospitality businesses to temporarily extend their outdoor dining through extended footpath trading. Additionally, seven parklets (temporary dining areas that used car-parks directly in front of businesses) were established in key activity strips in Banyule.
- All Temporary Outdoor Dining Permits expire on 30 June 2021.
- In May 2021, a review was undertaken that considered the impact of parklets on community and businesses.
- Further engagement will be undertaken throughout the year to further increase Council's understanding of the impact parklets are having on its shopping centre precincts.

KEY ISSUES

- While extended footpath trading has been positively accepted by businesses and residents, parklets have received a mixed response.
- Key findings of the review:
 - A high percentage of residents (73%) had personally visited one or more of the parklets.
 - It was found that residents and visitors used the parklets because;
 - a) they wanted to support local businesses during COVID-19;
 - b) it was a nice day/night to be outdoors; and
 - c) the parklet was convenient/close to home.
 - Nearly half of the respondents have visited weekly or one-two times a week.
 - Positive impacts of the parklets were;
 - a) the increased number of pedestrians and shoppers;
 - b) the feeling of community/connection to the neighbourhood;
 - c) personal health and safety during COVID-19; and
 - d) supporting local businesses to keep open.
 - Negative impacts of the parklets were;
 - a) the availability of parking on the main street/road;
 - b) businesses with no parklet indicated a reduction in number of customers – the majority believed the lack of on-street parking was the reason.
- Traders that have a permit to use the parklets are responsible for the fit out of the parklets which include seats, tables and temporary shelter (umbrellas or marquees). If the parklets were to be extended, there is no intention to restrict the style of temporary shelter traders may wish to install however all shelter must not obstruct traffic site lines.

TEMPORARY OUTDOOR DINING PARKLETS cont'd

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

- Waiving of fees for Temporary Outdoor Dining Permits, Goods and Services, and table and chairs total \$36,050.

Innovation and Continuous Improvement

- Parklets create additional space for businesses to continue to serve customers in a COVIDSafe environment. This will not only increase the viability of hospitality businesses but also create vibrant places for community members to visit.

Community Engagement

- Community and business engagement (*refer to attachment 1*) was conducted between 3 May 2021 to 19 May 2021, and consisted of:
 - Six pop-up sessions x 137 participants
 - Parklet trader engagement x 13
 - Traders interviewed in the vicinity of parklets x 12
 - Business and community surveys x 148 responses
 - Councillor survey and interviews

Collaboration

- Other metropolitan councils were contacted to gauge sentiment about temporary outdoor dining in their municipalities. All were extending Temporary Outdoor Dining Permits for between 6 to 12 months and most were waiving fees.

Key Considerations

- The Memorandum of Authorisation (MOA) from the Department of Transport (DoT) to occupy part of the road reserve expire on 30 December 2021. A six-month extension to the current parklet MOA will be required if the extension of the parklets to 30 June 2022 is approved.

TEMPORARY OUTDOOR DINING PARKLETS 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	Temporary Outdoor Dining Consultation Key Findings ↗	

5.3 CONSIDERATION OF SUBMISSIONS AND OBJECTIONS - HEIDELBERG CENTRAL SHOPPING PRECINCT SPECIAL CHARGE

Author: Daniela Ahimastos - Economic Development Officer, City Development

Ward: Griffin

Previous Items

Council on 12 Apr 2021 7.00pm (Item 5.7 - Notice of Intention to Declare a Special Charge - Heidelberg Central Shopping Precinct)

SUMMARY

1. This report is to enable Council to formally consider the written submissions and objections received regarding the proposed Special Charge Scheme for The Heidelberg Central Shopping Precinct (“Shopping Centre”)
2. Following the ordinary meeting of Council on Monday, 12 April 2021 and in accordance with the statutory process under the *Local Government Act 1989* and the *Local Government Act 2020* (“Act”) for the declaration of the Special Charge, the public notice of Council’s intention to declare a Special Charge for the Shopping Centre was advertised in the “*Herald Sun*” on Tuesday, 20 April 2021 and placed on Council’s Internet website. A separate notice, advising of Council’s intention to declare the Scheme was mailed by ordinary post on Thursday, 22 April 2021 to all owners and occupiers of the properties included in the proposed Scheme, with a copy of the public notice.
3. The public notice advised that any person may make a written submission under sections 163A and 223 of the Act. The public notice further advised that any person who was required to pay the Special Charge (whether an owner or an occupier of a property included in the Scheme) had a right to object or endorse the proposed declaration and may also make a written submission to Council under section 163B of the Act.
4. The closing date for submissions and objections was 4pm Friday, 21 May 2021. Council received by this date a total of nine written submissions in support of the proposed Scheme and two objections, representing 14 rateable properties, opposing the proposed Scheme.
5. No persons in their written submission requested that they appear in person before Council or be represented by a person specified in their submission or objection.

**CONSIDERATION OF SUBMISSIONS AND OBJECTIONS - HEIDELBERG
CENTRAL SHOPPING PRECINCT SPECIAL CHARGE cont'd**

RECOMMENDATION

That Council:

1. In respect of Council's published intention to declare a Special Charge for The Heidelberg Central Shopping Precinct ("Proposed Special Charge"); and

Having –
 - (a) received and considered submissions and objections received under section 223 of the *Local Government Act 1989 and Local Government Act 2020* ("Act"); and
 - (b) taken account the fact that two objections were received under section 163B of the Act –
2. Hereby resolves to receive and consider a further report and to make a final decision on the Proposed Special Charge, and to give its reasons for its decision, at the Ordinary Meeting of Council to be held on Monday, 9 August 2021.

COUNCIL PLAN

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

BACKGROUND

- Following the Ordinary Council Meeting on Monday 12 April 2021, where Council advised of its notice of intention to commence the statutory process to declare a Special Charge for the Heidelberg Central Shopping Precinct "Shopping Centre", the following processes have been undertaken by Council to carry out its functions under the Act:
- Council commenced the statutory process under the Act to reintroduce a Special Charge for the properties included in the Shopping Centre, to raise an amount of \$97,856 per annum for a period of five years, commencing on 1 July 2021 and ending on 30 June 2026;
- Public notice was given in the "*The Herald Sun*" newspaper on Tuesday, 20 April 2021 of the intention of Council to declare the Special Charge at its ordinary meeting to be held on Monday, 9 August 2021, and placed on Council's Internet website;
- Separate letters enclosing a copy of the public notice were sent to the owners and the occupiers of the properties referred to and set out in the listing of rateable properties in the Proposed Declaration of Special Rate, advising of the intention of Council to declare the Special Rate at its ordinary meeting to be held on Monday 9 August 2021;
- The letter also notified persons of the submissions and objections process in relation to the Proposed Declaration of Special Charge; and
- The Heidelberg Central Traders' Association has been advised of the above matters.

CONSIDERATION OF SUBMISSIONS AND OBJECTIONS - HEIDELBERG CENTRAL SHOPPING PRECINCT SPECIAL CHARGE cont'd

- Copies of all the written submissions and objections received by Council during the statutory advertising period have been separately provided to Councillors.

KEY ISSUES

- Any person who is liable or required to pay a Special Rate or Charge under a proposed Scheme has a right to 'object' to the scheme under section 163B of the Act. The right to 'object' is different from, and in addition to, the right to make a 'submission' under sections 163A and 223.
- Any person may make a submission in relation to a proposal to declare a Special Rate or Charge, however, the number of submissions received does not necessarily limit Council's power to declare a Special Rate or Charge.
- By contrast, if a proposed Scheme receives more than 50% of objections from those persons who are liable or required to pay the Special Rate, then Council *cannot* proceed with the declaration (section 163B(6)) of the Act.
- There were nine submissions received supporting the proposed Scheme and two objections received opposing the proposed Scheme. These two objections represented 14 ratable properties in the proposed Scheme.
- The fact that only two objections were received is considered to be a very positive reflection on past performance and success, as well as an indicator of the need for marketing support during a period of economic consolidation.

SUPPORTING REPORT DETAILS

Legal Consideration

- The statutory process provides the community generally, and affected ratepayers and property owners and occupiers in particular, with the opportunity to make a submission and/or an objection to the Council on the proposed Scheme. Council is required to consider any submissions and take into account any objections in accordance with sections 163A, 163B and 223 of the Act, prior to making a final decision with respect to the declaration of a Special Charge Scheme for Shopping Centre.

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.

**CONSIDERATION OF SUBMISSIONS AND OBJECTIONS - HEIDELBERG
CENTRAL SHOPPING PRECINCT SPECIAL CHARGE cont'd**

Community Engagement

- To declare a Special Charge Scheme, Council is required to comply with the statutory process under the *Local Government Act 1989 and Local Government Act 2020*. The statutory process provides the community with the opportunity to make a submission and/or an objection to the Council on the proposed Scheme. Council will consider any submissions and take into account any objections in accordance with the *Local Government Act 1989 and Local Government Act 2020* prior to making a final decision.
- In addition to the requirement to give statutory public notice, the community engagement to be undertaken by Council was 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.
- A best practice approach has been adopted in consulting with stakeholders to ensure there is a broad level of understanding and support with what is being proposed and the process that is being undertaken. This includes reviewing the current scheme and facilitating genuine engagement with traders and property owners when developing the proposed five year business plan.
- For the proposed scheme a survey was prepared and owners and occupiers were invited to a meeting of the Heidelberg Central Traders Association to review the current Scheme and inform the Traders' Association's five year business plan and the activities that the Scheme will fund. Correspondence was also sent to property owners and occupiers to inform them of the Traders' Association's request to renew the Special Charge Scheme and invite them to comment on the proposed scheme in the official notice of intention letter.

Key Considerations

- *Submissions Received in Support of the Scheme – nine in total.*

Submissions 1 - 9

- Nine submissions were received in support of the Special Charge.
- All nine submissions were received via a survey conducted by the Heidelberg Central Trader Association. All nine responses were from occupiers who occupy a property in the proposed Scheme, including the Centre Manager. They all agree that the Special Charge Scheme is important in delivering key marketing initiatives and improving the prosperity of the area.
- The submissions also note the importance of a Scheme to assist with physical improvements.
- *Submissions Received Opposing the Scheme (these also being objections under section 163B of the Act) –two submissions in total, representing 14 properties.*

Submission/Objection 1

- The objection was received from an owner representing 13 rateable properties belonging to one building complex in the proposed Scheme.

**CONSIDERATION OF SUBMISSIONS AND OBJECTIONS - HEIDELBERG
CENTRAL SHOPPING PRECINCT SPECIAL CHARGE cont'd**

The owner does not provide an explanation for the objection but states clearly the opposition to the proposed Scheme.

Submission/Objection 2

- The objection was received from an owner representing one ratable property in the proposed Scheme. The owner believes that some aspects of the proposed Scheme have merit and others are questionable but does not elaborate further. They also advise that their return on investment has been significantly impacted given the cost of outgoings, COVID-19 impacts and the fact that the property is untenanted.
- It is considered that the submissions opposing the Scheme (or at least imposing Special Charge obligations on property owners) and the objections received do not raise any substantive issues which would prevent, limit or restrict Council from proceeding with the proposed Scheme, if that is what Council chooses to subsequently do.
- There is no doubt that concerted, collective marketing efforts will be required in the consolidation phase of COVID-19 to encourage commerce and business activity within the Heidelberg Central Shopping Precinct, reaffirming the centre as a popular shopping destination in Melbourne's North East.
- A person making a submission is entitled to request to appear in person or to be represented by another person in support of the submission. At this stage, no submission writers have indicated that they would like to be heard.
- An updated list of submitters that wish to be heard at the Ordinary Meeting of Council on Monday 28 June 2021 will be provided prior to the meeting.

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

5.4 IVANHOE LIBRARY AND CULTURAL HUB PROJECT CLOSE OUT REPORT

Author: Arun Chopra - Manager Capital Projects, Assets & City Services

Ward: Chelsworth

SUMMARY

1. The Ivanhoe Library and Cultural Hub project was conceived in 2014 as one of the outcomes of Ivanhoe structure and master plan to provide Banyule community with a fully accessible modern library and associated community facilities supporting learning, culture and community connections.
2. The facility provides a contemporary library, art gallery, community art spaces and artist studio, community meeting rooms, informal theatrette, lounge & café, maternal & child health suites, an outdoor civic plaza and a contemporary commercial kitchen to service The Centre Ivanhoe.
3. The facility was designed to high environmental sustainable design standards with a 5 Star Green Star Design Assessment (not certified) including the installation of a 99kw photovoltaics system to assist powering the facility.
4. Extensive community and stakeholder consultation was undertaken on the project and helped shape the makeup of the final design.
5. Buxton Construction Pty Ltd was appointed in March 2019 and the facility was completed in early February 2021.
6. In addition to the project scope a range of other upgrades to the Centre Ivanhoe and the existing Council building occurred including:
 - a. Upgrade of fire services to The Centre Ivanhoe.
 - b. Replacement of asbestos roof of The Centre Ivanhoe and the existing Council building.
 - c. Refurbishment of community meeting rooms and Council chamber on level 1 of existing Council building including audio visual equipment.
 - d. Installation of fire sprinklers on Level 1 of existing Council building.
 - e. Refurbishment of existing toilets on level 1 of existing Council building.
7. The total budget for the project from financial year 2014 to 2021 was \$34.525 million. After factoring in all costs, the forecast final project cost is \$34.266m, which is \$259,000 under the budget.
8. All deliverables for the project have been successfully delivered and positive feedback has been received from the community and users of the facility.

RECOMMENDATION

That Council receives the report and notes the successful completion of Ivanhoe Library and Cultural Hub project.

**IVANHOE LIBRARY AND CULTURAL HUB PROJECT CLOSE OUT REPORT
cont'd**

COUNCIL PLAN

- This report is in line with Banyule's Council Plan key direction to "Preserve and improve Banyule as a great place to live, work and play".

