

# Minutes of the Ordinary Meeting of Council



Held on the 12 April 2021

Olympia, Hawdon & Ibbott Rooms  
Level 4, 1 Flintoff Street, Greensborough

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**PUBLIC QUESTION TIME .....40**

## MINUTES

The Meeting opened at 7.00pm.

### **Acknowledgement of the Traditional Custodians**

The Mayor read an acknowledgement of the traditional custodians, the Wurundjeri Wo-wurrung people.

### **Diversity Statement**

The Mayor read Council's statement on its commitment to diversity and its principles.

### **Present**

Mayor Cr Rick Garotti, Cr Peter Castaldo, Cr Alison Champion, Cr Peter Dimarelos, Cr Mark Di Pasquale, Cr Alida McKern, Cr Tom Melican, Cr Fiona Mitsinikos, Cr Elizabeth Nealy

### **Apologies**

Nil

### **Leave of Absence**

Nil

### **Confirmation of Minutes**

That the following Minutes be confirmed:

*Ordinary Meeting of Council held 22 March 2021*

Moved: Cr Tom Melican

Seconded: Cr Peter Dimarelos

CARRIED

### **Disclosure of Interests**

Nil

### **Presentations**

Nil

### **1. URGENT BUSINESS**

Nil

## 2. PETITIONS

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

A written statement was read on behalf of Brett Barclay and a pre-recorded video played of Andrew Leslie Blyth speaking on the item.

#### SUMMARY

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

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

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

#### Resolution (CO2021/64)

That Council:

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

Moved: Cr Alida McKern  
Seconded: Cr Peter Castaldo

CARRIED

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### 3. PEOPLE – COMMUNITY STRENGTHENING AND SUPPORT

#### 3.1 YARRA PLENTY REGIONAL LIBRARY SERVICE AGREEMENT 2020-2025

##### SUMMARY

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

##### Resolution (CO2021/65)

That Council:

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

Moved: Cr Elizabeth Nealy

Seconded: Cr Alison Champion

CARRIED

### 3.2 HOMES VICTORIA TEN-YEAR SOCIAL AND AFFORDABLE HOUSING STRATEGY

#### SUMMARY

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

#### Resolution (CO2021/66)

That Council:

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

Moved: Cr Tom Melican

Seconded: Cr Elizabeth Nealy

CARRIED

### 4. PLANET – ENVIRONMENTAL SUSTAINABILITY

Nil

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**5. PLACE – SUSTAINABLE AMENITY AND BUILT ENVIRONMENT****5.1 JAMES RESERVE MASTER PLAN****SUMMARY**

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

**Resolution (CO2021/67)**

That Council:

1. Adopt the draft James Reserve Master Plan;
2. Add the project to the long-term Capital Works Program for evaluation and prioritisation against existing programs; and
3. Actively seek external grants and funding opportunities to assist with further delivery.
4. Investigate as part of the delivery of the masterplan whether the cricket pitch can be relocated to minimise user conflict with the multi-use court.

Moved: Cr Alida McKern

Seconded: Cr Peter Dimarelos

CARRIED



## 5.2 HEIDELBERG STRUCTURE PLAN - KEY DIRECTIONS

### SUMMARY

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

### Resolution (CO2021/68)

That Council:

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

Moved: Cr Peter Castaldo

Seconded: Cr Peter Dimarelos

CARRIED

### 5.3 ROAD MANAGEMENT PLAN

#### SUMMARY

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

#### Resolution (CO2021/69)

That:

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

Moved: Cr Elizabeth Nealy  
Seconded: Cr Tom Melican

CARRIED

#### 5.4 ROSANNA LIBRARY AND TURNHAM AVENUE REDEVELOPMENT

**Pre-recorded audio was played of Vittorio Moppi, Coralie Anne Leins, Alicia Curry, Alicia Waters and Cristina Campese speaking to the item.**

##### **SUMMARY**

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

##### **Resolution (CO2021/70)**

That Council:

1. Notes that the Heads of Agreement (HoA) has been entered in to with Fabcot Pty Ltd (Woolworths) to progress the next stages of a partnership project for the delivery of a new 1300 square metre, two storey library on the corner of Turnham Avenue and Douglas Street, Rosanna alongside a supermarket in Turnham Avenue.
2. Supports a multi-stage Community Engagement Plan to:
  - a. Inform the community on the project including an explanation of the anticipated economic, social and community benefits of the proposal.
  - b. Seek feedback on the draft concept design of the new Rosanna library and ancillary projects to inform detailed design with a focus on:
    - i) The materials, finishes and landscaping of the library and surrounds;

- ii) The internal allocation of space, fit out, functioning, community use and programming of the new library;
  - iii) An updated Turnham Avenue Streetscape Concept Plan;
  - iv) Opportunities for improvement at the Heidelberg Theatre;
  - v) Changes to car parking restrictions and management which may be necessary;
  - vi) Any other relevant issue within the scope of the project.
3. Announces the partnership with Woolworths and an outline of the proposal as well as the proposed Community Engagement Plan.
4. Writes to the Yarra Plenty Regional Library Corporation (YPRL), Rosanna Village Traders Association and the Heidelberg Theatre Company to advise of the project and Community engagement Plan.
5. Receives a further report on the outcomes of the community engagement phase in 2021 which will:
  - a. provide feedback on Stage 1 of the Community Engagement Plan.
  - b. outline the next steps and confirm Council's commitment to progress the project.
  - c. propose commencement of statutory procedures required under section 189 and 223 of the *Local Government Act 1989* (or section 114 of the *Local Government Act 2020* if applicable at the time) to sell Council's land by private treaty.
6. Refers the allocation of funds to future capital works budgets for:
  - a. The delivery of a new 1,300sqm two storey library at Rosanna as part of a partnership project with Woolworths with associated fit out;
  - b. Completion of the Turnham Avenue Streetscape upgrade in accordance with the final Turnham Avenue Streetscape Concept Design;
  - c. Contributions towards upgrades at the Heidelberg Theatre up to a maximum amount of \$1m;
  - d. Support for the Rosanna Traders Association including Council paying the 2021/2022 Traders contribution to the Rosanna Village Traders Association Special Charge Scheme of \$40,000.

