

Minutes of the Ordinary Meeting of Council



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

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MINUTES

The Meeting opened at 7.00pm.

Acknowledgement of the Traditional Custodians

The Mayor read an acknowledgement of the traditional custodians, the Wurundjeri Woio-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 3 May 2021.

Moved: Cr Tom Melican

Seconded: Cr Mark Di Pasquale

CARRIED

Disclosure of Interests

Cr Peter Dimarelos declared a general conflict of interest in items *2.1 East Ivanhoe Bowling Club* and *6.1 Ivanhoe Sport Precinct Plan*.

Presentation

Kamal Singh, Council's Integrated Planning Project Manager, made a presentation on the Banyule 2041 Project and formally handed over the Community Vision for Banyule that was co-authored by the Community Working Group, consisting of around 50 community members as part of a series of workshops.

1. URGENT BUSINESS

Nil

PROCEDURAL MOTION*(CO2021/93)***Resolution**

That item *6.1 Ivanhoe Sports Precinct* be moved to be considered after *2.1 East Ivanhoe Bowling Club* and before all remaining items on the agenda.

Moved: Cr Alison Champion
Seconded: Cr Elizabeth Nealy

CARRIED

2. PETITIONS

Cr Peter Dimarelos declared a general conflict of interest in items *2.1 East Ivanhoe Bowling Club* and *6.1 Ivanhoe Sport Precinct Plan* as he is part of the executive team of a group that uses the East Ivanhoe Bowls Club rooms.

Cr Peter Dimarelos left the Chamber at 7.15pm. He was not present to participate in the discussion or vote on the matter.

2.1 EAST IVANHOE BOWLING CLUB**Simon Dunks spoke on the item.****SUMMARY**

1. A petition has been received by Council with a total of 221 signatures.
2. The petition request is "Stop Banyule Council from closing East Ivanhoe Bowling Club".
3. Council's Governance Rules outline criteria for every petition that is submitted to Council. Not all signatories met the criteria and a breakdown of the total signatures is included in the report.
4. Council has made no decision in relation to closing East Ivanhoe Bowling Club. The future demand and provision of lawn bowls is a key consideration in the draft Ivanhoe Sports Precinct Plan - Issues and Options Report which will be presented at the Council meeting on 24 May 2021 and includes a recommendation to release the draft for community consultation.
5. This 6-week consultation period will gather as much community feedback on this draft report and preferred Option and engagement with all key stakeholders and clubs including East Ivanhoe Bowling Club will continue to be a key part of this process.

Resolution (CO2021/94)

That Council:

1. Receives and notes the petition.
2. Notifies the primary petitioner and East Ivanhoe Bowling Club the outcome of the report on the draft Ivanhoe Sports Precinct Plan - Issues and Options Report recommended for release for community consultation.

Moved: Cr Peter Castaldo
Seconded: Cr Alida McKern

CARRIED

3. PARTICIPATION – COMMUNITY INVOLVEMENT IN COMMUNITY LIFE

6.1 IVANHOE SPORTS PRECINCT PLAN

Mark Dixon, Dina Biviano, John Mehan, Simon Dunks and Melinda Catlow spoke on the item.

SUMMARY

1. The draft Ivanhoe Sports Precinct Plan (the Plan) (Attachment 1) establishes a strategic approach to the precinct across three sites - Ivanhoe Park, Ivanhoe Recreation Reserve (John Street) and Chelsworth Park.
2. Following Council consideration of a final draft Plan a Masterplan for the Ivanhoe Precinct will be developed to guide sports and recreation facility development, unstructured use for play, events and passive recreation.
3. A community reference group consisting of a representative from each sports club within the precinct and a community representative, has worked with Council over the last 18 months developing the Plan and exploring the various options from which to progress towards the Ivanhoe Sports Precinct Masterplan. The reference group developed a set of planning principles to guide the development of the Plan.
4. Extensive community consultation and engagement was undertaken with key stakeholders and the relevant state sporting associations to determine current and future needs and participation growth trends. A survey of residents surrounding the three sites was undertaken to seek feedback on the amenity, likes and areas for improvements, (Attachment 2).
5. The draft Plan: Issues and Options Report provides full details of the outcomes of the consultation, site analysis, constraints and opportunities, (Attachment 1). It presents 2 draft options for future Masterplan development and recommends that (one) option be released for community consultation and engagement, this being Option 1, (Attachment 3).
6. A further report will be presented to Council detailing feedback received on Option 1 and seeking Council endorsement to adopt a final draft Ivanhoe Sports Precinct Plan and proceed to the next stage of developing an Ivanhoe Sports Precinct Masterplan.

Resolution (CO2021/95)

That Council:

1. Notes the draft Ivanhoe Sports Precinct Plan Issues and Options report (Attachment 1) to this report.
2. Releases the draft Ivanhoe Sports Precinct Plan Issues and Option report: Option 1, (Attachment 3) for community consultation through Shaping Banyule.
3. Endorses the community engagement approach to the draft Ivanhoe Sports Precinct Plan Issues and Options Report: Option 1.
4. Receives a further report on the feedback from the draft Ivanhoe Sports Precinct Plan Issues and Options Report: Option 1, seeking Council endorsement to adopt a final draft Ivanhoe Sports Precinct Plan and proceed to the next stage of developing an Ivanhoe Sports Precinct Masterplan.
5. Considers the inclusion of Hotshot and Pickleball courts as part of the site at John Street Ivanhoe included in the Option 1 design for consultation.

Moved: Cr Peter Castaldo
Seconded: Cr Alida McKern

CARRIED

4. PEOPLE – COMMUNITY STRENGTHENING AND SUPPORT

Cr Dimarelos returned to the Chamber at 7.46pm

3.1 BANYULE YOUTH SPACES PLAN

SUMMARY

1. There is currently no specific plan to guide the provision and design of youth facilities in open spaces across Banyule.
2. A draft Banyule Youth Space Plan (the Plan) has been developed to address the provision and design of Youth Facilities.
3. The draft Plan has been developed in consultation with the Youth Summit held on 18 May 2021 and engagement with schools, local groups and attendees at Council held events.
4. The aim of the Plan is to provide strategic direction for the future provision of outdoor recreation places and spaces for young people aged 12 – 25 years across the municipality.
5. The draft Plan is a principles-based document that is underpinned by an assessment of the need and community demand for additional youth recreation spaces and facilities.
6. Key actions include:
 - Investigate locations and feasibility for district youth spaces to service the needs of youth aged 12 – 25 years;
 - Investigate locations and feasibility for walkable local spaces for youth aged 12 – 14 years and spaces for youth aged 15 – 17 years spread equitably across the 7 precincts contained within the Public Open Space Plan 2016 – 2031;
 - Develop a funding program that covers the costs for these proposed facilities including maintenance and renewal.
7. It is intended that the actions to investigate locations and feasibility of local and district spaces will involve further consultation with the community and will target youth to ensure that their voices are heard and inform future decisions.

Resolution (CO2021/96)

That Council:

1. Places the draft Banyule Youth Spaces Plan (the Plan) on public exhibition until 22 June 2021 in the interest of ascertaining the level of community support for the document.
2. Encourages participation in the consultation for the Plan by writing to secondary schools and tertiary education institutions within Banyule, and by advertising the Plan in Shaping Banyule.
3. Notes that participation in the consultation for the Plan was encouraged at the Banyule Youth Summit on 18 May 2021.
4. Receives a report with a summary of the process and results of the consultation for the draft Plan.

Moved: Cr Elizabeth Nealy
Seconded: Cr Peter Castaldo

CARRIED

3.2 INCLUSIVE EMPLOYMENT PROGRAM UPDATE**SUMMARY**

1. The Inclusive Employment Program for financial year 2020/21 has successfully commenced, with 11 new participants starting on 26 March 2021.
2. 11 participants from the Inclusive Employment Program for financial year 2019/20 have now successfully completed the program.
3. Banyule's Inclusive Employment Program has been recognised for outstanding achievements by winning the Community Service Delivery Award at the 2020 Local Government Professionals Australia Federation Awards.

Resolution (CO2021/97)

That Council:

1. Notes this report and continues to support the Inclusive Employment Program.
2. Receives a further report about the Inclusive Employment Program at the conclusion of the current round of the six-month program.

