

Minutes of the Ordinary Meeting of Council



Held on the 28 June 2021

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 Woiwurrung 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 7 June 2021

Moved: Cr Mark Di Pasquale

Seconded: Cr Peter Dimarelos

CARRIED

Disclosure of Interests

Nil

1. URGENT BUSINESS

Nil

PRESENTATIONS

Nil

2. PETITIONS

2.1 PETITION - MONTMORENCY COMMUNITY HUB

Glenise Michaelson, Hans Gregory and Andrew Tupper spoke on the item.

SUMMARY

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

Resolution (CO2021/122)

That Council:

1. Receives and notes the petition.
2. Refers the petition to the Community Programs Directorate to investigate.
3. Advises the primary petitioner of this resolution.
4. Meet with the Montmorency Community Hub organisers to help identify program opportunities

Moved: Cr Alison Champion

Seconded: Cr Elizabeth Nealy

CARRIED

3. PEOPLE – COMMUNITY STRENGTHENING AND SUPPORT

Nil

4. PLANET – ENVIRONMENTAL SUSTAINABILITY

A video presentation played explaining the Power Purchasing Agreement.

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

SUMMARY

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

Resolution (CO2021/123)

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

Moved: Cr Peter Castaldo
Seconded: Cr Alida McKern

CARRIED

5. PLACE – SUSTAINABLE AMENITY AND BUILT ENVIRONMENT**5.1 ADOPTION OF ROAD MANAGEMENT PLAN 2021**

A written statement was read on behalf of Jenny Mulholland OAM.

SUMMARY

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

Resolution (CO2021/124)

That Council:

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

Moved: Cr Mark Di Pasquale
Seconded: Cr Peter Dimarelos

CARRIED

5.2 TEMPORARY OUTDOOR DINING PARKLETS

John Mihailidis spoke on the item.

Written statements were read on behalf of Maryanne Coffey, Emilia Lakhi and Ragheb Heeb El-Bay.

A pre-recorded video was played of David Dzanovski speaking on the item.

SUMMARY

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

Resolution (CO2021/125)

That Council:

1. Approve an extension for the seven temporary Outdoor Dining Parklets in Banyule to 30 June 2022.
2. Seek an extension of the Memorandum of Authorisation (MOA) from the Department of Transport (DoT) to facilitate the use of the parklets to 30 June 2022.
3. Waive the permit fees (approximately \$36,050) for footpath trading (which includes extended outdoor dining) for the 2021/22 financial year.
4. Engage with key stakeholders including Trader Associations, Department of Transport, shoppers and residents to evaluate the Parklets over the next 12 months.

Moved: Cr Alida McKern

Seconded: Cr Peter Castaldo

CARRIED

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

The following s223 submitters were heard in support of their submissions.

A pre-recorded video was played of Kimberly Martini speaking on the item and a written statement was read on behalf of Pauline Keays.

SUMMARY

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

Resolution (CO2021/126)

That Council:

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

Moved: Cr Alida McKern
Seconded: Cr Peter Castaldo

CARRIED

5.4 IVANHOE LIBRARY AND CULTURAL HUB PROJECT CLOSE OUT REPORT

A pre-recorded video was played of Kevan Hill speaking on the item.

SUMMARY

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

Resolution (CO2021/127)

That Council:

1. Receives the report and notes the successful completion of Ivanhoe Library and Cultural Hub project.
2. Thanks Croxon Ramsay Architects and Buxton Constructions for their excellent work.
3. Also thank and commend the Manager Major Projects, Arun Chopra and his team for their excellent work, attention to detail and careful budget management in delivering such a great outcome under budget.

Moved: Cr Alida McKern
Seconded: Cr Peter Castaldo

CARRIED

5.5 ROSANNA STATION INTEGRATED DEVELOPMENT OPPORTUNITY

SUMMARY

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

Resolution (CO2021/128)

That Council:

1. Acknowledge and support, in-principle, Planning Scheme Amendment C160 to the Banyule Planning Scheme and the draft Planning Permit P384/2021 subject to the inclusion of conditions detailed at Recommendation 2(c).
2. Make a submission to the Victorian Transport Projects Integrated Development Opportunities Standing Advisory Committee which:
 - a. Outlines Council's position pursuant to Recommendation 1.