BACKGROUND

- In December 2007, McGauran Giannini Soon (MGS) Architects were appointed by Council to develop a masterplan for the Ivanhoe Civic Precinct which was adopted by Council in 2014 after extensive consultation. The masterplan set a clear strategic direction for future land use and development of the precinct which featured a new Community and Cultural Hub, demolition of the existing library and creation of a public landscaped plaza fronting Upper Heidelberg Road.
- The proposed Ivanhoe Library and Cultural Hub was to provide the Banyule community with a range of facilities to provide the ultimate learning experience including:
 - Community library;
 - Arts gallery, community art spaces and associated arts studio;
 - Community meeting rooms and hub spaces;
 - Informal Theatre;
 - Maternal and Child Health Consulting Suites; and
 - Community Café.
- A commercial kitchen was added during design phase to serve The Centre Ivanhoe.
- Croxon Ramsay Architects was engaged to design the proposed Ivanhoe Library and Cultural Hub.
- Consultation on the concept design was undertaken in September 2016 until September 2017. At every step, including the concept design phase, community consultation was the key to enduring high levels of community participation and engagement.
- The concept design phase was completed in November 2017 after which detailed design was completed in December 2018. The building design included feedback from various presentations, discussions and meetings held with stake holders, user groups including Yarra Plenty Regional Library and Epicure (the then operators of The Centre Ivanhoe) and Councillors. Tender documentation was completed in June 2018 after which tenders were issued to contractors.
- A two-stage tender process for the selection of the contractor was adopted for the Project due to its complexity and the requirement to ensure The Centre Ivanhoe remained operational during the construction period.
- In Stage One, an Expression of Interest (EOI) was called for shortlisting of suitably qualified contractors and as part of stage 2 tenders were issued to the shortlisted contractors and closed in November 2018.
- Following an detailed evaluation process, Buxton Constructions (VIC) Pty Ltd was appointed in March 2019 for the construction of the facility as it achieved the highest score and would deliver best value for money for Council.

**IVANHOE LIBRARY AND CULTURAL HUB PROJECT CLOSE OUT REPORT
cont'd**

- Construction on site commenced in March 2019 construction was completed in early February 2021, even though the construction was impacted for almost 3-4 months due to Covid19 lockdown and other restrictions.
- In addition to the project scope following works were incorporated into the project and have been completed to The Centre Ivanhoe and the existing Council building:
 - Upgrade of fire services including pipes, hose reels, control valves, fire panel and heat detectors to The Centre Ivanhoe to make it compliant with existing codes
 - Replacement of asbestos roof of The Centre Ivanhoe and the existing Council building including clean-up of roof space
 - Refurbishment and upgrade of community meeting rooms and Council chamber on level 1 of existing Council building including audio visual equipment
 - Fire sprinklers system in all areas on Level 1 of existing Council building
 - Refurbishment of existing toilets in the existing Council building
- Positive feedback has been received from the community and users of the facility.

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.
- The total budget for the project from financial year 2014 to 2021 was \$34.525 million.
- Council obtained the following funding grants:
 - Changing Places Funding of \$100k. Changing Places Facilities are larger than standards accessible toilets and have extra features and more space to meet the needs of people with a disability and carers.

**IVANHOE LIBRARY AND CULTURAL HUB PROJECT CLOSE OUT REPORT
cont'd**

- Living Libraries Infrastructure Program Fund of \$750k. This funding is aimed to enable Council's to continue to provide library facilities that meets the needs of the community and encouraging opportunities for community participation.
- Final building contract payments have been processed and the project is expected to be finalised under budget.
- It is proposed to carry forward \$100,000 to 2021-22 financial year for any changes required for operational requirements and other on-site improvement works if required.
- After factoring in all costs the forecast final project cost is \$34.266m, which is \$259,000 under the budget.

Audits

Probity Audit

- Oakton Services Pty Ltd was appointed to conduct a probity audit on the process undertaken for the evaluation of the EOI's and the tender process.
- The probity auditor confirmed in its report that "in all material respects, and based on Local Government and generally accepted probity principles, the tender process for the 'Construction of Ivanhoe Library and Community Hub' has been undertaken in accordance with generally accepted probity principles and Local Government requirements. We are not aware of any probity matters that would prevent the Tender Evaluation Panel from recommending to Council the preferred organisation".

Community Engagement

- Between September 2016 through to September 2017 Council undertook extensive community engagement for the Ivanhoe Library and Community Hub. The engagement focused on presenting an early concept design of the proposed building and seeking feedback to be able to inform the detailed design.
- At every step, including during the design phase, community consultation has been key to enduring high levels of community participation and engagement.
- The community identified a number of important factors including:
 - Enhanced library facility and community meeting rooms
 - Separate children's library and associated spaces
 - Community and touring art spaces
 - Maintaining and protecting the heritage town hall
 - Be fully accessible to all members of the community
 - Include opportunities to use sustainable building materials
- Ongoing consultation occurred through a range of opportunities, including a community reference group made up of residents, meetings, pop up events, surveys, online engagement via Shaping Banyule, targeted sessions with current library users, including children and young people, and with key user groups such as U3A and those within the arts sector.

**IVANHOE LIBRARY AND CULTURAL HUB PROJECT CLOSE OUT REPORT
cont'd**

- Community feedback from September 2016 consultation was incorporated into the concept plans and the updated concepts went back out to the community again to demonstrate that their voices had been heard during this process and to reaffirm Council's commitment to a fair and transparent consultation process.
- Opportunities for consultation were extensive and included feedback from over 1,000 people.
- Concept plans were updated from these sessions and which then included the following additions:
 - A lift in the books returns space
 - Changing Places Facility
 - Additional accessible toilets
 - Safe Pedestrian crossing

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

5.5 ROSANNA STATION INTEGRATED DEVELOPMENT OPPORTUNITY

Author: Hayley Plank - Development Planning Team Leader, City Development
Ward: Ibbott

SUMMARY

1. The purpose of this report is to outline a State Government-led proposed Planning Scheme amendment and planning permit proposal in respect to surplus land at Rosanna Train Station and to consider the Council position for a submission to the Advisory Panel as part of the process.
2. A request has been made by Beetham Parade Pty Ltd (prospective purchaser) to the Minister for Planning (the Minister) to rezone the land at 73 Turnham Avenue Rosanna (the subject site) under Amendment C160 to the Banyule Planning Scheme and consider a Planning Permit for the subdivision and development of the land (P384/2021).
3. The Minister has referred the request to the independent Victorian Transport Projects Integrated Development Opportunities Standing Advisory Committee (Advisory Committee).
4. The accompanying Planning Permit application seeks approval to:
 - Create a new 1309m² lot (from the broader train station precinct) for the development site; and
 - Develop the land for a 7-level mixed-use building comprising ground floor office and food and drink uses with residential apartments at the upper levels. It contains one semi-basement level of car parking.
5. The State Government's *Government Land Planning Service* is currently undertaking notification and consultation (24 May to 2 July 2021). Banyule City Council is a stakeholder and participant to the process and is invited to make its position on the amendment known to the Advisory Committee as the local Council.
6. The proposal is generally considered consistent with State and local policy strategically. There are a number of conditions to the proposed planning permit that are considered necessary to achieve the best possible outcome. This includes conditions to secure good public realm interface, safety, access and greening of the proposal. They would form the basis of any Council submission made to the Advisory Committee.
7. Council may need to appear at the Advisory Committee in order to advocate for the outcomes proposed by the Recommendations set out in this report.

ROSANNA STATION INTEGRATED DEVELOPMENT OPPORTUNITY cont'd

RECOMMENDATION

That Council:

1. Acknowledge and support, in-principle, Planning Scheme Amendment C160 to the Banyule Planning Scheme and the draft Planning Permit P384/2021 subject to the inclusion of conditions detailed at Recommendation 2(b).
2. Make a submission to the Victorian Transport Projects Integrated Development Opportunities Standing Advisory Committee which:
 - a. Outlines Council's position pursuant to Recommendation 1.
 - b. Includes the following Permit Description and list of Conditions, subject to limited refinements and changes to address any standards or technical requirements:

What the permit allows:

Development of a mixed use building; use of land for dwellings; reduction in car parking requirements; creation of an easement; and subdivision of land, in accordance with the endorsed plans

Permit Conditions

- 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, prepared by C Kairouz Architects & Associates A00.1 – A11.3, dated 05/02/2021 but modified to show:
 - (a) The rooftop communal space increased to a minimum area of 177m²;
 - (b) The provision of screens between adjacent balconies 1.7m high and a maximum of 25% visual transparency;
 - (c) Dimensions of balconies to confirm compliance with Standard D5;
 - (d) A note stating that air conditioning units are not to be located on balconies;
 - (e) The finished floor level of the ground floor indicated as 41.60m AHD;
 - (f) Care share and disabled parking spaces independent from each other;
 - (g) Crossover to be a minimum of 1m from a power pole;
 - (h) Swept path diagrams to confirm vehicles can enter parking spaces 51-53 with one correctional movement;
 - (i) Platforms for mechanical parking widened to 2.7m;

ROSANNA STATION INTEGRATED DEVELOPMENT OPPORTUNITY cont'd

- (j) Centre line marking on the ramp to delineate traffic flow;
- (k) Removal and reinstatement of redundant vehicle crossing;
- (l) Location of waste collection vehicle parking position within 5m of the waste room door;
- (m) Turning diagrams for waste collection vehicles within the basement area;
- (n) Separate storage areas for residential and commercial waste;
- (o) A minimum of 4m² dedicated for hard waste storage for residents, with dimensions to confirm this area is sufficient to store a mattress and bed base;
- (p) Relocation of dedicated hard waste storage for commercial areas so that access is not obstructed by bins;
- (q) Clarification of what type of door or doors are proposed at the entrance to the bin store. If the roller door is proposed, this must be motor operated by a switch;
- (r) Separate waste streams for commercial and residential users;
- (s) A service door to isolate the chutes on Level 6;
- (t) Flat area outside the waste store (zero grade).
- (u) Isolated 1100L MGB and chute system completely from residual access.
- (v) Details of noise reduction measures as recommended in the report of Marshall Day Acoustics dated 17 November 2020;
- (w) Corner splays on each side of the accessway in accordance with Design Standard 1 of Clause 52.06;
- (x) Lateral clearance in lower basement ramp to comply with Design Standard 1 – Accessways of Clause 52.06;
- (y) The accessway designed to accommodate simultaneous movement at the changes of direction within the basement carpark;
- (z) All sustainable design features indicated in the submitted Sustainable Management Plan (SMP). Where sustainable design features outlined in the SMP cannot be visually shown, include a notes table providing details of the requirements (i.e. energy and water efficiency ratings for heating/cooling systems and plumbing fittings and fixtures, etc);
- (aa) A schedule of external building materials, colours and finishes, including details of cladding and roofing materials; the schedule should be presented on a separate sheet and must include colour samples;
- (bb) Development Drainage Plans in accordance with Condition 2 of this permit;

ROSANNA STATION INTEGRATED DEVELOPMENT OPPORTUNITY cont'd

- (cc) Traffic Engineering Plans in accordance with Condition 3 of the permit;
- (dd) An amended Landscape Plan in accordance with Condition 4 of this permit;
- (ee) An amended Waste Management Plan in accordance with Condition 5 of this permit;
- (ff) An amended Sustainability Management Plan (SMP) in accordance with Condition 6 of this permit;
- (gg) A Construction Management Plan in accordance with Condition 7 of this permit;
- (hh) A Public Realm Interface Plan in accordance with Condition 8 of this permit.
- (ii) A Parking Management Plan in accordance with Condition 9 of this permit;
- (jj) A Green Travel Plan in accordance with Condition 10 of this permit;
- (kk) A 3D model of the development in accordance with Condition 11 of this permit;
- (ll) A Soil Management Plan in accordance with Condition 12 of this permit.

Development Drainage Plans

- 2 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. 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 level for the property;
 - (e) The integration, details and connections of all Water Sensitive Urban Design features in accordance with the endorsed Sustainable Management Plan and STORM report and include drainage details as a result of landscaping.

Traffic Engineering Plans

- 3 Before the development permitted by this permit commences, traffic engineering plans for the access and treatment of street frontage to the

ROSANNA STATION INTEGRATED DEVELOPMENT OPPORTUNITY cont'd

development to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must be prepared by a suitably qualified engineer and include:

- (a) Removal of the existing vehicle crossing and reinstatement of the nature strip and kerb.
- (b) New vehicle crossing to Council's specifications and guidelines.
- (c) Crossover to be a minimum of 1m from the power pole, if it not being relocated.
- (d) Parking spaces along the front of the site is to be properly line marked to Council's satisfaction.
- (e) Kerb outstands to be provided on the north side of the property crossover and south side of the station carpark crossover to protect the parking spaces.
- (f) Installation of a street light on the power pole to provide better lighting to the car parking access.
- (g) Relocation of the existing signs and signposts.
- (h) Removal of any redundant linemarking

Landscape Plan

4 Before the development permitted by this permit commences, a satisfactory amended 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 the canopy tree planting in conjunction with the Public Realm Interface Plan required by Condition 7 of this permit;
- (d) Increased depth of planting boxes to support hardy shrubs and cascading plants;
- (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;

ROSANNA STATION INTEGRATED DEVELOPMENT OPPORTUNITY cont'd

- (i) Location, details and cross section drawings of all Water Sensitive Urban Design features in accordance with the endorsed Sustainable 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.

Waste Management Plan

- 5 Before the development permitted by this permit commences, an amended Waste Management Plan (WMP) prepared by a suitably qualified person must be submitted to and approved by the Responsible Authority. The plan must be in general accordance with the plan prepared by Leigh Design, dated 3 February 2021, but modified to include:

- (a) Amendments to building design as required by Condition 1 (l) to (u).
- (b) Commercial waste storage area to include separation for food organics, rubbish, recyclables and cardboard.
- (c) Separate commercial and residential waste streams.
- (d) Use of an automatic bin exchanger (index).
- (e) Increased residential hard waste storage area to 4m².
- (f) Food organics generation rates for café.

Once approved, the Waste Management Plan must always be adhered to by the owners of the development unless otherwise approved in writing by the Responsible Authority.

Sustainable Management Plan

- 6 Before the development permitted by this permit commences, an Amended Sustainable Management Plan must be submitted to and approved by the Responsible Authority. Such assessment must be in general accordance with the plan prepared by Ark Resources, dated 18 November 2020 but modified to include:

- (a) A final published version of the SMP and BESS reports. All pages of the BESS report must be included.
- (b) Dwellings may only be grouped where they share similar thermal properties. 'Thermally similar' dwellings have similar orientation, similar heating and cooling loads, are of a similar size and have a similar number of external exposed surfaces (walls, floor, and roof). Dwellings must be separated into different groups, respective to their thermal conditions.
- (c) The sample of preliminary energy performance must provide a representation of each of the thermal groups, and rating to be extrapolated to remaining similar dwellings – average must be

ROSANNA STATION INTEGRATED DEVELOPMENT OPPORTUNITY cont'd

calculated only when each individual unit has been provided a rating based on this extrapolation.