Moved: Cr Tom Melican

Seconded: Cr Alison Champion

CARRIED

3.3 REVIEW OF THE BANYULE ADVISORY COMMITTEES

SUMMARY

1. Council at its meeting on 11 November 2020 resolved to undertake a review of the advisory committees.
2. The structure for Council's advisory committees has been reviewed.
3. A proposed structure is based on four advisory committees:
 - Reconciliation Action Plan Advisory Committee
 - Inclusive Banyule Advisory Committee being an overarching committee which links to population specific committees.
 - Arts and Culture Advisory Committee.
 - Banyule Environment & Climate Action Advisory Committee (BECAAC).
4. The proposed Inclusive Banyule Advisory Committee is a strategic advisory committee to assist with advocacy, partnership and strategic advice to oversee *Inclusive Banyule*, Council's social justice, employment, health and wellbeing and inclusion framework.
5. It is proposed to include population specific committees to sit alongside the Inclusive Banyule Advisory Committee. These include
 - Multicultural Committee
 - Disability and Inclusion Committee
 - LGBTIQ+ Committee
 - Aged Friendly City Committee
6. Each advisory committee retains the capacity to establish time specific working groups as needed.
7. Community representation on committees is a voluntary role. However, there are additional reporting and monitoring requirements specified by Reconciliation Australia for the externally audited Reconciliation Action Plan (RAP) that place additional responsibilities on the RAP Advisory Committee, which include the payment of a sitting fee for community members.
8. A sitting fee of \$60 per meeting is proposed to be paid to Aboriginal and Torres Strait Islander community members, which replaces the reimbursement of meeting costs afforded to members of the other advisory committees. This \$60 sitting fee is based on a benchmarking of the payments made by other local governments to Aboriginal and Torres Strait Islander community members.
9. It is proposed that the advisory committees are established for a period of two years and a review undertaken during this period, with a report back to Council.
10. The advisory committees include Councillor representation. Each committee is chaired by a Councillor, with exception of the Reconciliation Action Plan Advisory Committee which is co-chaired with community. Council needs to determine Councillor appointments to each committee including substitutes.

Resolution (CO2021/98)

That Council:

1. Establish the following four advisory committees for a two-year term commencing 1 July 2021 to 30 June 2023:
 - a. Reconciliation Action Plan (RAP) Advisory Committee
 - b. Inclusive Banyule Advisory Committee
 - c. Arts and Culture Advisory Committee
 - d. Banyule Environment & Climate Action Advisory Committee (BECAAC)
2. Establish the following committees that support the Inclusive Banyule Advisory Committee:
 - a. Disability and Inclusion Committee
 - b. Multicultural Committee
 - c. Lesbian, Gay, Bisexual, Transgender, Intersex and Queer (LGBTIQ+) Committee
 - d. Age-friendly City Committee
3. Amend the Banyule Environment & Climate Action Advisory Committee (BECAAC) terms of reference (to be consistent with the other Advisory Committee terms of reference) to include:
 - a. Under section 4.1 include the role of the Chair is to approve the agenda and the minutes.
 - b. Under section 4.2 include at least two members that should have specific climate change experience.
 - c. Under section 4.3 include that the draft agenda will be issued to the chair two weeks prior to the scheduled meetings.
 - d. That BECAAC working groups are to be chaired by a Councillor and if no Councillor is available to chair the chair will default to a Council Officer.
4. Adopt the terms of reference for the advisory committees (Attachments 1-4) and model terms of reference for population committees supporting the Inclusive Banyule Advisory Committee (Attachment 5).
5. Commence the Expression of Interest process to appoint members to the Committees.
6. Receives a further report recommending the successful appointments to the Committees.
7. Approves the \$60 sitting fee per meeting for Aboriginal and Torres Strait Islander community members, for the additional commitments as required by Reconciliation Australia, for overseeing the Reconciliation Action Plan (RAP).
8. Receives a report on the outcomes of a review of the advisory committees in May 2022.
9. Determine and appoint Councillors to each committee including the chair, delegate and substitutes to the respective committees for the period 1 July 2021 to 30 June 2022 as follows:

Banyule City Council Committees	Delegate 2021/22	Substitute 2021/22
Advisory Committees		
Inclusive Banyule Advisory Committee	Cr Mark Di Pasquale - Chair Cr Tom Melican	Cr Peter Dimarelos
Reconciliation Action Plan Advisory Committee	Cr Peter Dimarelos – Chair Cr Rick Garotti	Cr Peter Castaldo
Arts and Culture Advisory Committee	Cr Elizabeth Nealy - Chair Cr Peter Dimarelos	Cr Fiona Mitsinikos
Banyule Environment & Climate Action Advisory Committee	Cr Alida McKern Cr Peter Castaldo	Cr Tom Melican
Inclusive Banyule Advisory Committee – Supporting Committees		
Multicultural Committee	Cr Fiona Mitsinikos	Cr Mark Di Pasquale
Disability and Inclusion Committee	Cr Rick Garotti	Cr Alison Champion
LGBTIQ+ Committee	Cr Peter Castaldo	Cr Alison Champion
Age-Friendly City Committee	Cr Tom Melican	Cr Elizabeth Nealy

10. Acknowledge the review of its Urban Forest Strategy may include the establishment of a stand-alone Reference Group.

11. Receive a further report that considers the preparation of an Urban Food Strategy.

Moved: Cr Alida McKern

Seconded: Cr Peter Castaldo

CARRIED

5. PLANET – ENVIRONMENTAL SUSTAINABILITY

Nil

6. PLACE – SUSTAINABLE AMENITY AND BUILT ENVIRONMENT

5.1 APPLICATION FOR PLANNING PERMIT (P1219/2020) - CONSTRUCTION OF A MULTI-STOREY COMMERCIAL BUILDING - 14 MARTIN STREET, HEIDELBERG

Written statements were read on behalf of Peter Hanning, Barbara Smith and Mark Mattioli.

SUMMARY

1. The application seeks to construct a commercial office building with semi basement car parking at 14 Martin Street, Heidelberg in the Medical Services precinct of the Heidelberg Activity Centre.
2. The building presents as nine storeys to Martin Street and 11 storeys to the rear. The maximum height of the proposed building is 41.25 metres (AHD 97.6) as measured from the south east corner of the site (excluding rooftop services). This exceeds the preferred 19 metre maximum building height of the Design and Development Overlay (DDO5) which is applicable to the site.
3. The proposal provides 60 car parking spaces. This is less than the 98 required under Schedule 2 of the Parking Overlay. A financial contribution will be required as a condition of permit for the shortfall of onsite car parking spaces.
4. There have been 13 objections received with concerns regarding building height and design, traffic and parking and the impact on the adjoining heritage building primary concerns raised. A consultation meeting was conducted on 5 May 2021; however, this did not result in resolution to any of the major concerns discussed.
5. Permit conditions have been proposed to reduce the overall height of the building by deleting levels 6 and 7 and requiring a more sympathetic response to the adjoining heritage listed building.
6. It is considered that the proposal provides new local employment and business opportunities for the benefit of present and future generations. The building has been designed to be able to be easily converted for medical use in the future depending on future market demand. The proposal, subject to conditions, should be supported.

Resolution (CO2021/99)

That Council having complied with Section 52, 58, 60, 61 and 62 of the Planning and Environment Act 1987, resolves to issue a **Notice of Decision to Grant a Planning Permit** in respect of Application No. P1219/2020 for the development and use of the land for a multi storey office building within a Special Use Zone (SUZ3) on land subject to a Design and Development Overlay (DDO5) and removal of vegetation on land subject to a Vegetation Protection Overlay (VPO5) at 14 Martin Street HEIDELBERG subject to the following conditions:

FURTHER PLANS AND/OR DOCUMENTS TO BE SUBMITTED TO THE RESPONSIBLE AUTHORITY PRIOR TO COMMENCEMENT OF DEVELOPMENT

General Plans

1. Before the use and 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 plans submitted on 1 February 2021 (Revision L) with the application but modified to show:

- (a) The deletion of levels 5, 6 and 7 and 8 and the remaining floors renumbered accordingly;
- (b) A notation on the plan detailing alternative options for the green wall treatment proposed for the east (rear) elevation if plants used within this wall have not developed to an extent deemed acceptable by the Responsible Authority at a date 3 years from completion of the building;
- (c) The north facing external wall facing 16 Martin Street, from ground level to the top of level 2, to be treated with materials and colours more sympathetic the heritage building located on the adjoining site, to the satisfaction of the Responsible Authority;
- (d) West facing external windows to be provided with external shading devices such as blinds, louvers, fins or similar to assist with summer heat loads and reduce glare;
- (e) Minimum of 4 visitor bicycle parking facilities provided in accordance with Clause 52.34 of the Scheme;
- (f) All car parking spaces within the basement provided with appropriate electric vehicle charging infrastructure to enable future installation of charging points;
- (g) All bicycle parking spaces within the basement provided with electric vehicle charging infrastructure so that they are 'charge ready' at the point the building is occupied;
- (h) All external windows fitted with double glazing;
- (i) A minimum of 44KW of PV Panels;
- (j) The provision of heat pump hot water;
- (k) Rainwater to be used for the flushing of toilets and for irrigation;
- (l) Evidence to confirm that services located at the site frontage are minimised to the extent possible
- (m) Any increase to ground floor frontage activation having regard to condition 1 (l)
- (n) A notation added to the plans detailing what measures will be implemented to the satisfaction of the Responsible Authority to ensure that the vehicular access door from the basement to the rear laneway will only be used when access is required to the electrical substation for maintenance, and cannot be used for any other purpose in accordance with Condition 19 of this Permit;
- (o) The convex mirror proposed in the accessway relocated so as to provide increased visibility of pedestrians for vehicles exiting to the street;
- (p) Design changes necessary to increase sight visibility on internal vehicular ramps within the basement to the satisfaction of the responsible authority;
- (q) A stop/go light system for the main vehicular entry to the basement from Martin Street;
- (r) The access width of 6.2 metres to the mechanical parking platform in the basement increased in width to suit the platform width of 2.6 metres;
- (s) The accessway designed to accommodate simultaneous movement at the changes of direction within the basement carpark;
- (t) Any changes necessary as a result of the amended Sustainable design Assessment and Waste Management Plan required by Conditions 3 and 4 of this Permit;