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- b. Encourages an excellence approach to achieving an Environmental Sustainable Design outcome including no connection to gas.
 - c. Includes the following Permit Description and list of Conditions, subject to limited refinements and changes to address any standards or technical requirements:

What the permit allows:

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

Permit Conditions

- 1 Before the development permitted by this permit commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and be submitted in an electronic format acceptable to the Responsible Authority. The plans must be substantially in accordance with the advertised plans, prepared by C Kairouz Architects & Associates A00.1 – A11.3, dated 05/02/2021 but modified to show:
 - (a) The rooftop communal space increased to a minimum area of 177m²;
 - (b) The provision of screens between adjacent balconies 1.7m high and a maximum of 25% visual transparency;
 - (c) Dimensions of balconies to confirm compliance with Standard D5;
 - (d) A note stating that air conditioning units are not to be located on balconies;
 - (e) The finished floor level of the ground floor indicated as 41.60m AHD;
 - (f) Care share and disabled parking spaces independent from each other;
 - (g) Crossover to be a minimum of 1m from a power pole;
 - (h) Swept path diagrams to confirm vehicles can enter parking spaces 51-53 with one correctional movement;
 - (i) Platforms for mechanical parking widened to 2.7m;
 - (j) Centre line marking on the ramp to delineate traffic flow;
 - (k) Removal and reinstatement of redundant vehicle crossing;
 - (l) Location of waste collection vehicle parking position within 5m of the waste room door;
 - (m) Turning diagrams for waste collection vehicles within the basement area;
 - (n) Separate storage areas for residential and commercial waste;
 - (o) A minimum of 4m² dedicated for hard waste storage for residents, with dimensions to confirm this area is sufficient to store a mattress and bed base;
 - (p) Relocation of dedicated hard waste storage for commercial areas so that access is not obstructed by bins;
 - (q) Clarification of what type of door or doors are proposed at the entrance to the bin store. If the roller door is proposed, this must be motor operated by a switch;
 - (r) Separate waste streams for commercial and residential users;
 - (s) A service door to isolate the chutes on Level 6;
 - (t) Flat area outside the waste store (zero grade).
 - (u) Isolated 1100L MGB and chute system completely from residual access.
 - (v) Details of noise reduction measures as recommended in the report of Marshall Day Acoustics dated 17 November 2020;
 - (w) Corner splays on each side of the accessway in accordance with Design Standard 1 of Clause 52.06;

- (x) Lateral clearance in lower basement ramp to comply with Design Standard 1 – Accessways of Clause 52.06;
- (y) The accessway designed to accommodate simultaneous movement at the changes of direction within the basement carpark;
- (z) All sustainable design features indicated in the submitted Sustainable Management Plan (SMP). Where sustainable design features outlined in the SMP cannot be visually shown, include a notes table providing details of the requirements (i.e. energy and water efficiency ratings for heating/cooling systems and plumbing fittings and fixtures, etc);
- (aa) A schedule of external building materials, colours and finishes, including details of cladding and roofing materials; the schedule should be presented on a separate sheet and must include colour samples;
- (bb) Development Drainage Plans in accordance with Condition 2 of this permit;
- (cc) Traffic Engineering Plans in accordance with Condition 3 of the permit;
- (dd) An amended Landscape Plan in accordance with Condition 4 of this permit;
- (ee) An amended Waste Management Plan in accordance with Condition 5 of this permit;
- (ff) An amended Sustainability Management Plan (SMP) in accordance with Condition 6 of this permit;
- (gg) A Construction Management Plan in accordance with Condition 7 of this permit;
- (hh) A Public Realm Interface Plan in accordance with Condition 8 of this permit.
- (ii) A Parking Management Plan in accordance with Condition 9 of this permit;
- (jj) A Green Travel Plan in accordance with Condition 10 of this permit:
- (kk) A 3D model of the development in accordance with Condition 11 of this permit;
- (ll) A Soil Management Plan in accordance with Condition 12 of this permit.
- (mm) A 2 storey reduction in the overall building height achieved through the deletion of levels 4 and 5.
- (nn) A note indicating that there will be no connection gas.

Development Drainage Plans

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

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

Traffic Engineering Plans

- 3 Before the development permitted by this permit commences, traffic engineering plans for the access and treatment of street frontage to the development to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must be prepared by a suitably qualified engineer and include:
- (a) Removal of the existing vehicle crossing and reinstatement of the nature strip and kerb.
 - (b) New vehicle crossing to Council's specifications and guidelines.
 - (c) Crossover to be a minimum of 1m from the power pole, if it not being relocated.
 - (d) Parking spaces along the front of the site is to be properly line marked to Council's satisfaction.
 - (e) Kerb outstands to be provided on the north side of the property crossover and south side of the station carpark crossover to protect the parking spaces.
 - (f) Installation of a street light on the power pole to provide better lighting to the car parking access.
 - (g) Relocation of the existing signs and signposts.
 - (h) Removal of any redundant linemarking