- (d) Preliminary Energy Report to include NatHERS energy ratings for all thermally unique dwellings. The report must include: energy assessment parameters; summary of building fabric assumptions; summary of results (maximum cooling load of 21MJ/m²); preview of NatHERS certificate(s)/Provisional Prognostic(s).
 - * Please note a 7-star average or higher is highly encouraged.
- (e) A detailed daylight report which must include, at minimum:
 - i. Assessment methodology
 - ii. List of assumptions
 - iii. Assessment parameters
 - iv. Indication and levels achieved to all nominated areas (plans mark ups and table)
 - v. Summary of results
- (f) All the sustainable design strategies included in the BESS assessment. The SMP must be accompanied by the amended BESS report.
- (g) Supporting evidence to demonstrate all design strategies will be achievable. This includes, at minimum: preliminary energy report(s) (as provided); updated stormwater report (as requested below); depicted drawings (as requested below).

Once approved, the Sustainable Management Plan must always be adhered to by the owners of the development unless otherwise approved in writing by the Responsible Authority.

Construction Management Plan

- 7 Before the development starts, a Construction Management Plan must be submitted to the satisfaction of the Responsible Authority. Once approved, the plan must be implemented to the satisfaction of the Responsible Authority. The plan must address the following issues:
 - (a) measures to control noise, dust and water runoff;
 - (b) prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;
 - (c) the location of where building materials are to be kept during construction;
 - (d) site security;
 - (e) maintenance of safe movements of vehicles to and from the site during the construction phase;
 - (f) on-site parking of vehicles associated with construction of the development;
 - (g) wash down areas for trucks and vehicles associated with construction activities;

ROSANNA STATION INTEGRATED DEVELOPMENT OPPORTUNITY cont'd

- (h) cleaning and maintaining surrounding road surfaces;
- (i) maintenance of access along the full length of the laneway

Once approved, this management plan will be endorsed to be read in conjunction with all other endorsed documents and must be adhered to by the owner(s), permit holder(s) and operator(s) of any use at all times unless otherwise approved by the Responsible Authority.

Public Realm Interface Plan

8 Prior to the commencement of works, a public realm interface plan must be submitted to and approved by the responsible authority. The plan must have regard to the new Rosanna streetscape works in terms of consistency of materials and finishes and show, amongst other items:

- (a) The materials and finishes of a new public footpath treatment to Beetham Parade, including any opportunities for planting.
- (b) Treatment of the interface to the public walkway along the northern boundary of the subject site, including lighting and safety
- (c) All treatments to Beetham Parade should start and end at a well-defined point in the public realm to be agreed with the responsible authority to ensure works provide a visually smooth transition between existing finished materials in the streetscape.
- (d) In conjunction with a landscape plan for the site – incorporate greening and opportunities for mature canopy trees into the interface with the public realm on all aspects of the site.
- (e) Opportunities for additional and easily accessible cycle parking loops.
- (f) Opportunities for public seating where practicable.

The permit holder is encouraged to consider opportunities with the responsible authority to consider kerb outstands or use of on-street parking spaces to provide better public realm opportunities. Once approved, all works shown on the public realm interface plan must be completed to the satisfaction of the responsible authority prior to the issue of a certificate of occupancy, unless otherwise agreed in writing with the responsible authority.

Parking Management Plan

9 Unless otherwise agreed in writing, prior to the commencement of the use hereby approved, a Parking Management Plan must be prepared and approved to the satisfaction of the Responsible Authority. Such a plan must clearly identify, although is not limited to, outlining:

- (a) Unless otherwise agreed in writing, parking must be allocated as follows:
 - i) 44 residential spaces;

ROSANNA STATION INTEGRATED DEVELOPMENT OPPORTUNITY cont'd

- ii) 10 commercial spaces;
- iii) 1 car share space.
- (b) Details of any warning light/boom gate systems, etc. to control and manage the movement of vehicles in the basement.
- (c) Where storage enclosures are provided at the end of a car space, the enclosure must be allocated to the dwelling or commercial tenancy that has been allocated the car space.
- (d) Details as to how it will be brought to the attention of prospective purchasers that occupants of the dwellings or commercial premises on the land have no entitlement to on-street or off-street parking by way of a resident or trader vehicle parking permit.

Green Travel Plan

- 10 Prior to the commencement of the development, a Green Travel Plan for the building must be submitted to and approved by the Responsible Authority. This plan must specify that commercial and residential tenancies will be notified that on street parking permits will not be issued other methods of travelling are encouraged.

Other Plans

- 11 Prior to commencement of the development, excluding preliminary site works, demolition, bulk excavation, retention works, soil remediation, piling, footings and foundations, ground beams and ground slabs and any clean up works or as may otherwise be agreed in writing with the Responsible Authority, a 3D digital model of the development and its immediate surrounds must be submitted to and approved by the Responsible Authority. The 3D model must be in accordance with the Technical Advisory Note for 3D Digital Model Submissions prepared by the Department of Environment, Land, Water and Planning. The development must be in accordance with the endorsed 3D model, to the satisfaction of the Responsible Authority.
- 12 Prior to the commencement of the development, a Soil Management Plan prepared by a suitably qualified consultant for the site and proposed works must be submitted to and approved by the Responsible Authority to ensure the appropriate categorisation and disposal of waste in accordance with EPA Victoria's Publication IWRG 621, Soil Hazard Categorisation and Management 2009 is undertaken during construction of the proposal.

FURTHER PLANS AND/OR DOCUMENTS TO BE SUBMITTED TO OTHER AGENCIES PRIOR TO COMMENCEMENT OF DEVELOPMENT

Referral Authority requirements

- 13 *Any plans/conditions required by referral authorities*

ROSANNA STATION INTEGRATED DEVELOPMENT OPPORTUNITY cont'd

OTHER ACTIONS REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT

Notification of Responsible Authority of other matters

- 14 Before the development permitted by this permit commences, the owner of the land must ensure the Responsible Authority is notified when any plans/documents required by external agencies and shown as conditions on this permit are approved by those agencies and provide copies of any such approval.

Section 173 Agreement

- 15 Unless otherwise agreed in writing by the Responsible Authority, before the development permitted by this permit commences, the owner of the land at 73 Turnham Avenue must enter into an agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987 to the satisfaction of the Responsible Authority and such agreement must require that:
- (a) The owner acknowledge that all refuse and recycling collection will occur by way of a private contractor in accordance with the approved Waste Management Plan endorsed under Planning Permit P384/2021.

A memorandum of the Agreement is to be entered on title and the cost of the preparation and execution of the Agreement and entry of the memorandum on title is to be paid by the owner.

Development Infrastructure Levy

- 16 Prior to the commencement of development, the permit holder must pay to Banyule City Council a development infrastructure levy and community infrastructure levy in accordance with the amount specified in Table 6 of the Banyule Development Contributions Plan 2016-17, September 2018. The contribution amount payable in the table will be adjusted annually from 1 July 2017, each year to cover inflation, by applying the Consumer Price Index for Melbourne (All Groups) as published by the Australian Bureau of Statistics.

Tree Protection / Landscaping

- 17 Except with the further written consent of the Responsible Authority, no vegetation (other than that indicated on the endorsed plan, or exempt

ROSANNA STATION INTEGRATED DEVELOPMENT OPPORTUNITY cont'd

from planning permission under the provisions of the Banyule Planning Scheme) must be damaged, removed, destroyed or lopped.

- 18 Unless otherwise agreed in writing by the Responsible Authority, the landscaping shown on the endorsed landscape plans must be carried out in accordance with these plans and, thereafter, any landscaping must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

Council Trees

- 19 No Council trees are to be removed without the prior written consent of the Responsible Authority.
- 20 Prior to the commencement of development, the required fee for the planting of 3 new street tree/s must be paid to the Responsible Authority.

Note: The planting of a street trees will be carried out as part of Council's works schedule and only during the May to August planting season.

ACTIONS REQUIRED UPON COMPLETION OF DEVELOPMENT

Occupation of Development

- 21 Unless otherwise agreed in writing by the Responsible Authority, the proposed development must not be occupied until:
- (a) The parking areas shown on the endorsed plans have been constructed to the requirements and satisfaction of the Responsible Authority;
 - (b) The garden and landscape areas shown on the endorsed plans 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) Driveway, pathway, street, basement and undercroft lighting is installed in accordance with the relevant Australian Standards.

ONGOING REQUIREMENTS OF THIS PERMIT

General

- 22 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.

ROSANNA STATION INTEGRATED DEVELOPMENT OPPORTUNITY cont'd

Car Parking/Access

- 23 Areas set aside for the parking of vehicles together with the aisles and access lanes must be properly formed to such levels that they can be utilised in accordance with the endorsed plans and must be drained and provided with an all weather seal coat. The areas must be constructed, drained and maintained in a continuously useable condition to the satisfaction of the Responsible Authority.
- 24 Areas set aside for the parking and movement of vehicles as shown on the endorsed plans must be made available for such use and must not be used for any other purpose.
- 25 Vehicular access or egress to the subject land from any roadway or service lane must be by way of a vehicle crossing constructed in accordance with Council's Vehicle Crossing Specifications to suit the proposed driveway(s) and the vehicles that will use the crossing(s). The location, design and construction of the vehicle crossing(s) must be approved by the Responsible Authority. Any existing unused crossing(s) must be removed and replaced with concrete kerb, channel and nature strip to the satisfaction of the Council prior to occupation of the building.

Urban Design and Landscaping

- 26 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.
- 27 Any air-conditioning or cooling units, condensers and the like must not be located on external walls and, if located on balconies, must be screened, to the satisfaction of the Responsible Authority.
- 28 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.
- 29 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.

Waste Management

- 30 No receptacles for any form of rubbish or refuse (other than public waste bins) may be placed or allowed to remain in view from a public road or thoroughfare except during collection. Odour must not be

ROSANNA STATION INTEGRATED DEVELOPMENT OPPORTUNITY cont'd

emitted from any such receptacle to cause offence to any person outside the subject land, to the satisfaction of the Responsible Authority.

Maintenance of property

- 31 The occupiers must promptly remove or obliterate any graffiti on the subject site which is visible to the public and keep the site free from graffiti at all times to the satisfaction of the Responsible Authority.

Noise

- 32 The building must be constructed and maintained in accordance with the recommendations contained within the approved Acoustic Report prepared by Marshall Day Acoustics to the satisfaction of the Responsible Authority. The Acoustic Report endorsed under this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority unless with the further written approval of the Responsible Authority.
- 33 Prior to the occupation of any apartments within the approved building, a report from the author of the Acoustic Report approved pursuant to this permit or similarly qualified person or company must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the Acoustic Report have been implemented in accordance with the approved Acoustic Report.
- 34 Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1.
- 35 Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection Policy (Control of Music Noise from Public Premises), No. N-2.

Amenity

- 36 The uses permitted by this permit must be conducted, and the appearance of the subject land must be maintained to the satisfaction of the Responsible Authority so as not to unreasonably adversely affect the amenity of the locality by reason of the processes carried on; the

ROSANNA STATION INTEGRATED DEVELOPMENT OPPORTUNITY cont'd

transportation of materials, goods, or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, dust, waste water, waste products, grit, or oil; the presence of vermin, or otherwise.

37 Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority such that no direct light is emitted outside the boundaries of the subject land and so that there is no unreasonable light spill into any residential properties. Any security lighting is to be connected to a sensor so that illumination of the site is not continuous.

38 Noise emissions from any equipment required for refrigeration, air-conditioning, heating, ventilation and the like must comply with State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No N-1 and/or Environment Protection (Residential Noise) Regulations 1997 and/or Environmental Protection Authority Noise Control Guidelines TG 302/92, as relevant.

Subdivision Conditions

39 The owner of the land must enter into an agreement with:

- a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
- b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

40 Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
- b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

41 The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed

ROSANNA STATION INTEGRATED DEVELOPMENT OPPORTUNITY cont'd

plan in accordance with the authority's requirements and relevant legislation at the time.

- 42 All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
- 43 The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

Time Limits

- 44 In accordance with Section 68 of the Planning and Environment Act 1987, this permit will expire if one of the following circumstances applies:
- (a) The development is not commenced within two years of the date of this permit;
 - (b) The development is not completed within five years of the date of this permit.
 - (c) The plan of subdivision is not certified within 2 years of the date of this permit;
 - (d) The registration of the plan of subdivision is not completed within five years from the date of certification of the plan.

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

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

Planning Permit Application:	P384/2021
Development Planner:	Hayley Plank
Address:	73 Turnham Avenue ROSANNA (1309m ² parcel adjoining Beetham Parade)
Proposal:	Development of a mixed use building; use of land for dwellings; reduction in car parking requirements; creation of an easement; and subdivision of land, in accordance with the endorsed plans
Existing Use/Development:	Vacant land adjacent to Rosanna Railway Station
Applicant:	Beetham Parade Pty Ltd

ROSANNA STATION INTEGRATED DEVELOPMENT OPPORTUNITY cont'd

Zoning:	Commercial 1 Zone (subject to concurrent rezoning request)
Overlays:	Development Contributions Plan Overlay (Schedule 1)
Notification (Advertising):	Currently being undertaken by the State Government (Closing 2 July 2021)
Ward:	Ibbott

PROPOSAL

- Beetham Parade Pty Ltd, seeks to amend the planning provisions on surplus land created by the Rosanna Station level crossing removal project, and obtain a permit for the use and development of the land for a seven storey mixed use development. This is a combined amendment and application process being facilitated by the State Government.
- The proposed amendment to the Planning Scheme seeks to rezone the site from Public Use Zone (PUZ4 – Transport) to Commercial 1 Zone.
- The Planning Permit application seeks approval for the development of a seven storey mixed use building, comprising office, food and drink and residential uses (including 71 apartments); a reduction in car parking requirements (waiver of 46 spaces); creation of a light and air easement; and a two lot subdivision to create a separate title for the application site.
- The Minister for Planning has referred the applications to the independent Victorian Transport Projects Integrated Development Opportunities Standing Advisory Committee (Advisory Committee) for consideration of and recommendations on the suitability of the proposed Planning Scheme changes and the Planning Permit application. Council has the opportunity to make a submission to this process and make recommendations on appropriate conditions to be included on the Planning Permit.
- Attachment 1 is a State Government information sheet that provides an overview of the planning process.
- A copy of the exhibited plans form Attachment 2 to this report.