- (u) The mail boxes located in accordance with Australia Post guidelines;
- (v) Location and sizing of any solar hot water units;
- (w) Location and sizing of any photovoltaic power generation systems;
- (x) Corner splays on each side of the accessway in accordance with Design Standard 1 of Clause 52.06;
- (y) Lateral clearance in lower basement ramp to comply with Design Standard 1 – Accessways of Clause 52.06;
- (z) Provision of swept paths to indicate simultaneous vehicular movement can be accommodated within the carpark at locations or swept paths indicating where vehicles can stop and wait for another vehicle to pass at each bend in compliance with B99 vehicle exit path and B85 vehicle entrance path.
- (aa) All sustainable design features indicated in the Sustainability Management Plan (SMP) required by Condition 4 of this Permit. Where sustainable design features outlined in the SMP cannot be visually shown, include a notes table providing details of the requirements (i.e. energy and water efficiency ratings for heating/cooling systems and plumbing fittings and fixtures, etc);
- (bb) Development Drainage Plans in accordance with Condition 2 of this permit;
- (cc) An amended Waste Management Plan (WMP) in accordance with Condition 3 of this permit;
- (dd) An Sustainability Management Plan (SMP) in accordance with Condition 4 of this permit;
- (ee) A Construction Management Plan in accordance with Condition 11 of this permit;
- (ff) A Maintenance Plan for the green wall treatment in accordance with Condition 5 of this permit; and
- (gg) Tree Preservation Fencing in accordance with Condition 8 of this permit.

Development Drainage Plans

2. Engineering plans showing a properly prepared design with computations for the internal drainage and method for of disposal of stormwater from all roofed areas and sealed areas including:
 - (a) The use of an On-site Stormwater Detention (OSD) system;
 - (b) The connection to the Council nominated legal point of discharge;
 - (c) The integration, details and connections of all Water Sensitive Urban Design features in accordance with the endorsed Sustainable Management Plan and STORM report and include drainage details as a result of landscaping.
 - (d) All drainage plans must show for Trees #3 and #4: 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) 14th November 2020**;

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

Waste Management Plan

3. Prior to the commencement of the development, an amended Waste Management Plan (WMP) must be submitted to and approved by the satisfaction of the Responsible Authority. The amended WMP must be substantially in accordance with the advertised WMP prepared by Ratio Consulting on 5 October 2020 by amended to show:
- (a) The bin store located on a floor level with direct access to a passenger lift;
 - (b) The food organics bins to be a maximum size of 120 litres;
 - (c) The cardboard bin to be of a size accessible to persons of limited mobility;
 - (d) Details provided about waste storage and separation on each level of the building used as an office; and
 - (e) Hard waste storage area to be a minimum size of 3m³.
- Once approved, the Waste Management Plan must be adhered to by the owner(s) and operator(s) of the development at all times unless otherwise approved in writing by the Responsible Authority.

Sustainability Management Plan

4. Prior to the commencement of the development, a Sustainability Management Plan (SMP) must be submitted to and approved by the satisfaction of the Responsible Authority. The SMP must be substantially in accordance with the advertised Sustainable Design Assessment (SDA) prepared by Enrate Pty Ltd dated 22 September 2020 but include:
- (a) All changes required by Conditions 1(f) to 1(k) of this Permit;
 - (b) Provide JV3 preliminary assessment to demonstrate energy reduction targets will be achieved and the BCA 2019 performance requirements will be met;
 - (c) Demonstrates that the building's thermal fabric reduces heating and cooling energy consumption below the reference case (NCC Section J) in at least 10%;
 - (d) BESS and SMP reports to be amended to include accurate PV array sizing;
 - (e) All showerheads to be included in BESS assessment;
 - (f) Where effective natural ventilation is not achieved, it is recommended that ventilation systems to be designed to provide 50% more outdoor air (in L/s) than the minimum required by AS 1668:2012; or ventilation systems to be designed to maintain CO₂ concentrations below 800ppm (CO₂ concentrations to be monitored and controlled);
 - (g) Further information on the planter boxes system applied to the rear façade to be provided;
 - (h) Internal blinds to be provided to all east, west and north facing glazing;
 - (i) Kitchen joinery which includes provision for separate disposal of soft plastic, organic, recycling and general waste; and
 - (j) An Implementation Plan section must be included to the SMP, to clearly identify each ESD measures and strategy together with its responsible party and stage of the project.

OTHER ACTIONS REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENTGreen Wall Maintenance Plan

5. Prior to the commencement of the development, a Maintenance Plan for the green wall treatment proposed for the east (rear) elevation must be submitted to and approved by the satisfaction of the Responsible Authority. The plan must reference the endorsed landscaping plan and must include but not be limited to maintenance procedures, who will be responsible for maintaining the plant wall, how maintenance will be carried out on the property boundaries, and alternative options if plants used have not developed to an extent deemed acceptable by the Responsible Authority at a date 3 years from completion of the building in accordance with Condition 1(b) of this Permit.

Parking Overlay Financial Contribution

6. Unless otherwise agreed in writing by the Responsible Authority, prior to the commencement of the development a financial contribution for any required car parking spaces not provided on the site of \$17,500 (ex GST) adjusted quarterly from 1 February 2016 must be paid to the Responsible Authority in lieu of the provision for any required car parking spaces not provided on the site in accordance with Schedule 2 to the Parking Overlay of the Banyule Planning Scheme

Note: Contribution to have regard to reduced total leasable floor area in accordance with Condition 1(a).

Development Contribution Plan Overlay

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

Tree Protection

8. Prior to the commencement of any building and/or demolition works, 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:
 - Tree #3- 2 metre radius from the centre of the tree base.
 - Tree #4- 3 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:
 - Erection of solid chain mesh or similar type fencing at a minimum height of 1.8 metres held in place with concrete feet.
 - (c) 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.
 - (d) Mulch across the surface of the TPZ to a depth of 100mm and undertake supplementary watering in summer months as required.

- (e) 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.
- (f) All supports, and bracing should be outside the TPZ and any excavation for supports or bracing should avoid damaging roots where possible.
- (g) 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.
- (h) Where construction is approved within the TPZ, fencing and mulching should be placed at the outer point of the construction area.
- (i) 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.
- (j) 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).
- (k) For neighbouring trees, protection must be to the extent of the calculated Tree Protection Zone (TPZ) where it occurs within the subject Land.
- (l) 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.

Council Street Trees

9. No Council trees are to be removed without the prior written consent of the Responsible Authority.

Section 173 Agreement

10. Unless otherwise agreed in writing by the Responsible Authority, before the development permitted by this permit commences, the owner of the land at 14 Martin Street HEIDELBERG must enter into an agreement with the Responsible Authority pursuant to Section 173 of the *Planning and Environment Act 1987* to the satisfaction of the Responsible Authority and such agreement must require that:
- (a) The owner acknowledge that all refuse and recycling collection will occur by way of a private contractor in accordance with the approved Waste Management Plan endorsed under Planning Permit P1219/2020.
 - (b) The owner acknowledges that occupants of the dwellings will not be granted on-street or off-street parking by way of a resident or visitor vehicle parking permit.

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

Construction Management Plan

11. Unless otherwise agreed, prior to the commencement of any works including demolition, a Construction Management Plan must be submitted to and approved by the Responsible Authority. Once approved, the plan must be implemented to the satisfaction of the Responsible Authority.

Note: Prior to the submission of the Construction Management Plan, please contact the Construction Management Assessment Officer to ensure the Plan is consistent with the Banyule City Council's General Local Law No. 1 2015.

Council Assets

12. Before any works associated with the development start, a written report, including photos of any existing damage to public infrastructure must be submitted and approved by the Responsible Authority (**Public Infrastructure Report**). The Public Infrastructure Report must identify the condition of Kerb & Channel, Footpath, seal, street lights, signs and other public infrastructure fronting the property and abutting at least two properties either side of the development. Any damage to public infrastructure which is not identified in the Public Infrastructure Report must be prepared to the satisfaction of the Responsible Authority before the development is occupied.

ACTIONS REQUIRED UPON COMPLETION OF DEVELOPMENT

Notification and rectification

13. Unless otherwise agreed in writing by the Responsible Authority, within 30 days of completion of the development, the owner of the land must advise the responsible Authority in writing that the construction works have been completed and all works have been carried out as per the endorsed documents.
14. Unless otherwise agreed in writing by the Responsible Authority, within 30 days of completion of the development, the owner of the land must remove all temporary hoardings, signage and construction fencing (excluding any required ongoing tree protection barriers) and temporary construction facilities.

Commencement of Use

15. The permitted use must not commence and the subject site must not be occupied for the use until all buildings and works and the conditions of this permit have been complied with, unless with the further prior written consent of the Responsible Authority.