Landscape Plan

- 4 Before the development permitted by this permit commences, a satisfactory amended landscaping plan must be submitted to and approved by the Responsible Authority. Such plan must be prepared by a person suitably qualified or experienced in landscape design and must show:
- (a) Amendments required by Condition 1 of this permit;
 - (b) The identification of existing vegetation (which is not intended to be removed), and nomination of vegetation for removal throughout the site;
 - (c) Provision of the canopy tree planting in conjunction with the Public Realm Interface Plan required by Condition 7 of this permit;
 - (d) Increased depth of planting boxes to support hardy shrubs and cascading plants;
 - (e) An indigenous and/or drought tolerant planting theme;
 - (f) A schedule of all proposed trees, shrubs and ground cover, which includes the location and size at maturity of all plants, the botanical names of such plants and the location of all areas to be covered by grass, lawn or other surface material as specified;

- (g) Tree species and planting locations must be carefully selected to avoid canopy or root conflicts with overhead wires, easements and existing trees;
- (h) Location and details of paving, steps, retaining walls, water tanks, clotheslines, fence design details and other landscape works including cut and fill;
- (i) Location, details and cross section drawings of all Water Sensitive Urban Design features in accordance with the endorsed Sustainable Management Plan and STORM report, with reference to connection details on the engineering plans.

When approved the plan will be endorsed and form part of this permit. Landscaping in accordance with this approved plan and schedule must be completed prior to the occupation of the development.

Waste Management Plan

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

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

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

Sustainable Management Plan

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

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

to remaining similar dwellings – average must be calculated only when each individual unit has been provided a rating based on this extrapolation.

- (d) Preliminary Energy Report to include NatHERS energy ratings for all thermally unique dwellings. The report must include: energy assessment parameters; summary of building fabric assumptions; summary of results (maximum cooling load of 21MJ/m²); preview of NatHERS certificate(s)/Provisional Prognostic(s).
 - * Please note a 7-star average or higher is highly encouraged.
- (e) A detailed daylight report which must include, at minimum:
 - i. Assessment methodology
 - ii. List of assumptions
 - iii. Assessment parameters
 - iv. Indication and levels achieved to all nominated areas (plans mark ups and table)
 - v. Summary of results
- (f) All the sustainable design strategies included in the BESS assessment. The SMP must be accompanied by the amended BESS report.
- (g) Supporting evidence to demonstrate all design strategies will be achievable. This includes, at minimum: preliminary energy report(s) (as provided); updated stormwater report (as requested below); depicted drawings (as requested below).
- (h) No connection to gas.

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

Construction Management Plan

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

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

Public Realm Interface Plan

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

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

Parking Management Plan

- 9 Unless otherwise agreed in writing, prior to the commencement of the use hereby approved, a Parking Management Plan must be prepared and approved to the satisfaction of the Responsible Authority. Such a plan must clearly identify, although is not limited to, outlining:
- (a) Unless otherwise agreed in writing, parking must be allocated as follows:
 - i) 44 residential spaces;
 - ii) 10 commercial spaces;
 - iii) 1 car share space.
 - (b) Details of any warning light/boom gate systems, etc. to control and manage the movement of vehicles in the basement.
 - (c) Where storage enclosures are provided at the end of a car space, the enclosure must be allocated to the dwelling or commercial tenancy that has been allocated the car space.

- (d) Details as to how it will be brought to the attention of prospective purchasers that occupants of the dwellings or commercial premises on the land have no entitlement to on-street or off-street parking by way of a resident or trader vehicle parking permit.

Green Travel Plan

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

Other Plans

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

FURTHER PLANS AND/OR DOCUMENTS TO BE SUBMITTED TO OTHER AGENCIES PRIOR TO COMMENCEMENT OF DEVELOPMENT**Referral Authority requirements**

- 13 Any plans/conditions required by referral authorities

OTHER ACTIONS REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT**Notification of Responsible Authority of other matters**

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

Section 173 Agreement

15 Unless otherwise agreed in writing by the Responsible Authority, before the development permitted by this permit commences, the owner of the land at 73 Turnham Avenue must enter into an agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987 to the satisfaction of the Responsible Authority and such agreement must require that:

- (a) The owner acknowledge that all refuse and recycling collection will occur by way of a private contractor in accordance with the approved Waste Management Plan endorsed under Planning Permit P384/2021.

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

Development Infrastructure Levy

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

Tree Protection / Landscaping

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

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

Council Trees

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

20 Prior to the commencement of development, the required fee for the planting of 3 new street tree/s must be paid to the Responsible Authority.

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

ACTIONS REQUIRED UPON COMPLETION OF DEVELOPMENT**Occupation of Development**

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

ONGOING REQUIREMENTS OF THIS PERMIT**General**

- 22 The development as shown on the endorsed plans or described in the endorsed documents must not be altered or modified except with the written consent of the Responsible Authority.