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

- As part of the State Government's substantial infrastructure investment program, the level crossing at Lower Plenty Road adjacent to Rosanna Station was removed in 2018. These works included the construction of a new railway bridge across the road and a new elevated station. The land subject to this application was previously at-grade car parking associated with the station and then used as a construction compound during the level crossing removal works. It is now surplus to the requirements of railway operations.

ROSANNA STATION INTEGRATED DEVELOPMENT OPPORTUNITY cont'd

SUBJECT SITE AND SURROUNDING AREA

- The subject site is located on the eastern side of Beetham Parade and is adjoined by railway station car parking to the west and south. Rosanna Station is approximately 65m to the north.
- The site is flat, undeveloped and includes trees and other vegetation along the street boundary. A number of these trees are located on or close to Council land.
- The site is close to the Rosanna shopping centre, with commercial premises fronting Beetham Parade on the west side north of Hillcrest Road. There are also four storey mixed use developments on the east side of Beetham Parade, adjoining the railway station. To the south-west of the application site, the development is predominantly residential, comprising a mix of traditional and multi-dwelling sites.



Figure 1 – Site Location Plan (site in red outline).

PUBLIC NOTIFICATION

- A public exhibition period for the proposal began on 24 May 2021 and will run until 2 July 2021. This is being undertaken by the State Government.

ROSANNA STATION INTEGRATED DEVELOPMENT OPPORTUNITY cont'd

REFERRAL COMMENTS

Internal referrals

Department/Unit	Response
Development Planning Arborist	Council's Development Planning Arborist generally supports the proposed removal of vegetation.
Developments & Drainage	Council's Developments & Drainage team has recommended conditions for drainage plans to be submitted to be placed on any permit issued.
ESD Advisor	Council's ESD Advisor has requested further detail be provided as evidence of the claimed measures.
Waste Management	Council's Waste Management team has identified a number of concerns relating to the storage and treatment of waste, which will necessitate amendments to the plans.
Parks and Gardens	Council's Parks and Gardens team has advised they would withhold support to the removal of trees on Council land until options for replacement canopy tree cover in the public space are considered.
Traffic & Transport	Council's Traffic & Transport team generally supports the proposed waiver of car parking and has made a number of recommendations in relation to the parking and access arrangements for the site.
Landscape	Council's Landscape Consultant has advised that the proposed planter boxes should be increased in size and depth to support hardy shrubs and cascading plants. He has also expressed concern that there are no replacement canopy trees proposed as part of the development.
Arts and Culture	Council's Arts and Culture Team have noted that Council encourages private developers to consider the benefits – cultural, aesthetic, social and economic – of incorporating permanent public artworks into their buildings and sites. It is strongly advised this project appoints a public art consultant to take a curatorial approach to the inclusion of artworks in the development of this building. The curatorial approach should in some way acknowledge the character and identity of the local neighbourhood. This is particularly important given the previous and ongoing disruption experienced by residents of this precinct, and any artwork outcomes should be sensitive to the local amenity.

ROSANNA STATION INTEGRATED DEVELOPMENT OPPORTUNITY cont'd

PLANNING CONTROLS

Table 1: Applicable Planning Controls

Control	Clause	Permit Triggered
Commercial 1 Zone (C1Z)	34.01	Yes
Development Contributions Plan Overlay (Schedule 1)	45.06	No
Easements	52.02	Yes
Car Parking	52.06	Yes
Better Apartment Design Standards	58	No

POLICIES CONSIDERED

Table 2: Relevant Planning Scheme Policy

Policy	Clause
PPF	
Settlement	11
Environmental Risks and Amenity	13
Built Environment and Heritage	15
Housing	16
Economic Development	17
Transport	18
LPPF	
Vision and Strategic Framework	21.02
Cultural Heritage	21.03
Land Use	21.04
Built Environment	21.06
Transport and Infrastructure	21.07
Local Places	21.08
Safer Design Policy	22.03
Environmentally Sustainable Development Policy	22.05

TECHNICAL CONSIDERATION

- It is considered that the proposed development is largely consistent with relevant Planning and Local Planning Policy Frameworks and is supported in principle.
- There are a suite of publicly available documents that have been released as part of the public notification process. Generally, it is considered that these reports make an accurate and reasonable summary of the relevant strategic context that would support the redevelopment of this site.
- The conclusions reached within the planning report are considered to be sound and note that:
 - *The proposed rezoning is consistent with the site's identification as surplus to transport requirements, is complementary to the zoning of the Rosanna Neighbourhood Centre and is strategically justified in relation to the matters listed in Revised Planning Practice Note 46 – Strategic Assessment Guidelines.*
 - *The proposed development is a positive response to the site and policy context, which encourages a mix of uses and increased residential choice*

ROSANNA STATION INTEGRATED DEVELOPMENT OPPORTUNITY cont'd

and density in proximity to public transport and existing services and infrastructure.

- *The proposed design response will positively address the site's context and interfaces and act as a positive exemplar of transit-oriented development on redundant railway land.*
- A draft planning permit was prepared by the applicant and included within the documentation for public exhibition. It is considered that there are opportunities to improve this permit, in terms of the use of standard conditions, design detail and on-going management.
- The proposal is generally considered to provide an appropriate response to the policy framework and provisions applicable to this site, including:
 - The apartments are consistent with the requirements of the Better Apartment Standards Guidelines (Clause 58 of the Planning Scheme), subject to some minor changes as recommended in the conditions.
 - The proposed waiver of car parking is supported, given the proximity to transport and services and support from the Banyule Integrated Transport Plan and Plan Melbourne 2017-2025.
 - The development will provide commercial activation to Beetham Parade and pedestrian access to the railway station.
 - The development provides a contemporary and highly articulated design response to all elevations, with landscaping provided through planter boxes on balconies to green the building and offset the cuboid forms.
 - Site services have been appropriately incorporated into the design and concealed from public view.
- The comments received from internal Council units have been incorporated into the proposed set of permit conditions. Of particular significance, these include:
 - Request for amended plans to address deficiencies in the plans submitted, particularly in relation to storage and management of waste and the design of car parking and access areas.
 - Request for an amended landscape plan, to be prepared in conjunction with a Public Realm Interface Plan, to provide an attractive public interface of the building to Beetham Parade and the public access to the railway station.
 - Request for an amended Sustainable Management Plan, to address deficiencies identified by Council's ESD Advisor.
 - A Green Travel Plan to encourage residents, staff and visitors to utilise modes of transport other than the car.
 - A contribution payable to Council for the planting of replacement street trees.

CONCLUSION

- The proposal is considered to be appropriate in a strategic context and generally in accordance with the relevant objectives and policies contained within the Banyule Planning Scheme. Subject to the amended conditions contained within Attachment 2, it is recommended that Council provide it's in-principle support to the proposal.

ROSANNA STATION INTEGRATED DEVELOPMENT OPPORTUNITY cont'd

ATTACHMENTS

N	Title	Page
o	.	
1	Planning Amendment and Application Process	
	⇒	
2	Elevation and floor plans	
	⇒	

5.6 MAJOR TRANSPORT PROJECTS UPDATE

Author: Paul Bellis - Transport Planning & Advocacy Coordinator, City Development

SUMMARY

The following update is provided on the state's major transport projects that are occurring in Banyule.

NORTH EAST LINK

1. Service relocation works primarily proximate to Borlase Reserve, Yallambie continue as part of the early works phase of the project.
2. Three Council properties have been divested as part of the project with compensation claims currently underway at 5-9 Borlase Street, Yallambie (Borlase Reserve), part of 26 Coleen Street, Yallambie (Coleen Reserve) and a completed claim at part of Watsonia Station carpark land.
3. North East Link Project (NELP) are required to develop and implement a Tree Canopy Replacement Plan in accordance with EPR AR3. The requirements of this plan are to replace the canopy of native vegetation and amenity plantings removed as a result of the NEL and achieve a net gain in tree canopy cover by 2045. Tree planting will be focussed primarily along the NEL alignment then as close as possible to the project area and then the balance to occur within the municipalities directly impacted by NEL.
4. The main contract forming the Private Public Partnership for the construction of the twin tunnels is expected to be awarded and announced by the State Government and North East Link Project (NELP) in the coming months. A date has not yet been confirmed regarding the announcement.
5. Subsequent to the main contract award and announcement and details of the contracted design being available, a report to Council will be prepared assessing the outcomes of the project and comparing these against the Council resolved transport advocacy list.

HURSTBRIDGE LINE UPGRADE

6. Clause 52.03 of the Victorian Planning Provisions was updated via planning scheme amendment VC170 in January 2020, facilitating the Level Crossing Removal Projects across the state. In accordance with Clause 52.03-2 the Hurstbridge Line Upgrade is afforded exemptions from the planning scheme requirements to obtain a permit. The general requirements of this clause have now been met.
7. A requirement of Clause 52.03 was to develop an environmental management framework for the project. This was approved by the Minister for Planning on 11 May 2021, enabling full construction of the Hurstbridge Line Upgrade to progress.
8. The biodiversity impacts from the removal, destruction or lopping of that native vegetation must be offset in accordance with the Guidelines for the removal, destruction or lopping of native vegetation.
9. Council land has been licenced to the Southern Program Alliance (SPA) to offset the loss of commuter car parking from Greensborough and Montmorency

MAJOR TRANSPORT PROJECTS UPDATE cont'd

railway stations for a period of 15 months at the corner of Flintoff Street/Para Road, Pioneer Reserve and a portion of Petrie Park. Additional Council land is also being negotiated for use by SPA to facilitate construction of the project for a period of 13 months at EJ Andrews Reserve, a portion of Petrie Park and 156 Sherbourne Road.

FITZSIMONS LANE UPGRADE

10. In mid-February 2021, Council wrote to the Minister for Roads and Road Safety, expressing concern regarding the lack of cycling facilities in Fitzsimons Lane and the safety of the Main Road cycling facilities included in the project design.
11. A response was received from the Minister for Transport Infrastructure, advising that the project needed to balance the footprint of the project against further widening and that there is a shared user path (SUP) provided on the east side of Fitzsimons Lane.
12. MRPV have not adjusted their design further in relation to provision of cycling infrastructure for Fitzsimons Lane. MRPV have, however improved the safety, functionality and connectivity of the SUP design in Main Road.
13. The incorporated document for the project details a vegetation retention philosophy, which requires where possible that native vegetation impacts will be avoided through considered design and construction methodologies and if native vegetation cannot be avoided, impacts are to be minimised as far as practicable, with native vegetation offsets secured for native vegetation which is to be removed.
14. The MRPV is yet to provide a landscape plan for Council review and comment.

RECOMMENDATION

That Council:

1. Notes the Major Transport Project update.
2. Receives a future report assessing the outcomes of the North East Link Project main contract announcement, comparing these outcomes against the Council resolved transport advocacy list.
3. Receives further updates on the Hurstbridge Line Upgrade and Fitzsimons Lane Upgrade projects as information becomes available.

COUNCIL PLAN

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

BACKGROUND

- Further to General Business item 10.2 raised at the Council Meeting of 7 June 2021, this report provides an update on the recent progress of the State Major Projects, namely the North East Link (NEL), Hurstbridge Line Upgrade (HLU) and Fitzsimons Lane Upgrade (FLU).

MAJOR TRANSPORT PROJECTS UPDATE cont'd

- As part of this report, the approach to replacement planting associated with each of these projects will be outlined.

NORTH EAST LINK

- Service relocation works primarily proximate to Borlase Reserve continue as part of the early works phase of the project.
- This includes relocating gas mains and electricity services within the Greensborough Road pavement and boring for these services beneath Lower Plenty Road, with works occurring overnight.
- Regional and local transmission watermains are being relocated to run along Borlase Street. Overhead power to properties in Borlase Street has also been undergrounded, with a new road pavement to also be constructed.
- These works have resulted in the temporary closure of the Borlase Street and Drysdale Street intersection, and resultant opening of the southern ends of both Borlase Street and Drysdale Streets at Lower Plenty Road, providing access to properties. This was in accordance with Councils resolution CO2020/171.
- The high voltage transmission lattice towers within Watsonia Railway Station car park have been relocated east of Greensborough Road in the electricity easement on Frensham reserve.
- Three Council properties have been divested as part of the NEL pursuant to section 134 of the *Major Transport Projects Facilitation Act 2009* (MTPFA). These are 5-9 Borlase Street, Yallambie (Borlase Reserve), part of 26 Coleen Street, Yallambie (Coleen Reserve) and part of Watsonia Station carpark land.
- Council received compensation (based on current market value) plus allowances and interest for the Watsonia Station carpark land on 26 February 2021. Preparatory work is being undertaken by the Property Services Team for compensation claims relating to Borlase Reserve, part of Coleen Reserve and an easement acquired over part 111 Banyule Road, Rosanna (Creekbend Reserve).
- The main contract forming the Private Public Partnership for the construction of the twin tunnels is expected to be awarded and announced by the State Government and NELP in the coming months. A date has not yet been confirmed regarding the announcement.
- The secondary packages to supplement the main contract that covers the balance of the NEL are expected to be announced a further 12 months after the main contract award.
- Subsequent to the main contract award and announcement and details of the contracted design being available, a report to Council will be prepared assessing the outcomes of the project and comparing these against the Council resolved transport advocacy list.

Replacement Tree Planting

- The Minister for Planning granted approval for the NEL, subject to number of Environmental Performance Requirements (EPRs), which includes a requirement for the development and implementation of a Tree Canopy Replacement Plan in accordance with EPR Arboriculture AR3.
- The requirements of this plan (as detailed in Attachment 1) are specified to replace the canopy of native vegetation and amenity plantings removed as a result of the NEL and achieve a net gain in tree canopy cover by 2045.

MAJOR TRANSPORT PROJECTS UPDATE cont'd

- Tree planting will be focussed primarily along the NEL alignment as part of the design, with additional planting occurring as close as possible to the project area and the balance to occur within the municipalities directly impacted by NEL.
- A survey of residents about tree planting was undertaken by NELP in late 2020, with almost 800 responses received and over 50% of these coming from Banyule. The community values and suggested locations from the survey included:
 - Planting trees in wildlife corridors, nature reserves and public parks; and
 - Planting trees for cleaner air, wildlife habitat and shade/cooling
 - 140+ parks, reserves, waterways, walking and cycling trails, 100+ roads and streets, and 40+ community places including schools, shops and train stations
- There has been some early tree replacement planting at Watsonia Primary School, with Council also involved in preliminary discussion with NELP for additional sites.