Car Park

16. Prior to the use permitted by this permit commencing, areas set aside for parking vehicles, loading bays, access lanes and paths as shown on the endorsed plans must be:
 - (a) Constructed to the satisfaction of the Responsible Authority.
 - (b) Properly formed to such levels that they can be used in accordance with the plans.
 - (c) Surfaced with an all-weather sealcoat to the satisfaction of the Responsible Authority.
 - (d) Drained and maintained to the satisfaction of the Responsible Authority.

- (e) Line-marked to indicate each car space, loading bay and all access lanes and, if necessary, the direction in which vehicles are to travel to the satisfaction of the Responsible Authority.
- (f) In accordance with any Council adopted policy and guidelines for the construction of car parks including vehicle crossings.

Parking Spaces Clearly Indicated

17. 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.

ONGOING REQUIREMENTS OF THIS PERMIT

Layout Not To Be Altered

18. The development and/or use as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

Vehicular access from the rear laneway to the basement

19. The vehicular access door from the basement to the rear laneway is permitted to be used only when access is required to the electrical substation located in the basement for maintenance and may not be used for other purpose.

Amenity

20. The amenity of the area must not be detrimentally affected by the development and/or use, through the:
- (a) Transport of materials, goods or commodities to or from the land.
 - (b) Appearance of any building, works or materials.
 - (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
 - (d) Presence of vermin.
 - (e) In any other way.
- to the satisfaction of the Responsible Authority.

Directional Sign

21. 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 0.3m² in area.

Loading and Unloading

22. 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.

Use of Loading Area

23. The area designated on the endorsed plan for the purpose of loading and unloading of goods from vehicles shall be made available for such use and shall not be used for any other purpose.

Storage

24. No goods or packaging materials must be stored or left exposed outside the building so as to be visible to the public from a road or other public place.

Garbage Receptacles

25. No receptacles for any form of rubbish or refuse (other than public waste bins) may be placed or allowed to remain in view from a public road or thoroughfare, and odour must not be emitted from any such receptacle(s) so as to cause offence to any person(s) outside the land.

No Dangerous Goods

26. The subject land must not be used for the storage of dangerous, hazardous or explosive goods, materials or substances except with the prior written consent of the Responsible Authority.

Parking for Disabled People

27. Parking space/s earmarked for disabled people and must be clearly set aside for such purposes and no other use of such space/s will be permitted.

Landscaping Maintenance

28. The owner must ensure that the garden areas shown on the endorsed plan and schedule shall only be used as gardens and shall be maintained in a proper, tidy and healthy condition to the satisfaction of the Responsible Authority. Should any plant be removed or destroyed it may be required to be replaced by a plant of similar size and variety.

Timeframes of this permit

Expiry of permit

29. In accordance with section 68 of the Planning and Environment Act 1987, this permit will expire if one of the following circumstances applies:
- (a) The development is not commenced within two years of the date of this permit;
 - (b) The development is not completed within four years of the date of this permit;
 - (c) The use is not commenced within four years of the date of this permit; or
 - (d) The use is discontinued for a period of two years.

RECOMMENDATION B

That Council write to the permit applicant and landowner to outline the benefits of and encourage the exploration of site consolidation and the incorporation of further environmentally sustainable development initiatives.

Moved: Cr Peter Castaldo
Seconded: Cr Alida McKern

CARRIED

5.2 IVANHOE GRAMMAR SCHOOL - FENCE AND DEVELOPMENT PLAN

Noel Cranswick, Paul Walsh, Alice Maloney, Carl Ziebell, Professor Marcus Wigan and Leanda Merritt spoke on the item.

Additional written submissions from Tony Gleeson, Anne Adams, Phillip Medding and Maree Sier-Trentin were provided directly to Councillors.

SUMMARY

1. Ivanhoe Grammar School has made application seeking a planning permit for the construction of Buildings and Works (fence) in a heritage overlay located in various sections of the school's boundary, including along the Boulevard at the southern end of the school, at the boundaries on Elphin, Fairy and Merton Streets, Ivanhoe and across either end of the 'walkway' located immediately north of the 'South Ground' oval between Russell Street and the Ridgeway.
2. There is an endorsed Development Plan for the school site and the school has applied to amend the plan to reflect the fencing sought under the planning permit application.
3. The proposed fence (including gates) is not consistent with the Development Plan and is directly at odds with the spirit and intent of the endorsed masterplan under the Development Plan Overlay. The proposed fencing seeks to cease long standing access over the land in question that accrued rights may have been established by the broader community.
4. Negotiations have failed to produce an acceptable outcome with the School on behalf of the community's interests, and the applicant has elected to escalate their case to the Victorian Civil and Administrative Tribunal (VCAT) through the lodgement of two applications for review that are envisaged to be heard concurrently.
5. It is considered that the request to amend the Development Plan to show fencing and gates should not be supported noting that the IGS approach has not enabled appropriate community consultation and discussion of options. As such, it is considered that the permit application for the fence and gates cannot be approved.

Resolution (CO2021/100)**RECOMMENDATION A**

That Council having regard to the relevant provisions of the Planning and Environment Act 1987 and the Banyule Planning Scheme, including Clause 65.01 resolves to refuse to approve the amended development plan as:

1. Any change to the reference to the existing ROW pedestrian access from Russell Street to Merton Street is not a minor change and requires community consultation in accordance with the requirements of Section 8 of the development plan;
2. The ceasing of access would be at odds with:
 - a) The community on-going accrued rights of access over the land;
 - b) The longstanding commitment by Ivanhoe Grammar School to Council and the community through the various iterations of the Development Plan and associated community consultation.
 - c) Planning Scheme objectives which promote walkability and pedestrian permeability including Clause 21.07 – Transport of the Banyule Planning Scheme

RECOMMENDATION B

That Council having complied with Section 60 of the Planning and Environment Act 1987 and as permitted by Section 84(1), resolve that if an application for review under Section 79 of the Planning and Environment Act (1987) had not been lodged with VCAT, Council would have issued a Refusal to Grant a Planning Permit in respect of Application No. P1468/2020 for Construction of a fence in a Heritage Overlay at 41 The Ridgeway, IVANHOE on the following grounds:

1. The proposed fencing is not in accordance with the development plan (contained at clause 43.04) and therefore the Responsible Authority is precluded from entertaining the issuing of a planning permit;

RECOMMENDATION C

That Council notes that Ivanhoe Grammar School representation has now applied directly to the Victorian Civil and Administrative Tribunal to remove reference to ROW access. This is despite this access having been a longstanding commitment by Ivanhoe Grammar School to Council and community through the various iterations of the Development Plan and associated community consultation.

RECOMMENDATION D

The Council write to the Principal of Ivanhoe Grammar School expressing disappointment in the approach taken by the school which is contrary to the given commitments to undertake consultation with the community and explore and table options to retain community access at points.

RECOMMENDATION E

That Council notes that:

1. Residents have been provided with an update in relation to the direction that Ivanhoe Grammar School is now taking.
2. Legal representation will be engaged for the Victorian Civil and Administrative Tribunal hearings in relation to this matter who will submit that Council supports VCAT allowing affected residents to be joined as interested parties in relevant proceedings.

RECOMMENDATION F

That Council Authorise the Chief Executive Officer to take all appropriate legal action in relation to community access over the Ivanhoe Grammar School campus.

RECOMMENDATION G

Advise Ivanhoe Grammar School Representatives that Council would entertain an urban design solution that addresses both a) the schools concern for child safety and b) community need for public access through 3 existing access points through school grounds that local residents have been using for many years.

RECOMMENDATION H

That Council invite Ivanhoe Grammar School Representatives to attend a meeting with Council's Chief Executive Officer and associated representatives to negotiate alternative options in relation to the changes proposed to the Development Plan and the planning permit application for a fence.

Moved: Cr Alida McKern

Seconded: Cr Peter Castaldo

CARRIED

5.3 ELEVATING ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT TARGETS - PROJECT OPPORTUNITY

SUMMARY

1. Banyule City Council is a member of the Council Alliance for a Sustainable Built Environment (CASBE) and have historically invested in the development of Environmentally Sustainable Development (ESD) requirements in local planning policy.
2. CASBE is inviting all Victorian Council's to express interest in participating in a joint planning scheme amendment to elevate existing ESD Targets in the Planning Scheme for development outcomes through revised ESD policy objectives and standards.
3. The Elevating Targets project sets out to improve existing local ESD policy including the introduction of mandatory minimum standards to work to achieve net zero carbon emissions for energy use in new buildings where a planning permit is required.
4. Council joining this project is consistent with the direction and commitment articulated in Banyule's Community Climate Action Plan and submission to stage 1 of the State Government's Roadmap for ESD. The project has the potential to lift ESD in planning outcomes and furthers Banyule's advocacy position on climate action.
5. Concurrently, the Department of Environment, Land, Water and Planning (DELWP) have released a Roadmap outlining the State Government's agenda for supporting ESD through Victoria's planning system. Stage 2 of the Roadmap work will focus on development of new ESD objectives and standards to give effect to the strategies set out in planning policy with stakeholders facilitated by DELWP by mid-2021.