Car Parking/Access

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

Urban Design and Landscaping

- 26 All external surfaces of the building elevations must be finished in accordance with the schedule on the endorsed plans and maintained in good condition to the satisfaction of the Responsible Authority.

- 27 Any air-conditioning or cooling units, condensers and the like must not be located on external walls and, if located on balconies, must be screened, to the satisfaction of the Responsible Authority.
- 28 All pipes (except down-pipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from external view to the satisfaction of the Responsible Authority.
- 29 Unless otherwise agreed in writing by the Responsible Authority, all telecommunications and power connections (where by means of a cable) and associated infrastructure to the land must be underground to the satisfaction of the Responsible Authority.

Waste Management

- 30 No receptacles for any form of rubbish or refuse (other than public waste bins) may be placed or allowed to remain in view from a public road or thoroughfare except during collection. Odour must not be emitted from any such receptacle to cause offence to any person outside the subject land, to the satisfaction of the Responsible Authority.

Maintenance of property

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

Noise

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

Amenity

- 36 The uses permitted by this permit must be conducted, and the appearance of the subject land must be maintained to the satisfaction of the Responsible Authority so as not to unreasonably adversely affect the amenity of the locality by reason of the processes carried on; the transportation of materials, goods, or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, dust, waste water, waste products, grit, or oil; the presence of vermin, or otherwise.
- 37 Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority such that no direct light is emitted outside the boundaries of the subject land and so that there is no unreasonable light spill into any residential properties. Any security lighting is to be connected to a sensor so that illumination of the site is not continuous.
- 38 Noise emissions from any equipment required for refrigeration, air-conditioning, heating, ventilation and the like must comply with State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No N-1 and/or Environment Protection (Residential Noise) Regulations 1997 and/or Environmental Protection Authority Noise Control Guidelines TG 302/92, as relevant.

Subdivision Conditions

- 39 The owner of the land must enter into an agreement with:
- a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
- 40 Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
- a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
- 41 The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas

services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.

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

Time Limits

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

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

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

Moved: Cr Tom Melican

Seconded: Cr Elizabeth Nealy

CARRIED

5.6 MAJOR TRANSPORT PROJECTS UPDATE

A written statement was read on behalf of Michelle Giovias and a pre-recorded video was played of Katie George speaking on the item.

SUMMARY

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

NORTH EAST LINK

1. Service relocation works primarily proximate to Borlase Reserve, Yallambie continue as part of the early works phase of the project.
2. Three Council properties have been divested as part of the project with compensation claims currently underway at 5-9 Borlase Street, Yallambie (Borlase Reserve), part of 26 Coleen Street, Yallambie (Coleen Reserve) and a completed claim at part of Watsonia Station carpark land.

3. North East Link Project (NELP) are required to develop and implement a Tree Canopy Replacement Plan in accordance with EPR AR3. The requirements of this plan are to replace the canopy of native vegetation and amenity plantings removed as a result of the NEL and achieve a net gain in tree canopy cover by 2045. Tree planting will be focussed primarily along the NEL alignment then as close as possible to the project area and then the balance to occur within the municipalities directly impacted by NEL.
4. The main contract forming the Private Public Partnership for the construction of the twin tunnels is expected to be awarded and announced by the State Government and North East Link Project (NELP) in the coming months. A date has not yet been confirmed regarding the announcement.
5. Subsequent to the main contract award and announcement and details of the contracted design being available, a report to Council will be prepared assessing the outcomes of the project and comparing these against the Council resolved transport advocacy list.

HURSTBRIDGE LINE UPGRADE

6. Clause 52.03 of the Victorian Planning Provisions was updated via planning scheme amendment VC170 in January 2020, facilitating the Level Crossing Removal Projects across the state. In accordance with Clause 52.03-2 the Hurstbridge Line Upgrade is afforded exemptions from the planning scheme requirements to obtain a permit. The general requirements of this clause have now been met.
7. A requirement of Clause 52.03 was to develop an environmental management framework for the project. This was approved by the Minister for Planning on 11 May 2021, enabling full construction of the Hurstbridge Line Upgrade to progress.
8. The biodiversity impacts from the removal, destruction or lopping of that native vegetation must be offset in accordance with the Guidelines for the removal, destruction or lopping of native vegetation.
9. Council land has been licenced to the Southern Program Alliance (SPA) to offset the loss of commuter car parking from Greensborough and Montmorency railway stations for a period of 15 months at the corner of Flintoff Street/Para Road, Pioneer Reserve and a portion of Petrie Park. Additional Council land is also being negotiated for use by SPA to facilitate construction of the project for a period of 13 months at EJ Andrews Reserve, a portion of Petrie Park and 156 Sherbourne Road.