Moved: Cr Tom Melican  
Seconded: Cr Alison Champion

CARRIED

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

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

**Resolution (CO2021/71)**

That Council:

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

Moved: Cr Alida McKern

Seconded: Cr Fiona Mitsinikos

CARRIED

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

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

**Resolution (CO2021/72)**

That Council:

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

Moved: Cr Peter Dimarelos

Seconded: Cr Alison Champion

CARRIED

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

### SUMMARY

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

### Resolution (CO2021/73)

That Council:

1. Commences the statutory process under the *Local Government Act 1989* (the Act) and the *Local Government Act 2020* to reintroduce a Special Charge in the defined Heidelberg Central Shopping Precinct. This Charge will raise \$97,856 per annum for a period of five years, commencing on 1 July 2021 and ending on 30 June 2026.
2. Publishes a public notice in *The Herald Sun* newspaper of the intention of Council to declare a Special Charge at its ordinary meeting on 9 August 2021 in accordance with the Proposed Declaration of Special Charge (being Attachment 1).
3. Issues separate letters to owners and occupiers, enclosing a copy of the public notice and advising:

- of the intention of Council to declare the Special Charge at its ordinary meeting on 9 August 2021,
  - the amount for which the property owner or the occupier will be charged, and
  - that submissions and/or objections in writing in relation to the Proposed Declaration of a Special Charge will be considered by Council in accordance with the Act.
4. Will consider funding allocation as part of Council's 2021 to 2026 budgeting process.
  5. Authorises the appropriate members of Council's staff:
    - to carry out administrative procedures necessary to enable Council to carry out its functions under the Act; and
    - to prepare a funding agreement between Council and the Traders Association to formalise the Special Charge.
  6. Reviews the funding agreement, and if satisfied, approves and signs (by a delegated authority) before funds are paid to the Traders Association.

Moved: Cr Peter Castaldo  
Seconded: Cr Elizabeth Nealy

**CARRIED**



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

Written statements were read on behalf of Robert John Boffey and Anastasia Contos-Panayiotidis.

### SUMMARY

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

### Resolution (CO2021/74)

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

### General plans

1. Before the development permitted by this permit commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and be submitted in an electronic format acceptable to the Responsible Authority. The plans must be substantially in accordance with the advertised plans and documents but modified to show:
  - a. An existing car park plan showing the layout and provision of 278 car spaces, consistent with the existing parking supply as described in the Cardno Report dated 2 March 2021
  - b. The allocation of 122 on-site car spaces within the Darebin Street Medical Centre car park for exclusive use by the Darebin Street Medical Centre.
  - c. The provision of no more than an additional 25 surgical and specialist consulting suites (39 in total, including the existing 14 suites) within the Warringal Hospital (Burgundy Street) Building.
  - d. On-site car parking provided at the minimum rate of 2.4 spaces per each of the additional 25 surgical and specialist consulting suites (60 spaces in total) and shown as allocated to these suites.

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- e. The provision and allocation of 40 on-site car spaces to the existing medical consulting suites at 210 Burgundy Street Heidelberg. The allocated car parking is not to be taken from the on-site supply of car parking required for hospital beds at the rate of 1.18 spaces per bed.
  - f. The provision and allocation of 27 on-site car spaces to the existing medical consulting suites at 214 Burgundy Street, Heidelberg. The allocated car parking is not to be taken from the on-site supply of car parking required for hospital beds at the rate of 1.18 spaces per bed.
  - g. On-site car parking provided at the minimum rate of 1.18 spaces per each of the existing 151 beds (178 spaces).
  - h. On-site car parking provided at the minimum rate of 1.18 spaces per each of the additional 197 beds (232 spaces).
  - i. A staging plan showing the whole of the site and addressing all buildings and works (including plant and equipment) including acoustic treatments and car parking provision. The development staging plan must show the on-site provision of the required parking as per the requirements of Conditions 1a) to 1h) inclusive for each Stage of the development. If the minimum requirements cannot be provided on-site, the balance of the required car parking must be provided off-site to the satisfaction of the Responsible Authority as per the Car Parking Management Plan required by Condition 2.
  - j. The last car space in Basement 5 identified as a turning bay and not available for parking. This space is to be shown as suitably line marked to reflect its function as a turning bay.
  - k. Internal access ramps adopting 1:5 ramp grades with 2 metre long 1:8 transitions.
  - l. Detailed design of the ambulance access and ambulance bays demonstrating suitable ramp grades have been adopted.
  - m. The clear identification of showers and change rooms ('end of trip facilities') as required by Clause 52.34-5 of the planning scheme.
  - n. The finished floor level of habitable areas of the proposed development (all corresponding floors with entrance/exits access to the building and/or to the car park; access entry/exit points; and the apex of the proposed basement ramp of the medical centre) must be at least 300mm above the following applicable flood levels, or otherwise to the satisfaction of the Council's drainage engineers:
    - i. Proposed Tower 1: - 51.798m AHD
    - ii. Proposed Tower 2 Level 2: - 55.345m AHD
    - iii. Proposed Tower 2 Level 3: - 57.73m AHD
    - iv. Proposed medical centre ground floor: 64.199m AHD.
    - v. Proposed medical centre access to basement ramp apex: 64.199m AHD
  - o. The Level 2 access to the courtyard constructed to at least 55.645m AHD, or otherwise to the satisfaction of the Council's drainage engineers.
  - p. Further material/design refinement of the pre-cast concrete panels to the eastern elevation (lift core) and the western concrete wall at the base of the Darebin Street Medical Centre. This may involve the use of off form concrete or similar treatments.
  - q. Variation in materiality applied to the large expanses of white cement sheeting to the eastern and western elevations of the main hospital entry.
  - r. An updated schedule of materials, colours and finishes to reflect changes required by Conditions 1p) and 1q).