Resolution (CO2021/101)

That Council:

1. Endorses Banyule's participation in the Environmentally Sustainable Development (ESD) 'Elevating Targets' Project run by the Council Alliance for a Sustainable Built Environment (CASBE)
2. Enter into a Memorandum of Understanding for the 'Elevating ESD Targets' Project and commit to the required financial contribution which would be a maximum of \$130,000 funded through the existing Environment Sustainability Project funding in the operational budget.
3. Authorise the Director City Development to execute the necessary documents.

Moved: Cr Tom Melican

Seconded: Cr Alison Champion

CARRIED

5.4 MACLEOD RECREATION AND FITNESS CENTRE REDEVELOPMENT UPDATE SUMMARY

1. The Macleod Recreation Redevelopment Master Plan (the Master Plan) was updated in 2018 with an estimated \$15m cost to implement the full plan.
2. The COVID-19 pandemic caused significant disruption to the viability and operation of the centre. The pandemic also disrupted plans to commence design development of the Master Plan, the review of the operating model and Request for Proposal for a service provider.
3. A recent review of the Master Plan has identified an opportunity to better respond to the overlap between service planning and asset renewal by undertaking strategic needs analysis and social infrastructure planning for the precinct prior to any major redevelopment works.
4. Building maintenance and accessibility issues are impacting current operations and will need to be addressed in the short term. This can be achieved via a series of building works; including upgrades to accessibility, building presentation and replacement of loose furniture and fittings.
5. A current capital works budget of \$800k has been allocated to this project for design and development of the Master Plan. It is requested that these funds be reallocated to enable the project to proceed in line with the revised purpose and scope.
6. The proposal is to reallocate the current \$800k of capital works funds towards:
 - o Completing a high-level schematic design based on existing Master Plan;
 - o Undertaking capital works upgrades to address immediate building maintenance issues; and
 - o Conducting research, planning and a review of the operating model to ensure delivery of best value services for the community through infrastructure investment.
7. Further funding will be required in future capital works budgets to undertake detailed design and construction once the scope of the complete upgrade has been clarified.

Resolution (CO2021/102)

That Council:

1. Reallocate the current \$800k of capital works funds allocated for the Macleod Recreation Redevelopment Master Plan towards:
 - a. Completing a schematic design based on existing Master Plan to be 'shovel ready' should funding opportunities arise;
 - b. Undertaking upgrades to address immediate building maintenance and accessibility issues; and
 - c. Conducting research, planning and a review of the operating model to ensure delivery of best value services for the community through infrastructure investment.
2. Notes changes to project scope.
3. Actively pursues and advocates for external funding opportunities to support the upgrade of the Centre through State Government grants and identification of other potential funding sources.

4. Receives a further report outlining the outcomes and recommendations from the social infrastructure planning and operating model review.

Moved: Cr Tom Melican

Seconded: Cr Mark Di Pasquale

CARRIED

5.5 MODERNISING VICTORIA'S BUILDING SYSTEM - SUBMISSION TO BUILDING REFORM

SUMMARY

1. The State Government has established an independent panel (the Panel) to lead its review of the building legislative and regulatory system and has released 'Framework for Reform – Modernising Victoria's building system' (the Framework).
2. Stakeholder feedback is being sought in relation to issues, possible improvements and key questions across four themes outlined in the Framework being practitioner registration, building approvals, regulatory oversight and consumer protection.
3. Four 'Building Approval' models' are proposed in the Framework. It is considered that the Panel's recommended model is the preferred model notwithstanding that adoption of any of the models will impact on Council primarily as a regulator but also as a provider of building permit services.
4. A submission should be made to the Building Reform Expert Panel which provides commentary in relation to the reform framework themes and also advocates that the Panel give further consideration exploring solutions and provide more detail in relation to a range of issues.

Resolution (CO2021/103)

That Council make a submission to the independent Building Reform Expert Panel (the Panel) (Attachment) 1 which:

1. Gives broad support to the Building Reform review including the recommendation to establish a State Building Surveyor as the statutory technical peak building authority for the State of Victoria.
2. Provides commentary in relation to the four 'Building Approval' models' which are discussed in the Framework for Reform – Modernising Victoria's building system (the Framework) based on recommendations from the Victorian Municipal Building Surveyors Group (VMBSG), the Municipal Association of Victoria (MAV), the Australian Institute of Building Surveyors (AIBS) and a further consideration from the review Panel.
3. Nominates the Panel's model for 'Building Approval' as the preferred model.
4. Provides commentary in relation to the Framework themes of practitioner registration, building approvals, regulatory oversight and consumer protection.
5. Notes that all alternative 'building approval' models proposed will result in greater responsibility and resourcing implications for Council.
6. Advocates that the Panel give further consideration to solutions and provide more detail in relation to a range of issues.

Moved: Cr Elizabeth Nealy
Seconded: Cr Alida McKern

CARRIED

7. PERFORMANCE - USE OUR RESOURCES WISELY**7.1 PROPOSED CREATION OF EASEMENT - 111 BANYULE ROAD, ROSANNA****SUMMARY**

1. Planning Permit P858/2019 has been issued to the owner/developer of 69-71 Banyule Road, Rosanna (Development Site) for a multi-unit development which abuts Council land at 111 Banyule Road, Rosanna (Creekbend Reserve).
2. The Development Site requires a sewage connection to a Council pit situated on the eastern side of Creekbend Reserve. A new sewage easement is to be created over part of Council Land.
3. To facilitate this proposal, Council must comply with sections 189 and 223 of the *Local Government Act 1989* since it is disposing of an interest in land. The developer has agreed to compensate Council for the granting of easement to benefit the Development Site.
4. Council has given public notice of its intention to grant an easement over Creekbend Reserve. No submissions were received and now requires a decision of Council.

Resolution (CO2021/104)

That Council:

1. Having completed statutory procedures under sections 189 and 223 of the *Local Government Act 1989* and having received no written submissions to the proposal grants a sewage easement over Council's land at 111 Banyule Road, Rosanna (Creekbend Reserve) to benefit 69-71 Banyule Road, Rosanna (Development Site).
2. Seeks compensation of \$27,975.00 (excl GST) plus all associated costs from the owners of the Development Site for the granting of the sewage easement over Council's land at Creekbend Reserve.
3. Authorise the Manager Strategic Property to execute all documents in relation to the Creation of Easement.

Moved: Cr Tom Melican

Seconded: Cr Fiona Mitsinikos

CARRIED

7.2 PROCUREMENT POLICY 2021-25

SUMMARY

1. The current Procurement Policy under the *Local Government Act 1989* (LGA 1989) was approved by Council on 14 December 2020 and is effective until 30 June 2021.
2. The Council resolution on 14 December 2020 stated that the new Procurement Policy under *Local Government Act 2020* (LGA 2020) will be reviewed and considered for adoption by Council in 2021 with effect from 1 July 2021.
3. The Procurement Policy is to be reviewed by Council every four years.
4. The Procurement Leads of the Northern Councils Alliance (NCA) collaborated to draft a standard Procurement policy for adoption by the Councils under LGA 2020 prior to 30 June 2021.
5. The proposed changes that are incorporated in the new Procurement policy include:
 - Public tender threshold increased to \$300,000 (inc. GST) for goods and services (from \$150,000) and works (from \$200,000).
 - CEO Delegation increased to \$1 million from \$0.5 million.
 - This change in delegation requires an update to the CEO Delegation. With an increased delegation limit, ensuring transparency on the awarding of contracts under delegation is important. Ongoing reporting to Council on procurement contracts approved between \$0.5 million and \$1 million under the Chief Executive Officer's delegation will be presented bi-annually. In addition, the Annual Procurement Plan is recommended to be presented to Council in the first quarter of each financial year.
 - Standardised procurement policy across the region leading to consistency and better practice.
 - Exemptions from public tenders or expressions of interest outlined.
 - Sourcing of goods, services or works from one supplier (sole sourcing) or a restricted group of suppliers (select) based on public interest criteria will be permitted.
 - Council must consider collaboration with other Councils for contracts with a minimum value of \$1 million per annum.
 - Commitment to Sustainable Procurement:
 - KPIs and targets
 - The possible incorporation of tailored evaluation criteria, where suitable to the provision and industry, for social and sustainable initiatives and practices, including voluntary reporting compliance with the *Modern Slavery Act 2018*.

Resolution (CO2021/105)

That Council:

1. Approves the new Procurement Policy to come into effect on 1 July 2021 noting the commitment to sustainable procurement through establishment of KPIs and targets within the Procurement Policy.
2. Receives during quarter one of each year the Annual Procurement Plan.

3. Report each year a list of procurement contracts approved between \$0.5 million and \$1 million under the Chief Executive Officer's delegation.
4. Receive a report each year on all procurement activities where tender exemptions were exercised.
5. Refer the adopted policy to the Audit and Risk Committee for consideration and should there be any feedback or comments that Council will consider these into an updated Procurement Policy as soon as practicable.
6. Voluntarily comply with the Modern Slavery Act 2018 once council officers have investigated the reporting requirements.
7. In the exercise of the power conferred by s11(1)(b) of the Local Government Act 2020 resolves that:
 - a. There be delegated to the person holding the position, or acting in or performing the duties, of the Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument.
 - b. To increase the financial limit of the CEO from \$500,000 to \$1 million (excluding GST) for the awarding a contract or expenditure.
 - c. The Instrument comes into force immediately the common seal of Council is affixed to the Instrument.
 - d. On the coming into force of the Instrument the previous delegation to the Chief Executive Officer dated 17 August 2020 is revoked.
 - e. The duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of the Council that it may from time to time adopt.