FITZSIMONS LANE UPGRADE

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

Resolution (CO2021/129)

That Council:

1. Notes the Major Transport Project update.
2. Notes the State Government announcements of their preferred bidder, Spark, to design and construct the tunnelling package for the North East Link and also the revised scope of the Hurstbridge Line Upgrade which reduces around 950m of track to the east of Montmorency Station to avoid impacts to the recently discovered Eltham Copper Butterfly habitat.
3. Requests a meeting with Spark to further discuss opportunities to work collaboratively with Council and the community to comment on, contribute to and inform the design of the North East Link project and to discuss other benefits they can provide for the community.
4. Receives a future report assessing the finalised concept design of the North East Link Project, when it is available later in the year, including a comparison to Council's adopted North East Link transport advocacy list.
5. Writes to the Transport Infrastructure Minister and local State Members of Parliament seeking the funding and delivery of the Greensborough Transport Interchange and a shared user path connecting Greensborough to Eltham as part of the Hurstbridge Line Upgrade Project Stage 2 to increase the transport improvement outcomes of the project and to compensate for the reduction in track duplication length.
6. Receives a further update on any of the projects when any new information becomes available.

Moved: Cr Mark Di Pasquale

Seconded: Cr Tom Melican

CARRIED

6. PARTICIPATION – COMMUNITY INVOLVEMENT IN COMMUNITY LIFE**6.1 VIRTUAL MEETING PARTICIPATION - CONSULTATION PAPER**

Brian Grace spoke on the item.

SUMMARY

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

Resolution (CO2021/130)

That Council:

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

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

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

Moved: Cr Elizabeth Nealy

Seconded: Cr Rick Garotti

CARRIED

7. PERFORMANCE - USE OUR RESOURCES WISELY**7.1 PROPOSED BUDGET 2021/22 – DECLARATIONS****SUMMARY**

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

Resolution (CO2021/131)

That it be noted no Councillors disclosed a conflict of interest to any items on the budget.

Moved: Cr Alida McKern
Seconded: Cr Tom Melican

CARRIED

7.2 ADOPTION OF REVENUE AND RATING PLAN 2021-2025**SUMMARY**

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

Resolution (CO2021/132)

That Council:

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

Moved: Cr Alison Champion

Seconded: Cr Tom Melican

CARRIED

Director of Corporate Services, Marc Giglio presented key highlights of the Proposed Budget 2021-2025 before the consideration of the item.

7.3 ADOPTION OF BANYULE CITY COUNCIL BUDGET 2021-2025

SUMMARY

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

Resolution (CO2021/133)

That:

1. Council having considered all submissions received and having complied with the requirements of the *Local Government Act 2020*, adopt the attached proposed Budget 2021-2025 with the following amendments:
 - a. The outcomes of Council's consideration of public submissions for the proposed Budget 2021-2025
 - b. Items that have been referred to the proposed Budget 2021-2025 by reports to Council which require additional funding not considered during the budget development process.
 - c. Other modifications including changes to service delivery, capital works and initiative costings and revision of fees & charges.
2. In accordance with sections 158 and 161 of the *Local Government Act 1989*, Council declare the Rates, Levies and Annual Service Charges for the 2021/22 rating year

commencing 1 July 2021 and ending 30 June 2022 as detailed in the Proposed Budget 2021-2025.

3. All submitters be advised of the outcome of their submission to the proposed Budget 2021-2025 as it relates to their specific submission and thanked for their contribution.
4. Council write to all organisations funded in the budget regarding the funding they will receive.
5. Council note the inclusion of \$100,000 for Community Safety initiatives that specifically address improving community safety in public places
6. Council commit to matching state government funding to construct an additional hockey pitch at Cyril Cummins Reserve, Bellfield.
7. The adopted Budget 2021-2025 be made available through Council's website and that the Minister for Local Government be advised.

Moved: Cr Elizabeth Nealy

Seconded: Cr Tom Melican

CARRIED

7.4 2020 BANYULE ELECTION REPORT

SUMMARY

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

Resolution (CO2021/134)