- s. Overlooking diagrams demonstrating there will be no unreasonable overlooking of any adjacent habitable room window or secluded private open space of existing residential dwellings within 9m of proposed windows, decks, landings and external stairs of the proposed development. Where screening measures are required to restrict the extent of overlooking, they must be shown on the plans as designed and constructed generally in accordance with the requirements of Standard B22, Clause 55.04-6 of the Banyule Planning Scheme.
- t. An amended Acoustic Report as required by Condition 16.
- u. An amended easement removal/easement variation plan to reflect the requirements of Yarra Valley Water in Conditions 33 & 34
- v. All relevant ESD measures as contained in the amended Sustainable Management Plan as required by Condition 19.
- w. All relevant Water Sensitive Urban Design measures as contained in the Stormwater Management System Report as required by Condition 21
- x. Landscape Plan as required by Condition 12.
- y. Detailed drainage plans as required by Condition 3.
- z. Bin store layout including location of compactors bins with baler to be provided and hard waste store;

### **Car parking and loading management**

- 2. Prior to the commencement of any buildings and works permitted by this permit, a Car Parking and Loading Management Plan (CPLP) must be prepared to the satisfaction of the Responsible Authority. It must include, but is not limited to, the following:
  - a. Vehicle parking and access
    - i. Parking to be available based on the staging plan referred to in Condition 1. This must include measures to secure the availability of temporary parking within the Heidelberg Activity Centre or other convenient location approved by the Responsible Authority if the full quantum of car parking as required by Condition 1 cannot be provided on site for each stage of the development. Arrangements must be made to transport users of the temporary parking to the subject site and make such arrangements known to hospital staff to the satisfaction of the Responsible Authority;
    - ii. A monitoring and review program during each stage of the development if the full quantum of parking cannot be provided on site including:
      - 1. Surveys of on-site and off-site car parking usage by staff, residents and visitors to the site;
      - 2. An assessment of the parking needs of the hospital based on those surveys;
      - 3. An agreed timeframe for monitoring and review;
      - 4. Any recommended changes to the CPLP arising from the monitoring and review program;
    - iii. Minimum number of car parking spaces to be provided on the land as per the requirements set out in Condition 1 (end of stage development);
    - iv. An allocation plan for the number and location of car parking for hospital staff and visitors, owners of the strata titled lots, and persons

providing health services within the Medical Centre including taking into account the staging plan required under Condition 1 and including visitor parking for disabled persons within the basement;

- v. No vehicle access to the hospital site shall be created from the basement car parking of the Darebin Street Medical Centre until a traffic assessment report is undertaken, which identifies any impacts of the additional traffic associated with that use & any mitigating works required, to the satisfaction to Department of Transport and the Responsible Authority.
- vi. Parking provision for a shuttle bus if provided.

b. Loading

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

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

#### **Development Drainage Plans**

3. Before the development permitted by this permit commences, Development Drainage Plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must be prepared by a suitably qualified engineer or similar person showing a properly prepared design with computations for the internal drainage and method of disposal of stormwater from all roofed areas and sealed areas including:
- a. The use of an On-site Stormwater Detention (OSD) system;
  - b. The connection to the Council nominated legal point of discharge;
  - c. The outfall drainage works necessary to connect the subject site to the Council nominated Legal Point of Discharge;
  - d. The specified flood levels for the property;

Please note the plans must show all protected and/or retained trees on the development site, on adjoining properties where tree canopies encroach the development site and along proposed outfall drainage and roadway alignments (where applicable) and every effort must be made to locate services away from the canopy drip line of trees and where unavoidable, details of hand work or trenchless installation must be provided. Specifically, all drainage plans must show for Trees #1, #4-7 and #31-32: The Tree Number; The Structural Root Zone (SRZ) radius; and the Tree Protection Zone (TPZ) radius, each as detailed and calculated within the arborist report submitted with the application authored by Arbor Survey – Mark Reynolds, 9th November 2020.

#### **Confirmation of Architect**

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

**Owners Corporation & Rules**

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

**General**

6. The development as shown on the endorsed plans or described in the endorsed documents must not be altered or modified except with the written consent of the Responsible Authority.
7. Unless otherwise agreed in writing by the Responsible Authority the development permitted by this permit must not be commenced until the tree protection measures required by Condition CC are installed to the satisfaction of the Responsible Authority.
8. Unless otherwise agreed in writing by the Responsible Authority the development permitted by this permit must not be occupied until:
  - a. The parking area(s) shown on the endorsed plan(s) have been constructed to the requirements and satisfaction of the Responsible Authority.
  - b. The garden and landscape area(s) shown on the endorsed plan(s) have been planted to the requirements and satisfaction of the Responsible Authority.
  - c. Drainage works have been undertaken and completed to the requirements and satisfaction of the Responsible Authority.
  - d. The necessary approvals and associated fee for landscaping works to be carried out within the adjoining road reserve, must be obtained and paid to the Responsible Authority

**Urban Design**

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

**Landscape Plan**

12. Before the development permitted by this permit commences, a satisfactory detailed landscaping plan must be submitted to and approved by the Responsible Authority. Such plan must be prepared by a person suitably qualified or experienced in landscape design and must show:
  - a. Amendments required by Condition 1 of this permit;
  - b. The identification of existing vegetation (which is not intended to be removed), and nomination of vegetation for removal throughout the site;
  - c. Provision of formed garden beds with edging along the front property boundary and within the front setback to prevent cars parking;

- d. Planting adjacent to driveways and within landscaping zones to consist of varying heights and species;
- e. An indigenous and/or drought tolerant planting theme;
- f. A schedule of all proposed trees, shrubs and ground cover, which includes the location and size at maturity of all plants, the botanical names of such plants and the location of all areas to be covered by grass, lawn or other surface material as specified;
- g. Tree species and planting locations must be carefully selected to avoid canopy or root conflicts with overhead wires, easements and existing trees;
- h. Location and details of paving, steps, retaining walls, water tanks, clotheslines, fence design details and other landscape works including cut and fill;
- i. Location, details and cross section drawings of all Water Sensitive Urban Design features in accordance with the endorsed Sustainable Management Plan and STORM report, with reference to connection details on the engineering plans.