Moved: Cr Mark Di Pasquale

Seconded: Cr Rick Garotti

CARRIED

7.3 QUARTERLY FINANCIAL MANAGEMENT REPORT - MARCH 2021**SUMMARY**

1. This Quarterly Financial Management Report is for the period ended 31 March 2021 and provides assessment of the following:
 - Key income and expenditure actual operating results against budget
 - Capital Works financial performance
 - COVID-19 financial impacts
 - Other key financial indicators
2. The Chief Executive Officer, as required by Section 97(3) of the *Local Government Act 2020* is of the opinion a revised budget is not required.

Operating Performance:

3. The March forecast is projected to be a \$9.755m surplus compared to the adopted budget deficit of \$1.351m (a \$11.106m favourable movement).
4. The 2020/21 underlying operating deficit is forecast to be \$2.517m compared to a budgeted underlying deficit result of \$8.484m (a \$5.967m favourable movement).
5. The forecast variance to budget is primarily related to:
 - Higher Public Open Space contributions
 - Additional Government Grants awarded
 - Lower than anticipated rate waiver applications
 - Partially offset by net business impacts from COVID
 - (mainly as a result of extended restrictions).
6. The economic impact caused by COVID-19 is anticipated to have a \$0.547m net financial cost to Council's businesses (this excludes the net cost amendment made to the budget when restrictions were first announced of \$3.359 million).
7. The current spend on the budgeted Economic Support Package is \$3.920m. The \$10.5m package as budgeted has been forecasted down to \$4.206m in this report to reflect the lower take up of rates waiver applications to date.

Capital Works Performance:

8. As of 31 March 2021, a total of \$36.718m has been spent on capital works.
9. The capital works expenditure is forecast to be \$62.340m (the adopted capital budget is \$63.550m).

Resolution (CO2021/106)

That the Quarterly Financial Management Report for the period 31 March 2021 be noted with the following impacts and highlights:

- a) The forecast to deliver an operating surplus of \$9.755m against the adopted budget deficit of \$1.351m for the year ended 30 June 2021.

- b) The \$10.5m package has been forecasted down to \$4.206m in this report to reflect the lower take up of rates waiver applications to date.
- c) The underlying operating deficit of \$2.517m is after adjusting for non-recurrent capital grants and capital contributions of \$12.272m.
- d) The net cost impact on the forecast directly from COVID-19 restrictions is \$0.547m unfavourable to budget.

Moved: Cr Mark Di Pasquale
Seconded: Cr Tom Melican

CARRIED

7.4 AWARD OF CONTRACT NO. 1111-2021 CONSTRUCTION OF FOOTPATH REPLACEMENT PROGRAM**SUMMARY**

1. This report is to consider the awarding of Contract No. 1111-2021 – Construction of Footpath Replacement Program.
2. Council sought submissions from suitably qualified and capable contractors for the construction of the footpath replacement program. As part of Council's Capital Works Program, council is planning to undertake an extensive footpath replacement program throughout the municipality.
3. The Tender Evaluation Panel (TEP) has recommended awarding the contract to Prestige Paving 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 (CO2021/107)

That Council:

1. Award Contract No. 1111-2021- Construction of Footpath Replacement Program to Prestige Paving Pty Ltd for the lump sum price of \$4,061,093.00 (ex. G.S.T).
2. Authorise the Director of Assets & City Services to sign the contract and any other associated documents.

Moved: Cr Mark Di Pasquale
Seconded: Cr Fiona Mitsinikos

CARRIED

7.5 AWARD OF CONTRACT NO. 1107-2021 PROVISION OF CONTACT CENTRE AND MANAGED SERVICES**SUMMARY**

1. This report is to consider the awarding of Contract No. 1107-2021 - Provision of Contact Centre and Managed Services.
2. Council is replacing its ageing end of life on premise Contact Centre (call centre) to a modern Cloud solution. The Contact Centre software is a central point from where all customer interactions can be managed for Council. This will include telephone calls, emails and live web chat to begin with.
3. The Tender Evaluation Panel (TEP) has recommended awarding the contract to Premier Contact Point Pty Ltd (Premier) in accordance with the tender and conditions as determined by Council.
4. Tenders were received from six companies.
5. The contract will commence 1 June 2021. The Initial Contract Term shall be for a maximum initial period of three (3) years with the option to extend for further periods of any duration up to a maximum extension period of two years based on satisfactory performance and meeting Council objectives.

Resolution (CO2021/108)

That Council:

1. Award Contract No. 1107-2021- Provision of Contact Centre and Managed Services to Premier Contact Point Pty Ltd for \$466,660.00 (ex. G.S.T) for an initial period of 3 years with an option to extend for a further 2 years.
2. Authorise the Director of Corporate Services to sign the contract and any other associated documents.
3. Authorise the Director of Corporate Services to award extensions of this Contract, subject to review of the Contractor's performance and Council's business needs, at the conclusion of the initial 3 year contract term and any extension periods.

Moved: Cr Elizabeth Nealy
Seconded: Cr Rick Garotti

CARRIED

7.6 RECORD OF COUNCILLOR MEETINGS**SUMMARY**

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

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

RECORD OF MEETINGS

1	Date of Meeting:	26 April 2021 – 5.30pm
	Type of Meeting:	Councillor Briefing
Matters Considered:		
Banyule 2041 Community Working Group update Macleod Recreation Centre Youth Spaces Plan Procurement Policy and Sustainable Procurement framework Full Review of Council Advisory Groups General Business		
Councillors Present:		
Peter Castaldo Alison Champion Peter Dimarelos Mark Di Pasquale Rick Garotti Alida McKern Tom Melican Fiona Mitsinikos Elizabeth Nealy		
Staff Present:		
Allison Beckwith - <i>Chief Executive Officer</i> Geoff Glynn – <i>Director Assets & City Services</i> Marc Giglio – <i>Director Corporate Services</i> Scott Walker – <i>Director City Development</i> Kath Brackett – <i>Director Community Programs</i> Kerryn Woods – <i>Executive & Councillors Team Leader</i> Kamal Singh – <i>Integrated Planning Project Manager</i> Ruth Robles McColl – <i>Senior Project Manager</i> Rod Spivey – <i>Senior Open Space Planner</i> Robyn Mitchell - <i>Coordinator Open Space and Strategic Planner</i> Ana Caicedo - <i>Acting Manager Operations</i> Sonali Cordeiro – <i>Strategic Procurement Coordinator</i> Tania O'Reilly – <i>Manager Finance & Procurement Services</i> Theonie Tacticos – <i>Community & Social Planning Coordinator</i> Lisa Raywood – <i>Manager Health, Aged & Community Planning</i> Darren Bennett – <i>Manager Environment & Place</i>		
Others Present:		
Nil		
Conflict of Interest:		Nil

2	Date of Meeting:	3 May 2021 – 5.30pm
	Type of Meeting:	Council Meeting Pre-Briefing
Matters Considered:		
Items listed on the agenda for Council Meeting 3 May 2021 as below:		
2.1 Greenwood Drive Watsonia - Request for Speed Humps to Reduce Hooning Behaviour		
5.1 Application for Planning Permit to enable Restaurant and Café Liquor Licence - P166/2021 - 154 Upper Heidelberg Road, Ivanhoe		
5.2 Yarra Strategic Plan Endorsement		
7.1 Bellfield Project - Notice of Intention to Sell - Clarification of eastern edge of site		
7.2 Award of Contract No. 1103-2021 - Panel of Continuous Improvement Consultancy Services		
7.3 Award of Contract No. 1095-2020 - Provision of Distribution of Printed Material & Production of Corporate Documentation & Stationary		
7.4 Audit & Risk Committee Minutes - Meeting 12 March 2021		
7.5 Councillor Gift Policy		
7.6 Record of Councillor Meetings		
Councillors Present:		
Peter Castaldo		
Alison Champion		
Peter Dimarelos		
Mark Di Pasquale		
Rick Garotti		
Alida McKern		
Fiona Mitsinikos		
Elizabeth Nealy		
Staff Present:		
Geoff Glynn – <i>Director Assets & City Services</i>		
Marc Giglio – <i>Director Corporate Services</i>		
Scott Walker – <i>Director City Development</i>		
Kath Brackett – <i>Director Community Programs</i>		
Gina Burden – <i>Manager Governance & Communication</i>		
Vivien Ferlaino – <i>Governance Coordinator</i>		
Emily Outlaw – <i>Council Business Team Leader</i>		
Samuel Moore – <i>Council Business Officer</i>		
David Pascolo – <i>Technical Analyst</i>		
Duncan Stephen – <i>JETS Sound Engineer/Program Assistant</i>		
Jay Mifsud – <i>Youth Program Officer</i>		
Neale Lawrence – <i>JETS Sound Engineer / Program Assistant</i>		
Others Present:		
Nil		
Conflict of Interest:		Nil