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

Moved: Cr Tom Melican

Seconded: Cr Elizabeth Nealy

CARRIED

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

2	Date of Meeting:	24 May 2021, 6.00pm
	Type of Meeting:	Council Meeting Pre-briefing

Matters Considered:	
Items listed on the agenda for Council Meeting 24 May 2021 as below:	
<ul style="list-style-type: none"> 2.1 East Ivanhoe Bowling Club 3.1 Banyule Youth Spaces Plan 3.2 Inclusive Employment Program Update 3.3 Review of the Banyule Advisory Committees 5.1 Application for Planning Permit (P1219/2020) - Construction of a Multi-storey Commercial Building - 14 Martin Street, Heidelberg 5.3 Elevating Environmentally Sustainable Development Targets – Project Opportunity 5.4 Macleod Recreation and Fitness Centre Redevelopment Update 5.5 Modernising Victoria's Building System - Submission to Building Reform 6.1 Ivanhoe Sports Precinct Plan 7.1 Proposed Creation of Easement - 111 Banyule Road, Rosanna 7.2 Procurement Policy 2021-25 7.3 Quarterly Financial Management Report - March 2021 7.4 Award of Contract No. 1111-2021 Construction of Footpath Replacement Program 7.5 Award of Contract No. 1107-2021 Provision of Contact Centre and Managed Services 7.6 Record of Councillor Meetings 9.1 External Agencies and Confidentiality Agreements 	
Councillors Present:	
<ul style="list-style-type: none"> Peter Castaldo Alison Champion Peter Dimarelos Mark Di Pasquale Rick Garotti Alida McKern Tom Melican Fiona Mitsinikos Elizabeth Nealy 	
Staff Present:	
<ul style="list-style-type: none"> Allison Beckwith - <i>Chief Executive Officer</i> Geoff Glynn – <i>Director Assets & City Services</i> Marc Giglio – <i>Director Corporate Services</i> Scott Walker – <i>Director City Development</i> Roberta Colosimo – <i>Acting Director Community Programs</i> Gina Burden – <i>Manager Governance & Communication</i> Vivien Ferlaine – <i>Governance Coordinator</i> Emily Outlaw – <i>Council Business Team Leader</i> Kamal Singh – <i>Integrated Planning Project Manager</i> 	
Others Present:	
Nil	
Conflict of Interest:	Cr Peter Dimarelos –Item 2.1 East Ivanhoe Bowling Club and Item 6.1 Ivanhoe Sports Precinct Plan The items were not discussed during the briefing

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

4	Date of Meeting:	31 May 2021, 6.30pm
	Type of Meeting:	Online Councillor Briefing
	Matters Considered:	
	<ul style="list-style-type: none"> • Cemetery Trust Meeting • Temporary Outdoor Dining Parklets • Budget Submissions - Discussion 	
Councillors Present:		
Peter Castaldo Alison Champion Peter Dimarelos Mark Di Pasquale Rick Garotti Alida McKern Tom Melican Fiona Mitsinikos Elizabeth Nealy		

Staff Present:	
Allison Beckwith - <i>Chief Executive Officer</i> Geoff Glynn – <i>Director Assets & City Services</i> Marc Giglio – <i>Director Corporate Services</i> Scott Walker – <i>Director City Development</i> Kath Brackett – <i>Director Community Programs</i> Gina Burden – <i>Manager Governance & Communication</i> Vivien Ferlaino – <i>Governance Coordinator</i> Kerryn Woods – <i>Executive & Councillors Team Leader</i> Jan Richardson – <i>Cemetery Administrator</i> Darren Bennett – <i>Manager Environment & Place</i> Tania O'Reilly – <i>Manager Finance & Procurement</i> Michael Fan – <i>Financial Performance & Planning Coordinator</i>	
Others Present:	
Nil	
Conflict of Interest:	Nil

5	Date of Meeting:	7 June 2021, 5.40pm
	Type of Meeting:	Online Council Meeting Pre-briefing
	Matters Considered:	
Items listed on the agenda for Council Meeting 7 June 2021 as below:		
3.1 Ford Park, 244 - 268 Banksia Street, Bellfield - Proposed Lease and Licence with Yarra Junior Football League		
5.1 59 Swanston Street, Heidelberg Heights - Renewal of Leases		
5.2 1017 Heidelberg Road, Ivanhoe – Proposed Declaration of Public Highway		
5.3 Mother of God Church, Ivanhoe East - Interim Heritage Protection		
7.1 Adoption of Rates Financial Hardship Assistance Policy 2021/2022 Ivanhoe Grammar School - Fence and Development Plan		
7.2 RW465 - Proposed Discontinuance of Road Bounded by 275 Upper Heidelberg Road, Ivanhoe		
7.3 Award of Contract no. 1115-2021 - Provision of Town Planning Consultancy Services		
7.4 Olympic Park Master Plan – Funding Announcement		
7.5 Budget 2021 – 2025 Submissions Declarations		
7.6 Consideration of Submissions Received - Proposed Budget 2021-2025 & Proposed Revenue and Rating Plan 2021-2025		
Councillors Present:		
Peter Castaldo		
Alison Champion		
Peter Dimarelos		
Mark Di Pasquale		
Rick Garotti		
Alida McKern		
Tom Melican		
Fiona Mitsinikos		
Elizabeth Nealy		