Auditing

- The project has engaged an Independent Environmental Auditor (IEA) as part of regular, and ongoing, work to monitor compliance against the project's 100+ Environmental Performance Requirements (EPRs).
- This independent auditing program gives an added layer of assurance EPRs are being monitored, and should an issue be found, that this will be formally documented, reported and addressed.
- The IEA's first six-monthly summary report is available on the NELP website.

HURSTBRIDGE LINE UPGRADE

- Clause 52.03 of the Victorian Planning Provisions was updated in January 2020, facilitating the Level Crossing Removal Project (LXRP) across the state. The Clause stipulated a requirement to undertake public consultation on the project prior to the commencement of the development. A consultation report was subsequently prepared to the satisfaction of the Minister for Planning, as previously reported to Council.
- The provisions of Clause 52.03 include several requirements to be provided to the satisfaction of the Minister for Planning or to the Department of Environment, Land, Water and Planning (DELWP) as summarised below:
 - An environmental management framework (EMF) prepared in consultation with Council. This includes key construction methodologies, an overarching framework for site or work specific measures to reduce and manage environmental and amenity effects during construction, including performance monitoring and reporting processes.
 - A report on any impact that the project has within overlays (where applicable) that relate to Heritage, Environmental Significance, Significant Landscape or Vegetation Protection.
 - Information regarding native vegetation destruction, lopping or removal for each component or stage of the project.

MAJOR TRANSPORT PROJECTS UPDATE cont'd

- The biodiversity impacts from the removal, destruction or lopping of that native vegetation must be offset in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017).
 - Defining the boundary of the land where the project will be constructed.
- In accordance with Clause 52.03-2 the LXRП is afforded exemptions from the planning scheme requirements to obtain a permit for the proposed Hurstbridge Line Upgrade project. The above-mentioned requirements have been met.
- The Southern Program Alliance (SPA), the delivery agency, has been issuing design packages for Council officer review and comment on technical matters that primarily relate to Council assets. This typically includes where the LXRП interfaces with Council assets such as footpaths, roads and reserves.
- Whilst design progresses SPA/LXRП has also advanced the removal of vegetation to facilitate preparatory works in accordance with Clause 52.03-8. This is to provide access at key locations to the rail corridor for future construction or for delivering signalling infrastructure. These activities are permitted in advance of the EMF approval.
- The EMF was approved by the Minister for Planning on 11 May 2021, enabling full construction of the Hurstbridge Line Upgrade to progress within the defined project area, once the design plans have been issued for construction. A copy of the approved EMF has been attached. (Attachment 2).
- The Eltham Copper Butterfly (ECB), a federally listed species afforded protection, was discovered in Council land at Mayona Reserve and the rail corridor earlier this year. SPA and the LXRП have undertaken targeted surveys for the ECB and are reviewing their design proximate to the habitat to determine any impacts. They are working with DELWP with respect to any impact on the ECB habitat, with the potential need to make application to the Federal Minister for Environment in accordance with the *Environment Protection and Biodiversity Conservation Act 1999*. Council, as an affected land owner, has requested copies of relevant reports and outcomes from DELWP's preliminary consideration of this matter.
- Council land was licenced to the SPA to offset the loss of commuter car parking from Greensborough and Montmorency railway stations for a period of 15 months, commencing on 1 March 2021, at the following locations:
 - Flintoff Street/Para Road, Greensborough; 70x spaces
 - Pioneer Reserve, Greensborough; 21x spaces
 - Petrie Park, Montmorency; 23x spaces
- Additional Council land is also being negotiated for use by SPA to facilitate construction of the project for a period of 13 months at the following locations:
 - EJ Andrews Reserve, Greensborough
 - A portion of Petrie Park, Montmorency
 - 156 Sherbourne Road, Montmorency

MAJOR TRANSPORT PROJECTS UPDATE cont'd

Replacement Vegetation Planting

- Under Clause 52.03-6 of the Banyule Planning Scheme requires an EMF to be prepared to the satisfaction of the Minister for Planning, containing a summary of key construction methodologies, an overarching framework for site or works to reduce and manage environmental and amenity effects during construction with associated report and monitoring measures.
- Section 6.1.7 of the approved EMF states a vegetation retention philosophy, where possible:
 - native vegetation impacts will be avoided through considered design and construction methodologies i.e. designation of No-Go zones.
 - testing design and construction assumptions to avoid native vegetation.
 - native vegetation cannot be avoided, impacts are to be minimised as far as practicable, with native vegetation offsets secured for native vegetation removed.
- The EMF also requires an Environmental Management Plan for project wide design and construction phases for various activities, including flora. SPA will prepare a series of detailed implementation and operational procedures to support the EMP.
- Supplementing these strategies is the preparation of landscape plans, that document the re-vegetation of sections in and around the rail corridor with:
 - Over 700 trees and 15,000 shrubs, grass, climbers and groundcovers will be planted at each of the Greensborough Station and Montmorency Station precincts.
 - Over 1500 trees and 9000 plants will be planted between Greensborough and Montmorency, in the rail corridor and road reserve.

FITZSIMONS LANE UPGRADE

- This project has progressed in a similar approvals process as outlined for the Hurstbridge Line Upgrade project.
- Vegetation has been removed on the approach to and at the Main Road and Fitzsimons Lane roundabout as part of the preparatory works for the project.
- Two key issues raised by Council with respect to this project related to vegetation removal minimisation and the incorporation of cycling infrastructure into the design solution for the signalisation of Main Road and Fitzsimons Lane.
- In mid-February 2021 Council wrote to the Minister for Roads and Road Safety, Ben Carroll, expressing concern regarding the lack of cycling facilities included in the project design at that point. The Department of Transport Strategic Cycling Corridor has been approved in December 2020, which identified both Main Road and Fitzsimons Lane in Lower Plenty for the provision of cycling infrastructure. The focus of the concerns related to the lack of exclusive on road cycling infrastructure on Fitzsimons Lane, with reservations also highlighted regarding the safety of the Main Road cycling facilities.

MAJOR TRANSPORT PROJECTS UPDATE cont'd

- A response was received from the Minister for Transport Infrastructure, Jacinta Allan, advising that the project had considered the Strategic Cycling Corridors, but needed to balance the footprint of the project against further widening and that there is a shared user path (SUP) provided on the east side of Fitzsimons Lane.
- MRPV have not adjusted their design further in relation to provision of cycling infrastructure for Fitzsimons Lane. MRPV have however improved their design of the Main Road cycling facilities, improving the safety, functionality and connectivity to the existing SUP in Bolton Street, Eltham.

Replacement Vegetation Planting

- Under the Banyule Planning Scheme - clause 45.12, the specific control contained within the *'Fitzsimons Lane (Foote Street, Porter Street, Main Road and Leane Drive) Upgrade Project Incorporated Document, December 2019'* have been applied to the project area. This incorporated document requires that an Environmental Management Strategy (EMS) be prepared to the satisfaction of the Minister for Planning and containing a summary of key construction methodologies, an overarching framework for site or works to reduce and manage environmental and amenity effects during construction with associated report and monitoring measures. The Minister for Planning approved the EMS on 2 November 2020.(Attachment 3)
- Section 4.5.1 of the incorporated document states a vegetation retention philosophy and where possible:
 - native vegetation impacts will be avoided through considered design and construction methodologies i.e. designation of No-Go zones
 - testing design and construction assumptions to avoid native vegetation, and
 - if native vegetation cannot be avoided, impacts are to be minimised as far as practicable, with native vegetation offsets secured for native vegetation that is to be removed.
- Section 4.9.1 of the incorporated document requires the preparation of an urban design and landscape statement to the satisfaction of the Minister for Planning. The statement must demonstrate how the final design responds to the objectives and principles of the Northern Road Upgrade – Landscaping and Urban Design Strategy and landscape character of the area, including:
 - A landscape plan,
 - A design of the proposed retaining walls and other urban design treatments
- The MRPV is yet to provide a landscape plan for Council review and comment.

KEY ISSUES

- As part of the relevant approvals granted by the Minister for Planning for each of these Major Transport Projects, there are various landscaping and tree replacement requirements stipulated as conditions that must be met.
- These landscaping requirements typically include consultation with Council, usually seeking local knowledge commentary and input on strategies or designs.

MAJOR TRANSPORT PROJECTS UPDATE cont'd

- These documents are to be prepared to the satisfaction of the Minister for Planning.
- For trees that are removed or impacted as part of the project, offset planting must be undertaken.

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

ATTACHMENTS

N	Title	Page
0	.	
1	Major Transport Projects Update - Attachment 1 ⇒	
2	HB2 - Environmental Management Framework [Approved] ⇒	
3	FL - Environmental Management Strategy (signed) ⇒	

6.1 VIRTUAL MEETING PARTICIPATION - CONSULTATION PAPER

Author: Gina Burden - Manager Governance & Communication, Corporate Services

SUMMARY

1. In response to the COVID-19 pandemic, temporary provisions were inserted in the *Local Government Act 2020* (LGA 2020) to allow councils and regional libraries to conduct their meetings virtually. These provisions have been extended twice by Parliament and will expire on 27 April 2022.
2. Some councils have called for virtual meetings to be made permanent. Consequently, Local Government Victoria (LGV) has developed a policy reform proposal to consider whether councils and regional libraries be permanently allowed to conduct meetings virtually.
3. A Consultation Paper (attached) has been prepared and was sent to councils for feedback on 10 June 2021. The due date for submissions and feedback is 30 June 2021, a period of less than 3 weeks.
4. The policy reform outlined in the Consultation Paper focuses on developing a regulatory framework for virtual meetings to ensure standards of transparency and integrity in decision making are maintained. LGV have stated that the policy is intended to contribute towards the Victorian Government's Gender Equality Strategy, Safe and Strong, including achieving a 50/50 target of gender representation for councillors and mayors by 2025.
5. Three (3) options have been proposed as part of the policy reform proposal. Option 1 would give councillors an automatic right to attend meetings by electronic means; Option 2 would allow councillors to attend meetings by electronic means subject to approval (in accordance with the relevant Governance Rules), which cannot be unreasonably refused; and Option 3 involves no change whereby virtual meetings are discontinued once the current emergency provisions expire.
6. It is being recommended that Option 2 would be the most suitable option for Banyule, as it allows the flexibility and benefits of participating in virtual meetings to be available in the future, thereby future-proofing Council meetings. At the same time Option 2 would allow Council, through its Governance Rules, the ability to control and set parameters around the mechanics and rationale for approving virtual participation in its meetings.
7. The very short turnaround time for making submissions on this important governance reform has meant that it has not been possible to consult effectively with either councillors or interested community members in developing a position on the proposal. It would be appropriate to advise LGV of this limitation as part of Council's submission.

VIRTUAL MEETING PARTICIPATION - CONSULTATION PAPER cont'd

RECOMMENDATION

That Council:

1. Respond to Local Government Victoria (LGV), by the due date of 30 June 2021, on the Virtual Meeting Participation - Consultation Paper, indicating a preference for policy proposal Option 2:

'Councillors, members of council delegated committees, and members of governing bodies of Regional Library Corporations (RLC) can attend meetings by electronic means subject to approval (in accordance with the relevant Governance Rules, or Local laws in the case of RLCs), which cannot be unreasonable refused.'

2. Advise LGV that the very short timeframe allocated to receive feedback or make a submission (3 weeks from notification) on this significant proposed change to the operation of council meetings, has meant neither councillors or the community have had the opportunity to be properly consulted on the proposed options.

COUNCIL PLAN

- This report is in line with Banyule's Council Plan key direction to "Engage meaningfully with our community and encourage participation".

BACKGROUND

- It has been a long-standing legislative requirement that Council meetings be attended by Councillors in-person, and that these meetings be open to the public.
- In response to the COVID-19 pandemic, temporary provisions were inserted in the *Local Government Act 2020* (LGA 2020) to allow councils and regional libraries to conduct their meetings virtually. These provisions have been extended twice by Parliament and will expire on 27 April 2022.
- Local Government Victoria, in its latest Bulletin dated 10 June 2021, has advised that there has since been support from councils for virtual meetings to be made permanent after having experienced the flexibility these temporary provisions provide. Considering this, it is being proposed that councils and regional libraries be permanently allowed to conduct meetings virtually.
- A Consultation Paper (attached) has been prepared by LGV outlining three (3) policy reform proposals for virtual meeting participation. Feedback on the policy proposal is being sought by 30 June 2021, a very short timeframe.
- The policy reform being proposed by LGV focuses on developing a regulatory framework for virtual meetings to ensure standards of transparency and integrity in decision making are maintained. LGV have stated that the policy is intended to contribute towards the Victorian Government's Gender Equality Strategy, Safe and Strong, including achieving a 50/50 target of gender representation for councillors and mayors by 2025.

VIRTUAL MEETING PARTICIPATION - CONSULTATION PAPER cont'd

KEY ISSUES

Rationale

- The rationale outlined in the Consultation Paper for making virtual meetings permanent includes:
 - Provides flexibility in how people participate in council meetings creates genuine opportunity;
 - Gives access for all people to be councillors, allowing for a diverse and truly representative council;
 - As the level of government closest to communities, it's vital councils reflect all the people they serve;
 - The Victorian Government's Gender Equality Strategy, Safe and Strong, sets a target of 50/50 gender;
 - Representation for councillors and mayors by 2025. Enabling virtual participation in council meetings;
 - May encourage more women to take up local leadership roles by providing them with the flexibility to accommodate their other responsibilities;
 - It is well known that diverse and inclusive decision-making bodies make better decisions;
 - The new Gender Equality and Local Government Acts, passed into law earlier this year, put gender equality, diversity and inclusion as a key priority for councils and their staff;
 - In addition to promoting gender equality, flexibility in how people can attend and participate in meetings will enable greater access for members who may have other barriers that prevent regular attendance in person at a meeting. These barriers could include health issues, caring responsibilities, or long distances to travel.

Policy options

- Three options have been proposed:
 - Option 1:** Councillors, members of council delegated committees, and members of governing bodies of Regional Library Corporations (RLC) would have an automatic right or entitlement to attend meetings by electronic means.
 - Option 2:** Councillors, members of council delegated committees, and members of governing bodies of RLCs can attend meetings by electronic means subject to approval (in accordance with the relevant Governance Rules, or Local Laws in the case of RLCs), which cannot be unreasonably refused.
 - Option 3:** Discontinue the use of council and RLC virtual meetings when the current emergency provisions of Part 12 of the Act expire on 27 April 2022.