3	Date of Meeting:	10 May 2021 – 5.30pm
	Type of Meeting:	Councillor Briefing
	Matters Considered:	
	Banyule 2041 Community Working Group update Capital Works Quarterly Status Update Finance March Quarterly Update	
	Councillors Present:	
	Peter Castaldo Alison Champion Mark Di Pasquale Rick Garotti Alida McKern Elizabeth Nealy	
Staff Present:		
Allison Beckwith - <i>Chief Executive Officer</i> Geoff Glynn – <i>Director Assets & City Services</i> Marc Giglio – <i>Director Corporate Services</i> Scott Walker – <i>Director City Development</i> Kath Brackett – <i>Director Community Programs</i> Gina Burden – <i>Manager Governance & Communication</i> Vivien Ferlaino – <i>Governance Coordinator</i> Emily Outlaw – <i>Council Business Team Leader</i> Kerryn Woods – <i>Executive & Councillors Team Leader</i> Kamal Singh – <i>Integrated Planning Project Manager</i> Tania O'Reilly – <i>Manager Finance & Procurement</i> Mathew Deayton – <i>Capital Works Coordinator</i> James Kelly – <i>Manager Delivery & Assets</i>		
Others Present:		
Nil		
Conflict of Interest:	Nil	

Resolution (CO2021/109)

That the Record of Councillor meetings report be received.

Moved: Cr Alida McKern

Seconded: Cr Alison Champion

CARRIED

8. SEALING OF DOCUMENTS

Nil

9. NOTICES OF MOTION

9.1 EXTERNAL AGENCIES AND CONFIDENTIALITY AGREEMENTS

**Cr Rick Garotti submitted a Notice of Motion:
Resolution (CO2021/110)**

That

1. Council establish an official position on confidentiality agreements that may be entered into between individual Council officers and external agencies.
2. The following wording is to be inserted or attached to all future or amended confidentiality agreements between council officers and external agencies.

"It is recognised that confidentiality agreements between Council officers and external agencies can result in reduced transparency can result in reduced transparency by limiting the sharing of information between Council officers, Council and to our community. Accordingly, as an overarching principle, confidential agreements between external agencies and individual Council officers are to be avoided and only executed where considered absolutely necessary by the Banyule City Council Chief Executive Officer. The Chief Executive Officer is to approve all confidentiality agreements.

The agency recognises that "Council" constitutes Councillors duly elected by the community and who form Council positions on matters via resolution at official meetings of the Council that are open to the public.

When operating under a confidentiality agreement, the primary role of a Council Officer is to provide technical and operational input to the project to achieve the best possible outcome for the community, and Council for the successful design, planning, assessment, procurement, and delivery of the project.

Where input of a technical nature has been provided by Council officers, it should not be purported to be deemed as consultation with the Council or to represent the views or position of the Council unless there is an explicit decision of the Council supporting those views and written advice is obtained confirming this is the case. Where the agency has discussed matters with Council officers, it should not be purported or to be deemed as the authority having consulted with the Council."

3. Council writes to the North East Link Project (NELP) and the Level Crossing Removal Project (LXRP) and any organisations that Council works with in the future to advise them of this position.

Moved: Cr Alison Champion
Seconded: Cr Rick Garotti

CARRIED

10. GENERAL BUSINESS

10.1 AUSTRALIAN BREASTFEEDING ASSOCIATION MILESTONE

Cr Mark Di Pasquale raised an item of General Business relating to the Australian Breastfeeding Association.

The Australian Breastfeeding Association, Australia's peak body on breastfeeding, is celebrating the 1 millionth call to its National Breastfeeding Helpline.

The vital service offers round-the-clock support and information to more than 5500 breastfeeding mothers, their families and health professionals each month.

The National Breastfeeding Helpline is staffed by trained volunteer breastfeeding counsellors who are mothers themselves.

Around 400 of Australian Breastfeeding Association's volunteer mums give more than 1,600 combined hours to take calls on the Breastfeeding Helpline each month.

The Australian Breastfeeding Association is the only Australian service that offers free mother-to-mother support every day and night of the year.

The Breastfeeding Helpline was established in 2008 and is complemented by other Australian Breastfeeding Association services including LiveChat, the mum2mum app, breastfeeding education classes, local support groups and health professional education and training initiatives.

I would like to acknowledge Leanne Bromley who was the volunteer who took the 1 millionth call and every volunteer that works tirelessly for the benefit of so many Banyule and Australian families.

10.2 BANYULE YOUTH SUMMIT

Cr Elizabeth Nealy raised an item of General Business relating to the Banyule Youth Summit.

The 2021 Banyule Youth Summit was held at the Heidelberg Golf Club on Tuesday 18 May. 134 diverse young people from the majority of Banyule secondary schools as well as representatives from all abilities, First Nations, LGBTIQ+ and Somali-Australian young people came together with like-minded peers to discuss topics they were passionate about, as well as hear from inspiring guest speakers and youth panellists. The Banyule Youth team visited all schools in the lead up to the Summit to identify what topics young people would like to discuss. Topics selected by young people included:

- Mental Health
- The Environment
- Gender Equality
- Consent
- LGBTIQ+
- Racism
- Education
- Issues faced by Somali – Australian Young People
- Cultural Diversity

These young people displayed invaluable knowledge about their chosen topics and a strong resolve to make positive changes in these areas.

The discussion groups were facilitated by the team from Banyule Youth services, representatives from other Council teams with expertise in the topic discussed as well as representatives from local community organisations.

The Summit concluded with a presentation of desired actions by the young people to representatives of the youth, community, and education sectors as well as representatives from all three levels of government. The presentation of the recommendations was also livestreamed on both Banyule Youth Services social media pages and website.

Banyule Youth Services look forward to working with young people to achieve the actions and recommendations outlined at the Banyule Youth Summit 2021. Council will work in partnership with young people and the wider community to respond to these recommendations and a Youth Summit Report card will be presented to Council in 2022 to outline the achievements made since the Summit.

10.3 BANYULE FLATS PAVILION

Cr Fiona Mitsinikos raised an item of General Business relating to the Banyule Flats Pavilion opening.

On Thursday 13 May I had the honour of opening up the redeveloped Banyule Flats Pavilion which is the home of the Banyule city soccer club. I was joined by Mayor Rick Garotti, Cr Alison Champion, Cr Peter Castaldo, Cr Tom Melican, CEO Alison Beckwith and Club President Nasz Saiid & Vice President John Marsicovetere and several volunteers and parents.

This \$980K project has provided a much needed update to the facilities, including the introduction of female friendly changerooms, umpires change rooms, a larger kitchen and canteen and bigger social spaces. Its lighter, brighter and a great environment for team sport. Since the redevelopment the club has had an increase in junior player numbers which is fantastic news.

I'd personally like to say a massive thank you to all the parents, grandparents and kids who volunteer their time to help the club run so smoothly. Clubs can't operate without this support so thank you.

Also a massive thank you needs to go to Melinda Ramsey, Albert Aboud and Cr Alison Champion for their help getting this project off the ground & completed.

10.4 VIEWBANK SCOUTS AWARDS CEREMONY

Cr Fiona Mitsinikos raised an item of General Business relating to the Viewbank Scouts Awards Ceremony.

Last Wednesday night I attended Viewbank Scouts for an awards ceremony with Mayor Rick Garotti. Matilda Crawford has spent the past 3 years working towards achieving the "The Australian Scout Medallion" which is the highest award in Scouts and a fantastic achievement for Matilda who has worked very hard during COVID to complete all her tasks.

It was a great night of celebrating with her fellow scouts, Scout leaders and her very proud family.

10.5 BANYULE 2041 - COMMUNITY VISION

Cr Peter Dimarelos raised an item of General Business relating to the Banyule 2041 – Community Vision.

Following on from the presentation Kamal made earlier on in the evening, I just want to express my gratitude to the everyone involved in bringing the Community Vision together, it has been a great example of community engagement and empowerment.

On Saturday 15 May, I along with the Mayor and other fellow councillors attended the final of 4 final workshops where we reached an exciting milestone with the Community Working Group formally handing over their Vision for Banyule in 2041. It has been incredible to witness the process whereby over the course of the workshops, around 50 community members from a diverse range of backgrounds, co-authored a Community Vision statement, identified themes to focus on for the next 20 years and made recommendations to help us better deliver our Council Plan and Long-term financial plan.

The buzz and excitement on Saturday from those involved was evident, as there had been a lot of work and deliberation that went into achieving the final outcome – A vision for Banyule that has been truly set by the community itself.

This is the first time in Banyule's history where we have worked with the community to develop the Vision for Banyule's future. It brings our community into the core of our policy and strategy development and reflects local aspirations.

It has been an amazing journey for Council which started back in November 2020 when we asked the community to share their aspirations for the future. Over 1400 responses came back and gave us a great understanding of what our community values and what they want Banyule to be like in 2041.