Staff Present: Allison Beckwith - <i>Chief Executive Officer</i> Geoff Glynn – <i>Director Assets & City Services</i> Marc Giglio – <i>Director Corporate Services</i> Scott Walker – <i>Director City Development</i> Kath Brackett – <i>Director Community Programs</i> Gina Burden – <i>Manager Governance & Communication</i> Vivien Ferlaino – <i>Governance Coordinator</i> Emily Outlaw – <i>Council Business Team Leader</i> David Pascolo – <i>Technical Analyst</i> Duncan Stephens – <i>JETS Sound Engineer</i> Jay Mifsud – <i>Youth Programs Officer</i>	
Others Present: Nil	
Conflict of Interest:	Alida McKern – 5.3 Mother of God Church Interim Heritage Protection. Left the meeting at 6.01pm and did not participate in the discussion. Returned to the meeting at 6.02pm

Resolution (CO2021/135)

That the Record of Councillor meetings report be receive, noting a correction to the 24 May 2021 Record of Councillor Meetings – Cr Peter Dimarelos declared a conflict of interest in items 2.1 and 6.1.

Moved: Cr Mark Di Pasquale
Seconded: Cr Alison Champion

CARRIED

8. SEALING OF DOCUMENTS

Nil

9. NOTICES OF MOTION

Nil

10. GENERAL BUSINESS**10.1 DROP-IN SESSION**

Cr Alida McKern raised an item of general business in relation to a Councillor drop-in session held on Friday, 25 June 2021. The next drop-in session is scheduled to be held Friday, 23 July 2021.

10.2 WORLD ELDER ABUSE AWARENESS DAY

Cr Elizabeth Nealy raised an item of general business in relation to World Elder Abuse Awareness Day on 15 June 2021. Cr Elizabeth Nealy highlighted the importance of community awareness on this issue.

10.3 FAREWELL TO GEOFF GLYNN - DIRECTOR ASSETS & CITY SERVICES

Cr Tom Melican raised an item of general business to farewell Geoff Glynn – Director Assets & City Services. The Council celebrated Geoff’s service to Banyule and wished him well for the future.

Cr. Peter Dimarelos left the meeting at 10.05pm

10.4 IVANHOE SPORTS PRECINCT PLAN & IVANHOE CROQUET CLUB OPEN DAY

Cr Alida McKern raised an item of general business relating to information on the Ivanhoe Sports Precinct Plan and Councillors Garotti, Castaldo, Melican and McKern’s attendance at Ivanhoe Croquet Club Open Day.

10.5 WORLD REFUGEE DAY AND THE ILCH EXHIBITION OPENING

Cr Alida McKern raised an item of general business relating to World Refugee Day on 20 June 2021 and two related art exhibition openings on Friday, 2 July 2021.

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.

Moved: Cr Alison Champion

Seconded: Cr Elizabeth Nealy

CARRIED

The Meeting was adjourned at 10.10pm.

Cr Peter Dimarelos returned at 10.10pm

The Meeting was closed to the public at 10.15pm.

Closure of Meeting

The Meeting was closed at 10.20pm.

DATED: DAY OF 2021

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MAYOR

The next Ordinary Meeting of Council will be held on Monday, 19 July 2021.

PUBLIC QUESTIONS

1	<p>Name & Suburb</p> <p>Susan Martin, Rosanna</p>
	<p>Question:</p> <p>The Rosanna Library project stated there would be concept consultation over “May/June 2021” with one consultation session in late May “postponed”, however, without warning or explanation the consultation closed on the 7th June, so when will council complete the consultation process on library designs?</p>
	<p>Response:</p> <p>Consultation for the Rosanna Library involved a range of engagement activities from 8 May to 8 June 2021, including a survey. The online survey was available, as advertised, between 10 May and 6 June 2021. Also, all followers of the project site on Shaping Banyule were emailed and offered a range of opportunities to be heard.</p> <p>A session scheduled for 29 May 2021 was cancelled due to COVID restrictions and registered participants were emailed and offered an alternative opportunity to meet with the project team.</p> <p>The current phase of consultation is now closed, and the findings will be presented to Council at its meeting on 19 July 2021.</p> <p>Further consultation opportunities on this project will be available as the project progresses.</p> <p><i>Scott Walker – Director City Development</i></p>

2	<p>Name & Suburb</p> <p>Alicia Curry, Rosanna</p>
	<p>Question:</p> <p>When Council held 3+ design meetings with Yarra Plenty Regional Library (YPRL) and Canvas Architects in relation to the Rosanna Library in mid-2020, were the plans reviewed a 1333sqm standalone library, a 1303sqm Woolworths partnership library or both?</p>
	<p>Response:</p> <p>There were a number of Woolworths Partnership project design options explored during 2020 with the 1303sqm two storey proposal for library as part of an integrated development providing the best outcome to meet the library needs as well as achieving a good design outcome overall. A separate process was undertaken with the YPRL to explore how a standalone library could be achieved with a floor area of around 1300sqm however given that the partnership approach is the preferred approach at this point, plans for a standalone library have not been finalised.</p> <p><i>Scott Walker – Director City Development</i></p>