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

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

### **Tree Protection Zone Conditions**

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

- vi. No trenching is allowed within the TPZ for the installation of utility services unless tree sensitive installation methods such as boring have been approved by the Responsible Authority.
- vii. Where construction is approved within the TPZ, fencing and mulching should be placed at the outer point of the construction area.
- viii. Where there are approved works within the TPZ, it may only be reduced to the required amount by an authorised person only during approved construction within the TPZ and must be restored in accordance with the above requirements at all other times.
- ix. For street trees, protection must be to the extent of the entire nature strip where the Calculated Tree Protection Zone (TPZ) occurs (not obstructing a footpath or cross-over).
- x. For neighbouring trees, protection must be to the extent of the calculated Tree Protection Zone (TPZ) where it occurs within the subject Land.
- xi. Ground protection must be laid down where access is required through a TPZ outside the fenced area detailed in (a). It must consist of a permeable membrane beneath a layer of mulch or crushed rock with rumble boards on top. Rumble boards should be of a suitable thickness to prevent soil compaction and root damage. Ground protection must only be removed once all buildings and works have been completed.

#### **Specific Tree Protection Measures**

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

##### ***Specific construction recommendations***

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

##### ***Specialised Tree Protection Measures***

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

#### **Council Trees**

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

#### **Acoustic Report**

16. Prior to the commencement of development permitted by this permit, an acoustic report prepared by a suitably qualified acoustic engineer must be submitted to the Responsible Authority for approval. The acoustic report must assess the level of noise emissions from the existing plant and the proposed additional rooftop plant and must propose measures including, but not limited to the installation of acoustic enclosures around the proposed plant to ensure compliance with the State Environment Protection Policy (Control of Noise from Commerce, Industry and trade), No. N-1. Details of mechanical plant noise controls to comply with SEPP N-1 limits are to be coordinated with the design team during the detailed design stages of the Project. The Acoustic Consultant must review the noise emissions of external mechanical plant final selections during the detail design stage of the

Project to ensure compliance with SEPP N-1 environmental noise limits at nearest sensitive receivers and compliance with internal noise level criteria within the Project areas. Once the acoustic report is approved, the recommended measures in the acoustic report must be implemented to the satisfaction of the Responsible Authority prior to occupation of the building approved by the permit.

17. Any ongoing requirements of the approved acoustic report, including the monitoring of plant, must be carried out to the satisfaction of the Responsible Authority.

#### **Amenity**

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

#### **Sustainable Management Plan**

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

#### **Water Sensitive Urban Design Report**

21. Unless otherwise agreed in writing, prior to the endorsement of plans, a detailed Stormwater Management System Report must be amended by a suitably qualified environmental/civil engineer or equivalent to the satisfaction of the Responsible Authority. When approved, the Stormwater Management System Report will be endorsed and will then form part of this Permit. The report must include:
  - a. Details of how the stormwater management system is designed to meet the current best practice performance objectives for stormwater quality contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (BPEM, Victorian Stormwater Committee, 1999), including:



- 
- i. Evidence that the proprietary stormwater quality improvement devices (SQIDs) have been designed and installed to meet BPEM requirements under local environmental conditions;
      - ii. Details of these treatment measures including cross sections, materials, plants and drainage directions;
      - iii. A construction and maintenance schedule specific to the project site, to include a signed maintenance agreement.
    - b. Unless otherwise agreed in writing, rainwater tanks to be applied, sized to supply water demand for toilet flushing of non-clinical areas and landscape irrigation.
  22. The requirements of the endorsed Stormwater Management System Report must be implemented and complied with to the satisfaction of the Responsible Authority.

#### **Monitoring of SMP**

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

#### **Number of Beds**

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

#### **Medical Centre**

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

#### **Car Parking/Access**

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

- vicinity of the frontage of the subject land and maintained to the satisfaction of the Responsible Authority. The sign(s) must not exceed 0.3sqm. in area.
31. The loading and unloading of goods from vehicles and the delivery of goods must at all times be carried out within the boundaries of the subject land.

#### **Conditions Required by Yarra Valley Water**

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

#### **Conditions required by Department of Transport**

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

#### **Waste Management**

36. Prior to the occupation of the approved development, the permit holder must prepare and have approved in writing by the Responsible Authority a Waste Management Plan (WMP) for the site with respect to the collection and disposal of waste (including medical waste) and any recyclables associated with the proposed uses on the site to the satisfaction of the Responsible Authority. The WMP must be generally in accordance with the plan prepared by Leigh Design submitted with the application and provide for the following:
- a. Waste collection arrangements in accordance with staging plan required under Condition 1;
  - b. The collection of waste associated with the medical uses on the land, including the provision of bulk waste collection bins or approved alternative, recycling bins, the storage of other refuse, medical waste and solid wastes in bins or receptacles within suitably screened and accessible areas to the satisfaction of the Responsible Authority;
  - c. Designation of methods of collection including the need to provide for private services. This method must incorporate recycling services where practicable and must comply with the relevant EPA noise guideline relating to the time of collection;
  - d. Appropriate areas of bin storage on site and areas of waste bin storage on collection days;
  - e. Details for best practice waste management once operating;
  - f. Provisions for food organics;
  - g. Confirmation that the WMP addresses the entire development and clarification between detail and assessment provided for the existing and proposed elements;
  - h. Bin store layout including location of compactors bins with baler to be provided and hard waste store;
  - i. Details of clincial storage layout to confirm adequate space for totality of building needs;