All of that information was fed into the Community Working Group workshops and has been used to develop the Vision and key themes.

I'd like to thank all the staff, members of the community, and councillors who have contributed to making the Banyule 2041 project such a wonderful community engagement experience, with special thanks going to Project Manager – Kamal Singh.

10.6 BANYULE NILLUMBIK LOCAL LEARNING & EMPLOYMENT NETWORK ANNIVERSARY

Cr Tom Melican raised an item of General Business relating to the Banyule Nillumbik Local Learning & Employment Anniversary.

I would like to congratulate the Banyule Nillumbik Local Learning & Employment Network (BNLLEN) on reaching their 20 years Anniversary.

At the recent AGM, we heard of the long and very successful history of the BNLLEN and personal accounts of participants, who had gained valuable skills at the BNLLEN, which had enabled them to build very successful careers in their chosen professions. We also heard about the L2P (learner to probationary licence) and how an inspirational volunteer had assisted a young person gain his manual licence and how that has assisted accessing a job, but also opened development and promotion opportunities. It showed how such programs can change lives for the participants and the volunteer.

The BNLLEN has certainly lived up to their vision 'create seamless education, training, and employment outcomes for young people that are inclusive, responsive and innovative.' and

we wish them many more years of support young people in our community achieve their potential.

10.7 MEET AND GREET - WARD DROP-IN SESSION

Cr Alida McKern raised an item of General Business relating to the a Meet and Greet – Ward Drop-in Session.

One of my priorities as ward Councillor for Chelsworth is to have a visible presence and listen to the voices our community. In April, I enjoyed an inaugural meet & greet with residents who raised conversations including: current planning applications; climate change; proposed Waterdale Road pocket park; & road safety.

10.8 VICTORIAN ENERGY COLLABORATION LAUNCH

Cr Alida McKern raised an item of General Business relating to the Victorian Energy Collaboration Launch.

Last Thursday evening Cr Castaldo and myself I attended the Victorian Energy Collaboration launch of the largest emissions reduction project ever undertaken in Australian local government!

Banyule City Council along with 45 other local governments have signed up. This means that from 1 July, we'll purchase 100% of our electricity as renewable energy from wind farms helping lower our carbon emissions and driving Banyule Council towards carbon neutrality by 2028. It's great for Banyule to be part of this collaborative grass roots effort - it shows that even though we are the third tier level of government, councils working together can make a big impact to reduce carbon emissions and use their combined voice to influence other levels of government.

10.9 WATERDALE ROAD POCKET PARKS AND SHARED ZONE - PROJECT UPDATE

Cr Alida McKern raised an item of General Business relating to an update regarding the Waterdale Road Pocket Park.

For most of April, Council engaged with the community to understand their views on a proposal to create two pocket parks on Waterdale Road in Ivanhoe. There was a very high level of interest from traders, residents and visitors to the area. About 70 responses to a detailed survey were received, each with four open-ended questions, and a number of ratings for the design. In addition approximately 35 emails with extensive feedback were received too.

Officers are reviewing the feedback and will present at the end of June a summary of the views from the community and a revised design for Council's review and potential endorsement.

10.10 VOLUNTEERS HIGH TEA

Cr Rick Garotti raised an item of General business relating to the Banyule Volunteers High Tea.

I would like to acknowledge and thank staff involved in the Volunteers High Tea which was held on Friday 21 May 2021. I would like to pay tribute to all the volunteers that we celebrated at the event.

Closure of Meeting

The Meeting was closed at 10.10pm.

DATED: DAY OF 2021

.....
MAYOR

The next Ordinary Meeting of Council will be held on Monday, 7 June 2021.

A meeting for hearing submissions regarding the proposed Budget 2021-25 and Revenue and Rating Plan 2021-25 will be held on Wednesday 26 May 2021.

PUBLIC QUESTION TIME

1	<p>Name & Suburb</p> <p>Anonymous</p> <hr/> <p>Question:</p> <p>Banyule City Council facebook page has approximately 10,000 followers (incl 8,500 "likes"). Could Council provide a breakdown by suburb and postcode?</p> <hr/> <p>Response:</p> <p>Due to Facebook's privacy policy, our location data collection is limited to cities. Because of these limitations, we are unable to breakdown the data into suburbs or postcodes within Banyule.</p> <p><i>Marc Giglio – Director Corporate Services</i></p>
2	<p>Name & Suburb</p> <p>Emilia Williams, Rosanna and Sheldon Williams, Rosanna</p> <hr/> <p>Question:</p> <p>How many established trees will be removed in the Rosanna Library - Woolworths proposal?</p> <hr/> <p>Response:</p> <p>The designs for the Rosanna Library Project are yet to be finalised and therefore at this stage the number of trees to be impacted has also not been finalised. The concept plans include removal of trees along the Turnham Avenue frontage but include a landscape area on the corner of Turnham Avenue and Douglas Street as well as new landscaping within the Turnham Avenue streetscape. Whilst the site does not have tree protection controls arboricultural and landscape advice will be obtained as part of the finalisation of the design and planning approval process.</p> <p><i>Scott Walker – Director City Development</i></p>

3	<p>Name & Suburb</p> <p>Anonymous</p>
	<p>Question:</p> <p>Would Council advise which other councils have contacted Banyule council to enquire “how to form worthwhile partnerships” such as the Woolworths and the Rosanna Library partnership?</p>
	<p>Response:</p> <p>A number of Councils have contacted Banyule about a range of Strategic Property Projects undertaken to understand the approach and opportunity including the current partnership project with Woolworths for a new Rosanna Library. Given the informal nature of many of these enquires it is unknown how many other Councils are looking to form specific partnerships similar to Rosanna.</p> <p><i>Scott Walker – Director City Development</i></p>

4	<p>Name & Suburb</p> <p>Michelle Giovas - Heidelberg</p>
	<p>Question:</p> <p>In a table produced in the 3rd May, 2021 council minutes regarding Banyule 2041 Community Working Group demographics spread and mix for question 5, pg 26, it is shown that the suburb of Heidelberg, a major employment, population and activity centre, is only allocated a 5% representation target when compared with the other activity centres such as Ivanhoe (11%) and Greensborough (12%), could council please explain how this apparent discrepancy has occurred?</p>
	<p>Response:</p> <p>The demographic profile detailed in the 2016 ABS Census data informed the CWG member target. The resident population was utilised to recruit a representative group of community members.</p> <p>As shown in the table of 3 May 2021 Heidelberg residents represent 11% of the total Banyule resident population.</p> <p><i>Marc Giglio – Director Corporate Services</i></p>

5	Name & Suburb
	Alicia Waters, Rosanna
	<p>Question:</p> <p>Council approved the initial Woolworths Rosanna planning permit in 2016 (whilst council owned the site) and then defended their decision in the VCAT case of 2017 against strong resident opposition. Would council advise the total cost of legal expertise & representation, expert witnesses, associated staff costs, which was ultimately funded by ratepayers?</p>
	<p>Response:</p> <p>Council has a responsibility to attend VCAT and present the Council position utilising the staff resources within the Development Planning Team and appropriate legal and consultant budgets. The full staffing, legal and consultant costs associated with the Rosanna Woolworths application, across multiple financial years, is not readily available and would require a significant amount of Council resources to calculate.</p> <p><i>Scott Walker – Director City Development</i> <i>Marc Giglio – Director Corporate Services</i></p>

6	Name & Suburb
	Anonymous
	<p>Question:</p> <p>Could Council please provide a table to include each of the council meetings for the last 12 months and detail the number of questions submitted, the number of questions amended, (incl redacted or refused), and include the reason provided for the changes between what was submitted and what was published.</p>
	<p>Response:</p> <p><i>Response to be provided in future Council Minutes when compiled.</i></p>

Reprinted question (number 9) from 3 May 2021 Ordinary Council Meeting Minutes.

9	<p>Name & Suburb</p> <p>Susan Martin - Rosanna</p>
	<p>Printed Question:</p> <p>Council's indicative timeline states "Commence sale of land statutory process". Could council detail the normal requirements for sale of public land, and how this process will differ for their partnership with Woolworths.</p>
	<p>Original Question:</p> <p>In council meeting agenda attachments of 12th April 2021, item 5.4 Rosanna Library / Woolworths (Fabcot Pty Ltd) partnership, council's indicative timeline states "Commence sale of land statutory process" July 2021 – August 2021. There is no mention of either a subdivision process or a re-zoning process to change the public land (PUZ) to a more suitable zoning for the much larger Woolworths supermarket, so could council detail the normal requirements for sale of public land, and how this process will differ for their partnership with Woolworths (Fabcot Pty Ltd)?</p>
	<p>Response (remains the same as provided in the 3 May 2021 Minutes):</p> <p>Council must complete statutory procedures in accordance with section 114 of the Local Government Act 2020.</p> <p>Before selling the land, council must publish a public notice of its intention to sell the land and provide a 4 week notice period, consider any submission and obtain a valuation of the land. This is the same process as would apply in any sale of the land and is not any different due to the partnership with Woolworths.</p> <p><i>Scott Walker – Director City Development</i> <i>Kath Brackett – Director Community Programs</i></p>