Preferred Option

- There are many advantages to virtual meetings, which have been highlighted in the Consultation Paper, including that it provides for greater flexibility and participation of members; allows attendance for those that may be unwell or having caring responsibilities, or have to travel long distances; increases public accessibility to meetings in real time; and promotes gender equality and inclusiveness.

VIRTUAL MEETING PARTICIPATION - CONSULTATION PAPER cont'd

- As with all other Victorian councils, Banyule had to transform and adapt quickly last year to the changing circumstances brought about by the COVID pandemic. The ability to conduct meetings virtually allowed Council business and decision making to continue operating seamlessly. While it had been unplanned, the emergency situation allowed Council to get used to a new way of working and presented the opportunity to innovate and develop the technical skills and abilities to meet the new challenges. Banyule now has considerable internal expertise and knowhow to manage virtual meetings.
- Of the three options being proposed, Option 2 appears to be the most practical and reasonable. It would empower councils and give them the autonomy to establish their own rules and procedures for operating virtual meetings. This would need to be done in consultation with the community as any changes to the Governance Rules require community engagement to be undertaken.
- Option 1, while ensuring that virtual meetings will become a normal practice in the future, takes away any flexibility or autonomy from individual councils to choose the most suitable means for conducting their meetings. As with anything else, one size does not fit all when it comes to councils, due to the varying levels of capacity, expertise and resources available to them.
- Option 3 which effectively recommends no change, is not a practical solution. It is backward looking and does not address the challenges councils will continue to face in this rapidly changing technological environment, nor does it meet the needs of a diverse community. Virtual meetings have allowed for greater and more flexible participation in council meetings and has removed some of the previous barriers to participation. It needs to be acknowledged that they are here to stay.

SUPPORTING REPORT DETAILS

Legal Consideration

- The provisions for holding council meetings are set out in Division 2 of the *Local Government Act 2020*. Temporary procedures to allow for virtual meetings during the COVID-19 pandemic were inserted in Part 12 of the Act and expire on 27 April 2022.
- A number of regulatory measures would apply to both Options 1 and 2, these include:
- To ensure transparency of proceedings and effective participation, participation by electronic means is only allowed where the person can:
 - hear proceedings and be heard
 - see other members and be seen.
- Councils and RLCs must develop Governance Rules (or Local Laws in the case of RLCs) which will enable persons to participate in meetings virtually by electronic means.
- All Council meetings must be streamed live on the Council's website.
- All delegated committee meetings must be either streamed live on the Council's website, or recordings of the meeting made available on the Council's website as soon as practicable after the meeting. Note, this does not apply to RLCs as their meetings are not open to the public.

VIRTUAL MEETING PARTICIPATION - CONSULTATION PAPER cont'd

- Proceedings of a council meeting, delegated committee or RLC are not invalidated because of a failure by a virtual participant in a meeting to hear proceedings and be heard, and / or to see other members and be seen.

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 raise issues related to Section 18 of the Charter - The right to take part in public life.
- The proposal to make permanent the ability for councils to hold virtual meetings supports and facilitates the ability of all individuals, regardless of their circumstances, to participate in the meetings without the constraint of requiring them to be present in-person. It has the potential to remove previous barriers to participation, particularly for elected members.

Sustainable Procurement Outcomes

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

Financial Implications

- Council currently has the resources and infrastructure in place to hold virtual meetings, and any associated costs are factored into the operating budget.

Innovation and Continuous Improvement

- The proposal to regulate for the permanent provision of virtual council meetings is a significant departure from the long-standing governance procedures for holding council meetings on-site and in-person.
- Through necessity during the COVID pandemic, all Victorian councils had to quickly adapt to the changing circumstances and moved their meetings online. The meetings were not only made accessible to the public online, but were held virtually with councillors attending via an online platform from their own homes rather than in-person in the Council Chambers.
- For Banyule it has meant that technical solutions and workarounds had to be found to support the new virtual meeting environment and its challenges, particularly with incorporating virtual public participation. To the credit of both councillors and staff, the capacity to run these meetings in a seamless and professional manner has been developed and refined over the past year.
- Banyule stands in good stead to continue supporting the hosting and conduct of virtual meetings, and it is recognised that the requirement to offer this option is part of contemporary and modern council business practices in this technological age.

VIRTUAL MEETING PARTICIPATION - CONSULTATION PAPER cont'd

Community Engagement

- Due to the very short time frame provided by LGV from release of the Consultation Paper and the due date for feedback (3 weeks), it has not allowed enough time to undertake engagement with the community and other key stakeholders.
- Given the significance of this change to Council meeting processes, which has historically been the practice of in-person meetings for the past century and beyond, a longer consultation period would have been appropriate and warranted. Extra time would have allowed Council the opportunity to seek the views, and to hear from the community, about their experiences in accessing and participating in the virtual meetings.
- Efforts have been made via Council's website to direct interested persons to the Consultation Paper, noting that any person may make a submission on the policy proposal.
- Should Option 2 be implemented by the State Government it would require councils to amend their Governance Rules to include procedures for the conduct of virtual meetings, and rules relating to virtual participation of members. Any changes to the Governance Rules require community engagement to be undertaken. It would, therefore, allow the community an opportunity to be properly consulted and engaged on how virtual meetings should and can operate at Banyule Council.

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
0	.	
1	LGV Consultation Paper - Virtual Meeting Participation ↗	

7.1 PROPOSED BUDGET 2021/22 - DECLARATIONS

Author: Gina Burden - Manager Governance & Communication, Corporate Services

SUMMARY

1. The Proposed Budget 2021/22 has been prepared to deliver the overall strategic direction for Banyule. The Budget comprises services, initiatives and capital works across the municipality.
2. Consideration to adopt the Proposed Budget 2021/22 with or without amendment is included in this agenda.
3. The need for Councillors to disclose a conflict of interest where one exists in relation to any of the Budget services or capital works requires that they be addressed separately as part of the Budget process.
4. Any item in which a Councillor discloses a conflict of interest are to be dealt with by separate resolution under this 'Budget Declarations' process.
5. If a Councillor declares a conflict of interest, they must outline the nature of the interest and leave the Chamber at the request of the Mayor/Chairperson.
6. Once all disclosures have been made and the items which are the subject of any disclosure are determined by the Council, all Councillors are able to vote on the Proposed Budget 2021/22.
7. This report provides an opportunity for Councillors to disclose any conflicts in relation to the Proposed Budget 2021/22.

RECOMMENDATION

1. The Mayor invite Councillors to disclose any conflicts of interest in relation to adoption of the Proposed Budget 2021/22 describing the nature of the interest in accordance with the *Local Government Act 2020* and the Banyule Governance Rules.
2. Following each disclosure, Council consider and determine upon the relevant project and the associated funding in the Proposed Budget 2021/22.

COUNCIL PLAN

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

PROPOSED BUDGET 2021/22 - DECLARATIONS cont'd

BACKGROUND

- In developing the Proposed Budget 2021/22, Council services and capital works have been considered for funding. Councillors who have a conflict of interest in any items to be considered are required to disclose the type and nature of the interest.
- Due to the wide-ranging nature of the services and capital works involved in the Budget, it is reasonably foreseeable that a Councillor may disclose a conflict and would otherwise be required to excuse themselves from the vote. As this would make the adoption of an annual Budget unworkable in practice, Local Government (Governance and Integrity) Regulations 2020 provides a mechanism for Councillors to vote on a Budget, by requiring the conflict of interest items to be considered and resolved separately.

SUPPORTING REPORT DETAILS

Legal Consideration

- Councillors and staff are required to declare Conflicts of Interest in accordance with the Act and the Banyule Governance Rules. Normally where a Councillor has a conflict of interest in an item on the agenda, they must declare the interest and must remove themselves from being involved in participating in the discussion or voting on the matter.
- With regard to the adoption of the Council Budget, provision has been made in the *Local Government (Governance and Integrity) Regulations 2020* (regulation 7, 1r) for exempting a Councillor from having to declare a conflict of interest in the overall Budget so long as the item/s that a Councillor has a conflict of interest in are considered and determined separately prior to adoption of the Budget as a whole.
- Therefore, to ensure all Councillors are able to participate in the adoption of the Budget, any items included in the Budget in which a Councillor discloses a conflict of interest are to be dealt with by separate resolution under this 'Budget Declarations' process. Any Councillor declaring a conflict of interest would need to then follow the normal process and remove themselves from the Chamber for the discussion and vote on the matter/s.
- Once all disclosures have been made and the items which are the subject of any disclosure are determined by the Council, all Councillors will be able to participate in the consideration and adoption of the Budget as a whole package.
- A Councillor that carries out a function in any of the positions outlined in the Regulations r7(2) is prescribed to be exempt from the Conflict of interest provisions, some of these positions include:
 - As a representative of the Council to a Local Government Waste Forum established under the *Environment Protection Act 1970*;
 - As a director of a Waste and Resource Recovery Group established under the *Environment Protection Act 1970*;
 - As a representative of the Council, or Councils, to the Municipal Association of Victoria or in another body that has a purpose of representing the interests of a Council or Councils.

PROPOSED BUDGET 2021/22 - DECLARATIONS cont'd

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.

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

7.2 ADOPTION OF REVENUE AND RATING PLAN 2021-2025

Author: Philip Ryan - Revenue Services Coordinator, Corporate Services

Previous Items

Council on 07 Jun 2021 7.00pm (Item 7.6 - Consideration of Submissions Received - Proposed Budget 2021-2025 & Proposed Revenue and Rating Plan 2021-2025)

Council on 12 Apr 2021 7.00pm (Item 7.2 - Proposed Revenue and Rating Plan 2021-2025 - Public Exhibition)

Special Council on 26 May 2021 7.00pm (Item 5.1 - Proposed Budget 2021 – 2025 and Proposed Revenue and Rating Plan 2021 – 2025 – Hearing of Submissions)

SUMMARY

1. The adoption of a Revenue and Rating Plan is a new requirement under section 93 of the *Local Government Act 2020*. Previously, Council adopted an annual Rating Strategy in line with Local Government Victoria guidelines.
2. The Revenue and Rating Plan aids to ensure that Council has a clear set of directions relating to revenue sources and strategies.
3. Council resolved on Monday, 15 April 2021 to endorse the draft Revenue and Rating Plan 2021-2025 for public exhibition.
4. Following the public exhibition period, no changes required to the proposed Revenue and Rating Plan 2021-2025 based on the outcome of Council's consideration of public submissions at a Council Meeting on Monday, 7 June 2021.
5. The proposed Revenue and Rating Plan 2021-2025 is now being presented for adoption and that the proposed Revenue and Rating Plan 2021-2025 informs the proposed Budget 2021-2025.
6. Once adopted, the Revenue and Rating Plan 2021-2025 will be displayed on Council's website and made available at Council service centres.

RECOMMENDATION

That Council:

1. Adopt the Revenue and Rating Plan 2021-2025.
2. Make available through Council's website the adopted Revenue and Rating Plan 2021-2025.
3. Write to all submitters of the outcome of their submission to the proposed Revenue and Rating Plan 2021-2025, as it relates to their specific submission, and thank for their contribution.

COUNCIL PLAN

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

ADOPTION OF REVENUE AND RATING PLAN 2021-2025 cont'd

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 2021-2025 supports the rating principles used to levy rates and charges, in collaboration with determining the Proposed Budget 2021-2025.
- The Revenue and Rating Plan 2021-2025 outlines the framework under which Council will fund services, capital works and initiatives over the four years that the plan is active. There is a requirement to ensure that services are financially sustainable.
- In funding services, capital works and initiatives, Council operates under restrictions imposed by the Fair Go Rates System cap and grant allocations from the state and commonwealth government.

KEY ISSUES

- Council is required to meet all legislative requirements and through this proposed Revenue and Rating Plan 2021-2025 aims to direct the way that revenue sources are budgeted for, including the way rates are levied.
- It is proposed that the following rating principles remain in place:
 - Rates being payable in four instalments only
 - Maintaining the existing differential rating structure
 - Charging five properties under the *Cultural and Recreational Lands Act 1963*
 - Not offering any Council concessions
 - Not offering any incentives for prompt payment.
 - Not levying a Municipal Charge
 - Not levying a Service Charge on rateable residential land for the provision of a standard waste service.
 - Levying a Service Charge on non-rateable residential land for the provision on a waste service.
 - Charging penalty interest in accordance with section 172 of the *Local Government Act 1989*
 - Undertaking collections of unpaid rates in accordance with sections 180 and 181 of the *Local Government Act 1989*

ADOPTION OF REVENUE AND RATING PLAN 2021-2025 cont'd

- The proposed Revenue and Rating Plan 2021-2025 also outlines the principle that Council will seek grants from the state and commonwealth government to reduce the reliance on rates to fund all services capital works and initiatives.
- The proposed Revenue and Rating Plan 2021-2025 states that Council will seek ad-hoc grant funding to assist in delivering services and infrastructure in line with Council's objectives.
- User fees and charges are also outlined in the plan including the principles that are used to set fees and charges on an annual basis.

SUPPORTING REPORT DETAILS

Legal Consideration

- The adoption of a Revenue and Rating Plan is a new requirement under section 93 of the *Local Government Act 2020*. Consultation on the proposed Revenue and Rating Plan 2021-2025 was undertaken in accordance with Council's Banyule Community Engagement Policy which was adopted in accordance with section 55 of the *Local Government Act 2020*.

Human Rights Charter

- In developing this report to Council, the subject matter has been considered to determine if it raises any human rights issues. Whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited restricted or interfered with by the recommendations contained in this report.
- 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 direct financial implications for Council. There are impacts for individual ratepayers and users of services that are subject to user fees and charges.

Community Engagement

- The Proposed Revenue and Rating Plan 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.
- 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](#)

ADOPTION OF REVENUE AND RATING PLAN 2021-2025 cont'd

- Public submissions were called for in relation to the proposed Revenue and Rating Plan 2021-2025 enabling members of the community to provide written submissions.
- The overall total number of submissions received as at the time of preparing this report is Seventy-Two (72) that covered both the proposed Budget 2021-2025 and proposed Revenue and Rating Plan 2021-2025.
 - Council held a Council Meeting on Wednesday, 26 May 2021 to hear the public submissions.
 - Council held a Council Meeting on Monday, 7 June 2021 to consider these submissions and the outcomes endorsed.
 - Council to hold a Council Meeting on Monday, 28 June 2021 to consider the adoption of the proposed Revenue and Rating Plan 2021-2025 with or without amendment.
- All submitters will be individually informed of the outcome of their submission in writing after the adoption of the Revenue and Rating Plan 2021-2025.