- j. Clarification of Clinical Waste (Full) and Clinical Waste (IN) where designated;
- k. Bin washdown location;
- l. Hook lift truck clearance (including overhead clearance to lift bin);
- m. Confirmation that waste truck access will not be impacted;
- n. Management of polystyrene diversion;

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

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

#### **Construction Management & Amenity**

38. Prior to the commencement of any site works including demolition and excavation, the permit holder must submit a Construction Management Plan to the Responsible Authority for approval. No works including demolition and excavation are permitted to occur until the Plan has been approved in writing by the Responsible Authority. Once approved, the Construction Management Plan will be endorsed to form part of this permit and must be implemented to the satisfaction of the Responsible Authority. The Plan must be to the satisfaction of the Responsible Authority and must provide details of the following:
- a. Construction and works in accordance with the staging plan required under Condition 1;
  - b. Delivery and unloading points and expected frequency;
  - c. Any disruption to or use of adjoining Council owned land;
  - d. The management of traffic during the construction periods;
  - e. Provision of security fencing;
  - f. Measures to ensure public safety;
  - g. A liaison officer for contact by owners / residents and the Responsible Authority in the event of relevant queries or problems experienced;
  - h. An outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
  - i. Any requirements outlined within this permit as required by the relevant referral authorities;
  - j. Hours for construction activity in accordance with any other condition of this permit;
  - k. Measures to control noise, dust, water and sediment laden runoff;
  - l. Disposal of site waste and any potentially contaminated waste;
  - m. The temporary parking of vehicles, including associated with construction activities;
  - n. Redirection of any above ground or underground services;
  - o. Measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan; and
  - p. Any construction lighting to be baffled to minimise intrusion on adjoining lots.
39. Upon commencement and until conclusion of the staged development, the developer shall ensure that the development does not adversely affect the amenity of the area in any way, including:
- a. the appearance of building, works or materials on the land;
  - b. parking of motor vehicles;
  - c. transporting of materials or goods to or from the site;
  - d. hours of operation;
  - e. stockpiling of top soil or fill materials;
  - f. air borne dust emanating from the site;
  - g. noise;
  - h. rubbish and litter;
  - i. sediment runoff.

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

#### **Development Contribution Levy**

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

#### **Permit Expiry**

41. This permit will expire if one of the following circumstances applies:
- a. The development is not started within two years of the date of this permit.
  - b. The development is not completed within eight years of the date of this permit.
- Pursuant to Section 69 of the Planning & Environment Act 1987, the Responsible Authority may extend:
- The commencement date referred to if a request is made in writing before the permit expires or within six (6) months afterwards.
  - The completion date referred to if a request is made in writing within 12 months after the permit expires and the development started lawfully before the permit expired.

#### **PART B**

That Council request Ramsey Health Care consider any further opportunities to improve the ESD outcome given the significance of the project to deliver long term positive Environmental outcomes.

Moved: Cr Peter Castaldo  
Seconded: Cr Rick Garotti

CARRIED

**6. PARTICIPATION – COMMUNITY INVOLVEMENT IN COMMUNITY LIFE**

Nil

**7. PERFORMANCE - USE OUR RESOURCES WISELY****7.1 PROPOSED BUDGET 2021-2025 - PUBLIC EXHIBITION****SUMMARY**

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

**Resolution (CO2021/75)**

That:

1. The Proposed Budget 2021-2025 be the Proposed Budget prepared by Council for the purposes of Section 94 of the *Local Government Act 2020*.
2. Council makes available for public inspection the information required to be made available in accordance with *the Local Government Act 2020* (and where relevant due to transitional arrangements *the Local Government Act 1989*) and *Local Government (Planning and Reporting) Regulations 2014*.

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

Moved: Cr Tom Melican

Seconded: Cr Mark Di Pasquale

CARRIED

## **7.2 PROPOSED REVENUE AND RATING PLAN 2021-2025 - PUBLIC EXHIBITION SUMMARY**

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

**Resolution (CO2021/76)**

That:

1. The Proposed Revenue and Rating Plan 2021-2025 be prepared by Council for the purposes of Section 93 of the *Local Government Act 2020*.
2. Council makes available for public inspection the information required to be made available in accordance with *the Local Government Act 2020* (and where relevant due to transitional arrangements *the Local Government Act 1989*).
3. Council to hear any submissions regarding the Proposed Revenue and Rating Plan 2021-2025 at a Council Meeting to be held on Monday, 26 May 2021.
4. Council to consider all submissions regarding the Proposed Revenue and Rating Plan 2021-2025 at a Council Meeting to be held on Monday, 7 June 2021.
5. Council to consider the adoption of the Proposed Revenue and Rating Plan 2021-2025 at a Council Meeting to be held on Monday, 28 June 2021.

Moved: Cr Tom Melican

Seconded: Cr Mark Di Pasquale

CARRIED

### 7.3 COUNCILLOR GIFT POLICY

#### SUMMARY

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

#### **Resolution (CO2021/77)**

That the item be deferred until the next meeting.