Key Considerations

- Feedback relating to the proposed Revenue and Rating Plan 2021-2025 included:
 - *A request to freeze rates over the first two years of the Revenue and Rating Plan 2021-2025.*

In analysing the feedback provided during the consultation period, it was determined that maintaining rates at the same level as those raised in the 2020-2021 year would negatively impact Council's Long-Term Financial Plan and render the provision of services, capital works and initiatives, unsustainable.
 - *A request to provide for a reduction in rates for properties that has sustained a certain amount of canopy cover.*

Levying rates at a lower level on properties able to maintain a desired level of canopy cover was currently deemed impractical to administer and inequitable to those who would not be able to achieve the desired outcomes due to the nature of the property being rated, such as multi-unit developments. The objective is better achieved through planning controls.
 - *A request to levy a separate household waste charge to distribute the cost of Council's waste service to only those properties that can receive a waste service.*

Levying a waste charge is regressive in that ratepayers paying rates on lower valued properties would be impacted to a greater extent than those in higher-valued properties when introduced. A separate waste charge may be required in future years if costs of waste management significantly increase at a rate higher than the Fair Go Rates Cap which, if not introduced, would require Council to reduce services in other areas to cover the funding gap.

ADOPTION OF REVENUE AND RATING PLAN 2021-2025 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.

ATTACHMENTS

N	Title	Page
o		
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1	Proposed Revenue and Rating Plan 2021-2025	
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7.3 ADOPTION OF BANYULE CITY COUNCIL BUDGET 2021-2025

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

Previous Items

Council on 12 Apr 2021 7.00pm (Item 7.1 - Proposed Budget 2021-2025 - Public Exhibition)

Special Council on 26 May 2021 7.00pm (Item 5.1 - Proposed Budget 2021 – 2025 and Proposed Revenue and Rating Plan 2021 – 2025 – Hearing of Submissions)

Council on 07 Jun 2021 7.00pm (Item 7.6 - Consideration of Submissions Received - Proposed Budget 2021-2025 & Proposed Revenue and Rating Plan 2021-2025)

SUMMARY

1. This report is presented for the adoption of Banyule City Council's Budget for 2021-2025 in accordance with the *Local Government Act 2020* and *Local Government (Planning and Reporting) Regulations 2014* and to declare the amount which the Council intends to raise by general rates and charges.
2. Council has prepared its proposed Budget 2021-2025 focusing on long term financial sustainability. The Budget will ensure Council's finances remain sustainable and that appropriate resources are allocated to meet the services and capital requirements of the community.
3. This Budget, having considered public submissions and other information, works to provide a range of high-quality services, programs and initiatives that meet community needs.
4. Council will continue to adapt its services to prevent the spread of COVID-19 and do all it can to provide support to the community.
5. Following the public exhibition period, changes have been incorporated into the proposed Budget 2021-2025 (attached).
6. The changes are based on the outcome of Council's consideration of public submissions to the exhibited proposed Budget at a Council Meeting on Monday, 7 June 2021 and items that have been referred to the proposed Budget 2021 - 2025 by reports to Council which require additional funding not considered during the budget development process. Other modifications including changes to service delivery, capital works and initiative costings and revision of fees & charges have also been included.
7. The proposed Budget 2021-2025 is now being presented for adoption with changes as outlined in this report.

ADOPTION OF BANYULE CITY COUNCIL BUDGET 2021-2025 cont'd

RECOMMENDATION

That:

1. Council having considered all submissions received and having complied with the requirements of the *Local Government Act 2020*, adopt the attached proposed Budget 2021-2025 with the following amendments:
 - a. The outcomes of Council's consideration of public submissions for the proposed Budget 2021-2025
 - b. Items that have been referred to the proposed Budget 2021-2025 by reports to Council which require additional funding not considered during the budget development process.
 - c. Other modifications including changes to service delivery, capital works and initiative costings and revision of fees & charges.
2. In accordance with sections 158 and 161 of the *Local Government Act 1989*, Council declare the Rates, Levies and Annual Service Charges for the 2021/22 rating year commencing 1 July 2021 and ending 30 June 2022 as detailed in the Proposed Budget 2021-2025.
3. All submitters be advised of the outcome of their submission to the proposed Budget 2021-2025 as it relates to their specific submission and thanked for their contribution.
4. Council write to all organisations funded in the budget regarding the funding they will receive.
5. The adopted Budget 2021-2025 be made available through Council's website and that the Minister for Local Government be advised.

COUNCIL PLAN

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

BACKGROUND

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 Year 1 July 2021 to 30 June 2022, and the subsequent three financial years 1 July 2022 through to 30 June 2025. It is a rolling (4-year) budget.
- 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.

ADOPTION OF BANYULE CITY COUNCIL BUDGET 2021-2025 cont'd

- 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.

KEY ISSUES

- 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.
- 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.
- As this is the first year to transition to the *Local Government Act 2020* new strategies and initiatives flowing from the Council plan may not yet be included and will be considered in the development of the Budget 2022-2026 once the Community Vision 2041 and Council Plan 2021-2025 is adopted in late October 2021.

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 years 2 to 4.
- Surplus \$14.58 million (Underlying deficit \$1.18 million) in 2021/22
 - Total Income \$173.28 million
 - Total Expenditure \$158.70 million

ADOPTION OF BANYULE CITY COUNCIL BUDGET 2021-2025 cont'd

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%.

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 691.65 from 692.96 EFT in 2020/21.
- The four-year budget for employee costs is planned to reduce to 663.66 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 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.

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).

ADOPTION OF BANYULE CITY COUNCIL BUDGET 2021-2025 cont'd

- 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.

Investing in infrastructure and initiatives

- The proposed Budget 2021-2025 has an allocation of \$59.72 million to deliver capital works projects and \$6.51 million to deliver Council initiatives (excluding projects carried forward from 2020/21). Of the total capital works budget 85% 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.

ADOPTION OF BANYULE CITY COUNCIL BUDGET 2021-2025 cont'd

- Council provides a range of popular community events and activities, and investing in recreation, leisure and arts, helping to support a vibrant, connected community.

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 \$40 million (\$158 million over the 4-year budget)
- The projected cash balance is to be \$95 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

SUPPORTING REPORT DETAILS

Legal Consideration

- Council has followed the legislative requirements in accordance with the *Local Government Act 2020* and in accordance with the Council's Community Engagement Policy.
- Under Section 94 of the *Local Government Act 2020*, Council must prepare and adopt a budget for each financial year and the subsequent three financial years.
 - Submitters have been provided with the opportunity to be heard and address Council in support of their submissions.

ADOPTION OF BANYULE CITY COUNCIL BUDGET 2021-2025 cont'd

- Council has considered all submissions on a proposal (or proposals) contained in the proposed Budget and proposed Revenue and Rating Plan at the Council Meeting on Monday, 7 June 2021.
- If a Budget to be approved by a Council includes funding for a matter in respect of which a Councillor has a conflict of interest the Councillor is taken to not have a conflict of interest for the purposes of approving the Budget or Council Plan if the:
 - Council previously approved the matter for inclusion, and
 - Councillor disclosed the nature of the conflict of interest when the decision in respect of the matter was previously considered and made.

Human Rights Charter

- Victoria's Charter of Human Rights and Responsibilities (the Charter) outlines the basic human rights of all people in Victoria. The Charter requires that governments, local councils and other public authorities comply with Charter and to consider relevant Charter rights when they make decisions.
- In developing this report to Council, the subject matter has been considered to determine if it raises any human rights issues. Whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited restricted or interfered with by the recommendations contained in this report. It is considered that the subject matter does not raise any human rights issues.
- 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.
- 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*.

Sustainable Procurement Outcomes

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

Financial Implications

The Proposed Budget 2021-2025 has been amended to reflect the following:

- Submissions – financial outcomes of Council's consideration of public submissions (*CO2021/120 – Council meeting 7 June 2021*)
- Other - modifications since the budget development process including:
 - Council Resolutions
 - Other Operational and Initiative adjustments
 - Capital Works Program – savings, other changes due to emerging issues or identified community need.
 - Fees and Charges - statutory increases and other amendments

ADOPTION OF BANYULE CITY COUNCIL BUDGET 2021-2025 cont'd

- Other minor formatting, notes disclosures and commentary have been incorporated as appropriate to enhance the report. These changes have no financial impact.

Council Resolutions - adjustments since the budget development process:

Nature of change to proposed Budget 2021-2025	Financial implication
Rosanna Traders Special Rates and Charges Waiver (CO2021/60 – Council meeting 12 April 2021)	\$40,000 Increase in Expenses - Other
Olympic Park – State 3 & 4 (CO2021/118 – Council meeting 7 June 2021)	\$6,200,000 increase in Capital Works Expense \$4,500,000 increase in Income – Capital Grants \$1,700,000 decrease in Public Open Space Reserve
Olympic Park – Fred Howe Pavillion – Refurbishment (CO2021/118 – Council meeting 7 June 2021)	\$50,000 decrease in Capital Works Expense \$50,000 increase in Reserves (project to be included in Olympic Park Master Plan Funding above)

Other – Operational and Initiative adjustments since the budget development process:

Nature of change to proposed Budget 2021-2025	Financial implication
Changes in relation to recent award to Banyule for Provision of Immunisation Services for Nillumbik municipality (operational funding)	\$892,006 increase in Income - User Fees and Charges \$473,326 increase in Expenses - Employee Costs \$33,846 increase in Expenses - Materials, Contracts and Services \$294,300 increase in Expenses - Other
Investment Strategy Implementation – Property Officer (operational funding)	EFT increase – 1 F/T permanent \$130,721 (includes on-costs) Year 1 increase in Expenses – Employee costs
Nature of change to proposed Budget 2021-2025	Financial implication
Climate Vulnerability Assessment (initiative funding)	\$40,000 decrease in Expenses - Other
\$1.5m COVID-19 recovery support package (previously Rate-Waiver Provision) (initiative funding)	\$1,500,000 increase in Income – Rates Revenue (re-allocation to spend category) \$1,210,379 increase in Expense – Other \$109,621 increase in Expense – Employee Costs \$20,000 increase in Expense - Materials, Contracts and Services \$160,000 increase in Expense - Donations Expenditure
Community Safety in Public Spaces Program (initiative funding)	\$100,000 increase in Expense – Materials, Contracts and Services

ADOPTION OF BANYULE CITY COUNCIL BUDGET 2021-2025 cont'd

Capital Works Program - adjustments since the budget development process:

The changes within the Capital Works Schedule for 2021-2025 includes additional projects due to the consideration of public submissions, projects funded by Government Grants and projects where the budget costs and/or timing have been revised as follows:

Nature of change to proposed Budget 2021-2025	Financial implication
Fire Service upgrade at the Municipal Recovery Facility (compliance standard upgrade) ^	\$700,000 increase in Capital Works Expense \$700,000 decrease in Cash Reserves
Olympic Village Leisure Centre (Urgent works)	\$133,000 increase in Capital Works Expense \$133,000 decrease in Cash Reserves

^ Operations Centre – Fire Prevention - Fire services upgrade around the Municipal Recovery Facility at the Operations Centre requires additional funding. During the design of the project, it has been identified that the existing fire hydrant water pressure is at capacity and not compliant with current standards. There is \$470,000 in the 2020/2021 budget and the works are currently being designed (expected to be delivered later in 2021). An additional \$700,000 is required to complete the project.

Fees and Charges – statutory

The changes in several fees as a result of the fee units and penalty units announced through the Victorian Government Gazette No. S 233 (under the Monetary Units Act 2004) on 10 May 2021:

- a) The value of the fee unit is \$15.03; and
- b) The value of the penalty unit is \$181.74; and

Fees & Charges - Description	Initial Proposed Fee	Amended Proposed Fee
New Fee: Protection of public fee (hoarding, gantry, precautions over the boundary)	n/a	\$299.10
Discretionary fines up to 0.5 penalty units and Road rules Victoria	\$83.00; \$99.00; \$165.00	\$91.00; \$109.00; \$182.00
State government levy dogs; State Government levy cats; Pet registration for a foster animal – Dog; Pet registration for a foster animal – Cat	\$4.00; \$4.00; \$5.00; \$3.00	\$4.10
Building authority fees; Planning scheme amendment fees; Planning permit application fees; Prescribed fees; Subdivision fees; Planning permit amendment fees	Various	Various

ADOPTION OF BANYULE CITY COUNCIL BUDGET 2021-2025 cont'd

Community Engagement

- 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.
- 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](#)

- Public submissions were called for in relation to the proposed Budget 2021-2025 enabling members of the community to provide written submissions.
- The overall total number of submissions received as at the time of preparing this report is Seventy-Two (72).
 - Council held a Council Meeting on Wednesday, 26 May 2021 to hear the public submissions.
 - Council held a Council Meeting on Monday, 7 June 2021 to consider these submissions and the outcomes endorsed.
 - Council to hold a Council Meeting on Monday, 28 June 2021 to consider the adoption of the proposed Budget 2021-2025 with or without amendment.
- All submitters will be individually informed of the outcome of their submission in writing after the adoption of the Budget 2021-2025.

Key Considerations

- Having considered the public submissions received adjustments have been made to the Proposed Budget 2021-2025 to incorporate valuable feedback received and which respond to identified community needs.
- 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. This rolling 4-year budget is to be prepared in the form and include information required by regulations.
- The budget outlines how resources will be allocated across initiatives, programs, services, and capital works, as well as financing and debt redemptions/servicing. It also provides a comprehensive outline of all income derived from rates, fees and charges, grants and other revenue. Ongoing services and programs are described in summary form and include prescribed indicators and measures of service performance.
- The Proposed Budget for 2021-2025 is aligned to the long-term strategies of Council and is in line with Council's commitment to sustainable budgeting and responsible financial management. As this is the first year to transition to the local Government Act 2020 new strategies and initiatives flowing from the Council plan may not yet be included and will be considered in the development of the

ADOPTION OF BANYULE CITY COUNCIL BUDGET 2021-2025 cont'd

Budget 2022-2026 once the Community Vision 2041 and Council Plan 2021-2025 is adopted in late October 2021.

- Following adoption, copies of the Budget will be sent to the Minister for Local Government and will be made available to the public Council's website.

Officer Declaration of Conflict of Interest

- Section 130 of the Act requires:
 - A relevant person who has a conflict of interest in respect of a matter must—
 - a) disclose the conflict of interest in the manner required by the Council's Governance Rules; and
 - b) exclude themselves from the decision-making process in relation to that matter, including any discussion or vote on the matter at any Council meeting or delegated committee, and any action in relation to the matter.
- A Councillor with a conflict of interest in a matter contained in the proposed Budget 2021-2025 must disclose that interest, and the matter will need to be considered separate and prior to the consideration of adoption of the Budget.
- To allow any Councillor who may have a conflict of interest in any item contained within the proposed Budget 2021-2025 the opportunity to declare that interest has been made available, via a separate report 'proposed Budget 2021/22 - Declarations'. This report which will precede the 'Adoption of Banyule City Council Budget 2021-2025' at the Council meeting of 28 June 2021.
- The report will allow a councillor to declare the matter in which they have a conflict of interest, and for the matter to be considered separately (without the councillor/s present), thereby allowing the councillor/s the opportunity to participate in the consideration of all other submissions.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENTS

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1	Proposed Budget 2021-2025	

7.4 2020 BANYULE ELECTION REPORT

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

SUMMARY

1. The Victorian local government general elections are held every four years as outlined by the *Local Government Act 2020* (the Act).
2. The general election for Banyule Council was held on Saturday 24 October 2020 and was conducted by postal voting.
3. The Victorian Electoral Commission (VEC) must prepare a report to the Chief Executive Officer on the conduct of the election within the period of 6 months after election day. After the report is received the Chief Executive Officer must ensure that the report is submitted to the Council.
4. The report provides information on the 2020 Banyule City Council general election including details of the end-to-end service delivery of electoral activities throughout the election such as voting, results and election statistics. timeline.
5. Key information from the VEC's report regarding the 2020 Banyule general election is contained in this paper and the full report is attached.

RECOMMENDATION

That Council note and receive the Victorian Electoral Commission's Report on the conduct and results of the Banyule General Election 2020.

COUNCIL PLAN

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

BACKGROUND

- In 2020, general elections were held on Saturday 24 October for 76 of the 79 Victorian councils, including Banyule.
- The determination of the 2019 Electoral Representation Review was that at the next general election Banyule Council would consist of nine single ward Councillors. This meant an increase in vacancies for the October 2020 election.
- The VEC is the statutory election service provider for the conduct of local government elections in Victoria and the *Local Government (Electoral) Regulations 2020* (the Regulations) detail that the VEC must prepare a report to the Chief Executive Officer on the conduct of the election within the period of 6 months after election day.

Key Changes in 2020

- The implementation of the *Local Government Act 2020* introduced changes in legislation that impacted the VEC and the conduct and delivery of elections.

2020 BANYULE ELECTION REPORT cont'd

- A uniform method of voting for all Councils was introduced with the *Local Government Act 2020*. The Minister for Local Government determined that all general elections would be conducted by postal voting.
- This was the first-time postal voting had been used across all Victorian Councils and the first time Banyule Council has conducted an election by postal voting.
- It was compulsory for all candidates to complete mandatory training prior to nominating.
- Amendments were made to the Electoral Regulations to allow certain provisions to be varied in response to the COVID-19 pandemic.

Voting

- At certification, the voter's role for the 2020 general election included 95,510 enrolled voters.

Voter Turnout		
Banyule 2020	State Average 2020	Banyule 2016
84.71%	81.47%	68.86%

- The voter turnout is measured by the number of ballots counted as a percentage of the voters on the voter's role.
- It was the first time Banyule had conducted postal elections with the voter turnout significantly higher than at the past election which was conducted by attendance voting.

Informal Votes		
Banyule 2020	State Average 2020	Banyule 2016
2.56%	4.76%	4.86%

- Informal voting represents those ballots papers that are lodged but are either filled in incorrectly or not at all.

Results

- At the close of nominations, 52 candidates had nominated for the nine vacancies for election to Banyule City Council.

Ward	Candidates	Ward	Candidates
Bakewell	4	Hawdon	7
Beale	7	Ibbott	2
Chelsworth	12	Olympia	6
Griffin	6	Sherbourne	4
Grimshaw	4		

- The following candidates were declared on 9 November 2020 as elected to the nine wards:
 - Bakewell ward – Mark Di Pasquale
 - Beale ward – Elizabeth Nealy
 - Chelsworth ward – Alida McKern

2020 BANYULE ELECTION REPORT cont'd

- Griffin ward – Peter Castaldo
- Grimshaw ward – Rick Garotti
- Hawdon ward – Fiona Mitsinikos
- Ibbott ward – Tom Melican
- Olympia ward – Peter Dimarelos
- Sherbourne ward – Alison Champion

Complaints

- The VEC operated a streamlined complaints process that had been developed in consultation with local councils and enforcement agencies. The process required complaints to be lodged, in writing, and processed through the VEC's head office.
- If complaints alleged a breach in the *Act* the complaint was forwarded to the Local Government Inspectorate to investigate.
- The VEC received 64 written complaints in relation to the election for Banyule City Council. This is significantly higher than the election in 2016, which received 10 complaints.
- Eight (8) complaints were referred to the Inspectorate for investigation.
- The majority of complaints were in relation to election advertising material; a key theme of the complaints received was that the material contained false or misleading information.

KEY ISSUES

- A number of external factors had an impact on the conduct and delivery of the 2020 general elections including implementation of a new *Act*, amendments to Electoral Regulations and a global pandemic.
- This was the first election for Banyule to be conducted by postal voting and the first time all Victorian councils held elections by a uniform method (postal voting).
- There were 52 candidates for nine (9) vacancies, the most ever for Banyule Council.
- The VEC's election report showed Banyule's results in voter turnout to be higher than the previous election in 2016 as well as higher than the state average and Banyule's informal vote percentage to be lower than both.

SUPPORTING REPORT DETAILS

Legal Consideration

- In accordance with section 263(1) of the *Act*, the VEC is the statutory election service provider for the conduct of local government elections in Victoria.
- The *Regulations* detail that the VEC must prepare a report to the Chief Executive Officer on the conduct of the election within the period of 6 months after election day (r83(1)).
- In accordance with r83(3) of the *Regulations*, the Chief Executive Officer must ensure that the report is submitted to the Council at the earliest practicable meeting of the Council held after the report is received.

2020 BANYULE ELECTION REPORT cont'd

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.
- The practice of holding general elections for local government supports and strengthens one of the key rights in the Charter, which is the right to take part in public life. Specifically, Section 18 of the Charter confers the right on every person to take part in public affairs without discrimination. Every eligible person has the right to vote, be elected and to have equal access to the Victorian public service and public office.

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.

Community Engagement

- The report details the VEC's advertising and communication campaign for the 2020 elections including:
 - State-wide advertising to maximise awareness and participation through multiple mediums including radio, digital and social media and offline/outdoor advertising.
 - Statutory notices published by the VEC on their website due to the local papers in Banyule ceasing to be in circulation.
 - Council specific information being published to the VEC's website and;
 - Other methods such as an online webinar that could be downloaded at any time, social media campaign and the VEC VoterAlert service to which voters could sign up to receive alerts via sms and/or email in relation to the election.
- Further voter engagement conducted by the VEC included blind and low vision, interpreting and telephone enquiry services.

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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2020 BANYULE ELECTION REPORT cont'd

1 VEC Election Report - 2020 Banyule Election



7.5 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:	17 May 2021, 5.00pm
	Type of Meeting:	Councillor Briefing
	Matters Considered:	
	<ul style="list-style-type: none"> • Darebin Creek Management Committee Presentation • Draft Rates Financial Hardship Policy 2021/22 • COVID Recovery - Business Recovery Initiatives • Public Submissions Update • City Development Service Efficiencies and Innovations 	
Councillors Present:		
Peter Castaldo Alison Champion <i>left at 6.00pm</i> Peter Dimarelos Mark Di Pasquale <i>arrived at 6.30pm</i> Rick Garotti <i>arrived at 6.30pm</i> Alida McKern <i>arrived at 5.10pm, left at 8.00pm</i> Tom Melican Fiona Mitsinikos 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> Roberta Colosimo – <i>Acting Director Community Programs</i> Kerry Woods – <i>Executive & Councillors Team Leader</i> Darren Bennett – <i>Manager Environment & Place</i> Tania O'Reilly – <i>Manager Finance & Procurement</i> Ana Caicedo – <i>Acting Manager Parks & Open Space</i> Kathy Hynes – <i>Manager Operations</i> Philip Ryan – <i>Revenue Services Coordinator</i>		

RECORD OF COUNCILLOR MEETINGS cont'd

Others Present: Graeme Hamilton – EO Darebin Creek Management Committee	
Conflict of Interest:	Nil

2	Date of Meeting:	24 May 2021, 6.00pm
	Type of Meeting:	Council Meeting Pre-briefing
	Matters Considered:	
	<p>Items listed on the agenda for Council Meeting 24 May 2021 as below:</p> <ul style="list-style-type: none"> 2.1 East Ivanhoe Bowling Club 3.1 Banyule Youth Spaces Plan 3.2 Inclusive Employment Program Update 3.3 Review of the Banyule Advisory Committees 5.1 Application for Planning Permit (P1219/2020) - Construction of a Multi-storey Commercial Building - 14 Martin Street, Heidelberg 5.3 Elevating Environmentally Sustainable Development Targets – Project Opportunity 5.4 Macleod Recreation and Fitness Centre Redevelopment Update 5.5 Modernising Victoria's Building System - Submission to Building Reform 6.1 Ivanhoe Sports Precinct Plan 7.1 Proposed Creation of Easement - 111 Banyule Road, Rosanna 7.2 Procurement Policy 2021-25 7.3 Quarterly Financial Management Report - March 2021 7.4 Award of Contract No. 1111-2021 Construction of Footpath Replacement Program 7.5 Award of Contract No. 1107-2021 Provision of Contact Centre and Managed Services 7.6 Record of Councillor Meetings 9.1 External Agencies and Confidentiality Agreements 	
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> Roberta Colosimo – <i>Acting Director Community Programs</i> Gina Burden – <i>Manager Governance & Communication</i> Vivien Ferlaino – <i>Governance Coordinator</i></p>		

RECORD OF COUNCILLOR MEETINGS cont'd

Emily Outlaw – <i>Council Business Team Leader</i> Kamal Singh – <i>Integrated Planning Project Manager</i>	
Others Present: Nil	
Conflict of Interest:	Cr Peter Dimarelos – 5.2 Ivanhoe Sports Precinct Plan The item was not discussed during the briefing

3	Date of Meeting:	25 May 2021, 7.30pm
	Type of Meeting:	Watsonia Town Square Community Reference Group Meeting
	Matters Considered:	
	<ul style="list-style-type: none"> • Community Reference Group: Terms of Reference • Project Background and Introduction: Watsonia Town Square • Early ideas for the Watsonia Town Square 	
	Councillors Present:	
	Peter Castaldo <i>left at 8.30pm</i> Alison Champion Mark Di Pasquale Rick Garotti	
	Staff Present:	
Scott Walker – <i>Director City Development</i> Jonathan Risby – <i>Manager Transport</i> Erica Hardie – <i>Senior Project Manager</i>		
Others Present:		
Jeremy Richards, Watsonia Traders Association Sarah Maguire, Watsonia Traders Association Paul Parrella, The A Team Kitchen Shaun Paine, Rex Paine Timber and Hardware Paul Johnson, Watsonia Primary School John Kiriakidis Luke Nelson Susannah Madden Kate van der Drift Matthew Guest, Watsonia RSL Barbara Armstrong, Yarra Plenty Regional Library Watsonia Branch Lucie Holden, Watsonia Neighbourhood House Rev Denise Nicholls, Anglican Parish of Banyule		
Conflict of Interest:	Nil	

RECORD OF COUNCILLOR MEETINGS cont'd

4	Date of Meeting:	31 May 2021, 6.30pm
	Type of Meeting:	Online Councillor Briefing
	Matters Considered:	
	<ul style="list-style-type: none"> • Cemetery Trust Meeting • Temporary Outdoor Dining Parklets • Budget Submissions - Discussion 	
	Councillors Present:	
	Peter Castaldo Alison Champion Peter Dimarelos Mark Di Pasquale Rick Garotti Alida McKern Tom Melican Fiona Mitsinikos 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> Gina Burden – <i>Manager Governance & Communication</i> Vivien Ferlaino – <i>Governance Coordinator</i> Kerryn Woods – <i>Executive & Councillors Team Leader</i> Jan Richardson – <i>Cemetery Administrator</i> Darren Bennett – <i>Manager Environment & Place</i> Tania O'Reilly – <i>Manager Finance & Procurement</i> Michael Fan – <i>Financial Performance & Planning Coordinator</i>		
Others Present:		
Nil		
Conflict of Interest:	Nil	

5	Date of Meeting:	7 June 2021, 5.40pm
	Type of Meeting:	Online Council Meeting Pre-briefing
	Matters Considered:	
Items listed on the agenda for Council Meeting 7 June 2021 as below:		
3.1 Ford Park, 244 - 268 Banksia Street, Bellfield - Proposed Lease and Licence with Yarra Junior Football League		
5.1 59 Swanston Street, Heidelberg Heights - Renewal of Leases		
5.2 1017 Heidelberg Road, Ivanhoe – Proposed Declaration of Public Highway		
5.3 Mother of God Church, Ivanhoe East - Interim Heritage Protection		
7.1 Adoption of Rates Financial Hardship Assistance Policy 2021/2022 Ivanhoe Grammar School - Fence and Development Plan		

RECORD OF COUNCILLOR MEETINGS cont'd

7.2 RW465 - Proposed Discontinuance of Road Bounded by 275 Upper Heidelberg Road, Ivanhoe	
7.3 Award of Contract no. 1115-2021 - Provision of Town Planning Consultancy Services	
7.4 Olympic Park Master Plan – Funding Announcement	
7.5 Budget 2021 – 2025 Submissions Declarations	
7.6 Consideration of Submissions Received - Proposed Budget 2021-2025 & Proposed Revenue and Rating Plan 2021-2025	
Councillors Present:	
Peter Castaldo Alison Champion Peter Dimarelos Mark Di Pasquale Rick Garotti Alida McKern Tom Melican Fiona Mitsinikos 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> 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> Duncan Stephens – <i>JETS Sound Engineer</i> Jay Mifsud – <i>Youth Programs Officer</i>	
Others Present:	
Nil	
Conflict of Interest:	Alida McKern – 5.3 Mother of God Church Interim Heritage Protection. Left the meeting at 6.01pm and did not participate in the discussion. Returned to the meeting at 6.02pm

RECOMMENDATION

That the Record of Councillor meetings report be received.

ATTACHMENTS

Nil