Moved: Cr Mark Di Pasquale

Seconded: Cr Rick Garotti

CARRIED



## 7.4 SETTING OF MAYORAL AND COUNCILLOR ALLOWANCES FOR 2020-2024 TERM

### SUMMARY

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

### Resolution (CO2021/78)

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

Moved: Cr Tom Melican

Seconded: Cr Rick Garotti

CARRIED

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

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

**Resolution (CO2021/79)**

That Council:

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

Moved: Cr Peter Dimarelos  
Seconded: Cr Elizabeth Nealy

CARRIED

**7.6 RECORD OF COUNCILLOR MEETINGS**

A written statement was read on behalf of Roger Marcus Fyfe.

**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**

<b>1</b>	<b>Date of Meeting:</b>	15 March 2021 – 5pm
	<b>Type of Meeting:</b>	Councillor Briefing Session
	<b>Matters Considered:</b>	
	<ul style="list-style-type: none"> <li>• Heidelberg Structure Plan - Project Update</li> <li>• Rating &amp; Revenue Strategy - Separate Waste Charge</li> <li>• Confidential Matters</li> </ul>	
	<b>Councillors Present:</b>	
	Peter Castaldo Alison Champion Peter Dimarelos Mark Di Pasquale Rick Garotti – <i>arrived 6.30pm</i> Tom Melican Fiona Mitsinikos – <i>arrived 6.30pm</i> Elizabeth Nealy	
<b>Staff Present:</b>		
Allison Beckwith - <i>Chief Executive Officer</i> Geoff Glynn – <i>Director Assets &amp; City Services</i> Marc Giglio – <i>Director Corporate Services</i> Scott Walker – <i>Director City Development</i> Kath Brackett– <i>Director Community Programs</i> Kerryn Woods – <i>Executive &amp; Councillors Team Leader</i> Lucy Rasdell – <i>Manager Strategic Properties</i>		
<b>Others Present:</b>		
Nil		
<b>Conflict of Interest:</b>	Nil	
<b>2</b>	<b>Date of Meeting:</b>	22 March 2021 – 6pm
	<b>Type of Meeting:</b>	Council Meeting Pre-briefing
	<b>Matters Considered:</b>	
Items on the Council Agenda for the Ordinary Meeting of 22 March 2021 as listed below: <ul style="list-style-type: none"> <li>• 93 Watsonia Road WATSONIA - Packaged Liquor License (P1550/2020)</li> </ul>		

	<ul style="list-style-type: none"> <li>• Minor Corrections to Amendment C120 - Postcode 3081 Urban Design Framework</li> <li>• Banyule 2041 Shaping Our Future - Stage 1 Community Engagement Findings</li> <li>• Yarra Plenty Regional Library Board &amp; Audit Committee Vacancy</li> <li>• Proposed Leases - Skye Children's Cooperative Ltd and Children's Protection Society Inc t/as Kids First Australia (Fairy Hills Preschool)</li> <li>• Procurement of Energy through Power Purchase Agreements</li> <li>• Award of Contract No. 1089-2020 - Managed Tyre Service for Council Fleet</li> <li>• Award of Contract No. 1070-2020 - Automotive Smash Repairers, Vehicle Detailing and Towing Services</li> <li>• Award of Contract No. 1084-2020 - Provision of Hire of Plant and Operator</li> <li>• Award of Contract No. MAV NPN 2.15-2 - Provision of Heavy Plant Machinery and Equipment</li> <li>• Extension of Contract No. 0999-2020 - The Centre Ivanhoe - Venue Management, Catering and Hospitality Services</li> <li>• Highlights Report - New Council Term</li> <li>• Record of Councillor Meetings</li> </ul>		
	<p><b>Councillors Present:</b></p> <p>Peter Castaldo          Alison Champion          Peter Dimarelos          Mark Di Pasquale          Rick Garotti          Alida McKern          Tom Melican          Fiona Mitsinikos          Elizabeth Nealy</p>		
	<p><b>Staff Present:</b></p> <p>Allison Beckwith - <i>Chief Executive Officer</i>          Geoff Glynn – <i>Director Assets &amp; City Services</i>          Marc Giglio – <i>Director Corporate Services</i>          Scott Walker – <i>Director City Development</i>          Kath Brackett– <i>Director Community Programs</i>          Gina Burden – <i>Manager Governance &amp; Communication</i>          Vivien Ferlaino – <i>Governance Coordinator</i>          Emily Outlaw – <i>Council Business Team Leader</i>          David Pascolo – <i>Technical Analyst</i></p>		
	<p><b>Others Present:</b></p> <p>Nil</p>		
	<table border="1" style="width: 100%;"> <tr> <td style="width: 35%;"><b>Conflict of Interest:</b></td> <td>Nil</td> </tr> </table>	<b>Conflict of Interest:</b>	Nil
<b>Conflict of Interest:</b>	Nil		

<b>3</b>	<p><b>Date of Meeting:</b> 29 March 2021 – 4pm</p> <p><b>Type of Meeting:</b> Councillor Briefing Session</p>
	<p><b>Matters Considered:</b></p> <ul style="list-style-type: none"> <li>• Update: Waterdale Road Pocket Park</li> <li>• Climate Change – External presentation (NAGA)</li> <li>• Ivanhoe Sports Precinct Plan</li> <li>• Gender Equity - External Training</li> </ul>

<ul style="list-style-type: none"> <li>• Engagement and reconciliation with the traditional owners of the land</li> <li>• Budget</li> <li>• Electronic Petitions - A Banyule Initiative</li> <li>• Council Meeting - Public Participation considerations</li> </ul>		
<p><b>Councillors Present:</b></p> <p>Peter Castaldo          Alison Champion – <i>arrived at 6.00pm, left at 8.00pm</i>          Peter Dimarelos          Mark Di Pasquale – <i>arrived 5.55pm</i>          Rick Garotti – <i>arrived 5.20pm</i>          Alida McKern – <i>arrived 4.35pm</i>          Tom Melican          Fiona Mitsinikos – <i>arrived 6.00pm</i>          Elizabeth Nealy</p>		
<p><b>Staff Present:</b></p> <p>Allison Beckwith - <i>Chief Executive Officer</i>          Geoff Glynn – <i>Director Assets &amp; City Services</i>          Marc Giglio – <i>Director Corporate Services</i>          Scott Walker – <i>Director City Development</i>          Kath Brackett– <i>Director Community Programs</i>          Gina Burden – <i>Manager Governance &amp; Communication</i>          Vivien Ferlaino – <i>Governance Coordinator</i>          Kerryn Woods – <i>Executive &amp; Councillors Team Leader</i>          Lisa Raywood – <i>Manager Public Health Protection, Aged &amp; Community Planning</i>          Darren Bennett – <i>Manager Environment &amp; Place</i>          Tania O'Reilly – <i>Manager Finance &amp; Procurement</i>          Nicole Maslin – <i>Manager Leisure &amp; Recreation</i>          Toni Toaldo – <i>Manager People &amp; Culture</i>          Katrina Neuhofer – <i>Organisational Development Coordinator</i>          Les Chessells – <i>Aboriginal Community &amp; Social Planner</i>          Michael Fan – <i>Financial Performance &amp; Planning Coordinator</i></p>		
<p><b>Others Present:</b></p> <p>David Meiklejohn – <i>Northern Alliance for Greenhouse Action</i>          Rebecca Tipper – <i>Women's Health in the North</i>          Sydel Fernandez – <i>Women's Health in the North</i></p>		
<table border="1"> <tr> <td><b>Conflict of Interest:</b></td> <td>Nil</td> </tr> </table>	<b>Conflict of Interest:</b>	Nil
<b>Conflict of Interest:</b>	Nil	

**Resolution (CO2021/80)**

That the Record of Councillor meetings report be received.

Moved: Cr Mark Di Pasquale

Seconded: Cr Alison Champion

CARRIED

**8. SEALING OF DOCUMENTS**

Nil

**9. NOTICES OF MOTION**

Nil

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## 10. GENERAL BUSINESS

### 10.1 TRANS & GENDER DIVERSITY DAY OF VISIBILITY

Cr Alida McKern raised an item of General Business relating to a Trans & gender diversity day of visibility event.

On Saturday, Mayor Garotti, Cr Melican and myself were pleased to attend Alphabet Soup-Heidelberg's *Trans and Gender Diversity Day of Visibility* event at Sycamore Café in Heidelberg. It was a welcoming and well attended event, with highlights including a terrific spread of food - thanks for which must go to David and his crew at Sycamore café, and heartfelt poetry by Nikki.

Mayor Garotti's speech was well received; as well as expressing Council's solidarity with Trans and Gender diverse people, it revealed that recently Banyule topped the Equality Index for LGBTIQ+ inclusion for Victorian councils. This is a terrific achievement awarded by Victorian Pride Lobby and one that Council is proud of.

Thank you to all concerned - Council staff, Alphabet Soup Heidelberg and Sycamore Café for organising this special event.

Meetings of Alphabet Soup Heidelberg are held on the first Saturday of each month from 1 to 4pm at Sycamore Café in Heidelberg - everyone is welcome.

### 10.2 GENERAL CHICKEN CO. COMMUNITY CUP

Cr Tom Melican raised an item of General Business relating to the General Chicken Co. Community Cup.

On Saturday, Cr Melican attended the General Chicken Co. Community Cup. A football match was played between North Heidelberg and Macleod football clubs and Cr Melican had the honour of presenting the cup to the North Heidelberg Football Club. Cr Melican also thanked Mr Nuri Sadiku for his efforts in organising and facilitating the event. Cr Melican commented that Nuri does a lot for the local shopping precinct, his fellow traders and is a tremendous asset to the Macleod community.

#### 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 prior to considering the confidential matters in 11.1, 11.2 and 11.3.

Moved: Cr Alison Champion  
Seconded: Cr Elizabeth Nealy

CARRIED

*The Meeting was adjourned at 8.56pm.*

*The Meeting was closed to the public at 9.01pm.*

#### Closure of Meeting

The Meeting was closed at 9.26pm.

DATED: ..... DAY OF ..... 2021

.....  
MAYOR

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

## PUBLIC QUESTION TIME

<b>1</b>	<p><b>Name &amp; Suburb</b></p> <p>Ronald Burnstein - Heidelberg</p> <hr/> <p><b>Question:</b></p> <p>With regard to the proposal to construct a DiscGolf course on the Warringal Parklands, could you please advise:</p> <p>a) the number of letters/submissions originally received by Council in support of the proposal prior to the inclusion of the budget provision included in Council's 2018-19 budget;</p> <p>b) the number of these which were submitted by residents of Banyule LGA.</p> <p>c) the suburbs or ;postcodes from which they originated.</p> <hr/> <p><b>Response:</b></p> <p>Councils adopted Recreation Plan 2017-2021, identified the need to develop more opportunities for unstructured activities. Disc Golf was identified as an activity that aligned with this objective. Disc Golf was then included for consideration as part of the 2019/20 Draft Budget, released for public feedback in March 2019, with an allocation of \$30,000.</p> <p>Council received fourteen written submissions, all positive feedback. Of this feedback, four identified as being local residents and one from a local business, the rest are unknown. The postcode of the residents was not provided. The Draft budget was adopted in June 2019 inclusive of the \$30 000 allocation for Disc Golf</p> <p>Council is currently undertaking community engagement regarding the implementation of Disc Golf at Warringal park, which includes a formal consultation process. This involved a 'come and try' day (March 21) and further community engagement which will be detailed on Council's Shaping Banyule website (live 16th April 2021). The engagement also includes a community consultation forum in mid-June 2021 where all the community input to date will be considered.</p> <p><i>Kath Brackett – Director Community Programs</i></p>
<b>2</b>	<p><b>Name &amp; Suburb</b></p> <p>Emilia Williams - Rosanna</p> <hr/> <p><b>Question:</b></p> <p>Given that each edition of the Banyule Banner produces 920,000 A4 pages of paper and costs \$232,800 per annum why isn't the publication moving to an online format only with limited hard copies available at the Libraries and Service centres?</p>



	<p><b>Response:</b></p> <p>The printed edition of the Banyule Banner is the most used communication channel by the Banyule community and is also the channel that people prefer to find information about Council.</p> <p>Council recently ran a communications survey that indicated a growing interest to also receive the Banner via email. Council's Communications Team are currently working to increase the number of people who subscribe to receive the Banner as a direct email. As this list grows, Council will explore whether print remains the most effective method of distributing the Banner.</p> <p><i>Marc Giglio – Director Corporate Services</i></p>
3	<p><b>Name &amp; Suburb</b></p> <p>Sheldon Williams - Rosanna</p> <p><b>Question:</b></p> <p>I understand from Council advice that the applicant/request for the development of the proposed Disc Golf course at Warringal Parklands has come from the Melbourne Disc Golf Club, an entity not located in or affiliated with Banyule City. Has any Banyule club (of any sport) or individual resident applied for or requested that this proposal proceed?</p> <p><b>Response:</b></p> <p>Councils adopted Recreation Plan 2017-2021, identified the need to develop more opportunities for unstructured activities. Disc Golf was identified as an activity that aligned with this objective. Disc Golf was then included for consideration as part of the 2019/20 Draft Budget, released for public feedback in March 2019, with an allocation of \$30,000.</p> <p>Council received fourteen written submissions, all positive feedback. Of this feedback, four identified as being local residents and one from a local business, the rest are unknown. The Draft budget was adopted in June 2019 inclusive of the \$30,000 allocation for Disc Golf.</p> <p>The relevant sports clubs within Warringal Parklands include:</p> <ul style="list-style-type: none"> <li>- Banyule Football Club</li> <li>- Banyule Jr Football Club</li> <li>- Banyule Cricket Club</li> </ul> <p>They have all been informed about the proposal of the Disc Golf course at Warringal Parklands and will be invited to attend the community consultation forum in mid-June 2021, details will be on Council's Shaping Banyule website (live 16 April 2021).</p> <p><i>Kath Brackett – Director Community Programs</i></p>

<b>4</b>	<p><b>Name &amp; Suburb</b></p> <p>Anonymous</p>
	<p><b>Question:</b></p> <p>Would Council provide the details of revenue (incl. amount by ward) that was derived over the October 2020 election period for the occasions where Councillors/candidates either promoted themselves and/or provided candidate information, using Council property or resources?</p>
	<p><b>Response:</b></p> <p>Council does not permit the use of Council property or resources for the self-promotion or campaigning of either councillors or candidates during election periods and, therefore, no income was derived from such activity.</p> <p><i>Marc Giglio – Director Corporate Services</i></p>

<b>5</b>	<p><b>Name &amp; Suburb</b></p> <p>Nola McDowell - Ivanhoe</p>
	<p><b>Question:</b></p> <p>Given the relaxation of COVID-19 restrictions at public events when is Council proposing to return to a public gallery for Council meetings including the reinstatement of a question/answer session as part of the meeting format?</p>
	<p><b>Response:</b></p> <p>Council is currently operating under the directions of the State Government. The Victorian Emergency Measures outline the arrangements for virtual council meetings, which is applicable until 26 April 2022. This means that councils can continue to conduct council meetings via electronic means and ensure the meetings are open to the public via livestreaming.</p> <p>Council is continually reviewing the State Government directions. Tonight's Council meeting is based on the requirements to socially distance (all Councillors and staff are socially distanced), density quotient per room size, and livestreaming to ensure access to the public. The current Council meeting space cannot accommodate members of the public given the socially distanced tables and equipment required to livestream the meeting.</p> <p>As the directions have changed from midnight 9 April 2021, Council is awaiting updated advice from Local Government Victoria and is seeking clarification on Council meetings, specifically on whether the density limit of one person per two square metres applies to shared spaces where members of the public will be seated.</p> <p>The Public Question Time operates in an alternate format (questions and answers provided in the minutes) and will be revised in accordance with Council's COVIDsafe plan and changing directions. Council will commence a review of public participation as per its Council resolution on 17 August as part of its review of the Governance Rules.</p> <p><i>Marc Giglio – Director Corporate Services</i></p>

<b>6</b>	<p><b>Name &amp; Suburb</b></p> <p>Michelle Giovas - Heidelberg</p>
	<p><b>Question:</b></p> <p>Can Council please explain how it will improve on the public's perception that they don't have a voice in Council's planning strategy direction, when under 24% or less than one in four Banyule residents answered "YES" to the Shaping Banyule 2041 project poll, "Do you feel your contribution will influence Banyule's future planning?"</p>
	<p><b>Response:</b></p> <p>Council is continuing to engage with the community to create a new 2041 Community Vision and Council Plan. Once this work is complete, Council will continue to engage with the community as it works through the various strategic planning processes and make the necessary adjustments to the planning framework to respond to the 2041 Community Vision.</p> <p><i>Scott Walker – Director City Development</i></p>
<b>7</b>	<p><b>Name &amp; Suburb</b></p> <p>Anonymous</p>
	<p><b>Question:</b></p> <p>Why aren't all planning permit triggers identified and then transparently published by council, along with any planning application when it appears on council's web page - "Planning applications on public notice"?</p>
	<p><b>Response:</b></p> <p>Council's website publishes a link to plans and documents to all planning permit applications currently at the 'public notification stage'. This includes the 'public notice' document itself which sets out the permit triggers.</p> <p><i>Scott Walker – Director City Development</i></p>