3	<p>Name & Suburb</p> <p>Michelle Giovas, Heidelberg</p>
	<p>Question:</p> <p>Would council please identify whether factors such as population growth, forecasted increase in housing stock, the Northlink Horizons and Northland Urban Renewal Precinct reports will be considered as relevant to item 9.2 "Development of a Community Services and Facilities Infrastructure Plan" (council agenda 8 February 2021) in the expected report be presented to council, and when is this report expected?</p>
	<p>Response:</p> <p>Future Community Infrastructure decisions will be informed by a range of factors including how community infrastructure contributes and connects to activity centres and 20-minute neighbourhoods, equitable distribution, addressing social inequity, the needs of the population today and in the future, creating best use of existing assets, designing for inclusion and diversity and protecting and preserving cultural and historical value. The Community Services and Infrastructure Plan (CSIP) will complement existing plans including the LaTrobe NEIC and structure plans for Heidelberg, Ivanhoe and Greensborough. It is anticipated that a number of reports will be provided to Council over the coming 12 months.</p> <p><i>Kath Brackett – Director Community Programs</i></p>

4	<p>Name & Suburb</p> <p>Anonymous</p>
	<p>Question:</p> <p>Why did council not trigger the "New Project Launched on Shaping Banyule" email notification for the Rosanna Library (& Woolworths Partnership) when they do for much less significant projects such as Disc Golf?</p>
	<p>Response:</p> <p>Updates on Shaping Banyule projects are usually scheduled at key stages of a project via a "news item" rather than at the time a project is launched. This allows time for interested parties to follow projects that are of interest to them and receive updates on those projects specifically.</p> <p>All Shaping Banyule members were notified of the launch of Disc Golf due to an administration error and it is not Council's usual practice to notify all members.</p> <p><i>Scott Walker – Director City Development</i></p>

5	<p>Name & Suburb</p> <p>Anonymous</p>
	<p>Question:</p> <p>When state government (& LXRA) removed the level crossing at Rosanna in 2017 - 2018, how much investment did they make to the West side of the Rosanna Village, for such things as a town square or streetscape improvements?</p>
	<p>Response:</p> <p>The LXRP did not provide a grant or contribution to Council for the recently completed streetscape project on the west side of the Rosanna Village.</p> <p>However, the Turnham Avenue / Lower Plenty Road intersection works and new slip lane entry to the shopping centre car parking area facilitated the necessary base infrastructure for the future village square.</p> <p><i>Scott Walker – Director City Development</i></p>

6	<p>Name & Suburb</p> <p>Anonymous</p>
	<p>Question:</p> <p>In advocating the forced relocation of East Ivanhoe Bowls Club from Ivanhoe Park and conversion of the rinks to Netball Courts in the Ivanhoe Sports Precinct plan. Why has Council not referred to the existence of Netball Courts at Seddon Reserve in Ivanhoe, or the Courts at The Ridgeway Campus of Ivanhoe Grammar. This narrow definition of a "Precinct" as to the range of options for Netball Courts available.</p> <p>The Grammar school already has a long-term agreement to manage Chelsworth Park - also included in the Ivanhoe Sports Precinct Plan - providing access to Auskick, junior football, cricket and soccer teams.</p>
	<p>Response:</p> <p>No decision has been made by Council. The Plan is in draft and out for community consultation. It proposes a consolidation of bowls to one facility to support bowls participation in Ivanhoe for the future. Council has considered the existing netball facilities outside the defined precinct along with changing participation trends, community needs and demands of all the sporting clubs, in developing the Plan. Netball Victoria support the establishment of additional courts to support participation and growth of netball in Ivanhoe.</p> <p>Chelsworth Park is home to a significant and diverse amount of Banyule sports clubs, and passive recreation activities as well as being leased to Ivanhoe Grammar for a number of school programs and activities. Its inclusion in this plan is critical to capture priorities and decisions about best use and ensure that opportunities and community outcomes are maximised for the future.</p> <p><i>Kath Brackett – Director Community Programs</i></p>

7	<p>Name & Suburb</p> <p>Anonymous</p>
	<p>Question:</p> <p>Does Banyule Council need to sell public land to avoid asking State Government for a higher rate cap (than is set by the Minister each year) to fulfil its budget obligations?</p>
	<p>Response:</p> <p>The sale or redevelopment of Council Land is a part of the Councils Strategic Property Redevelopment program which has a number of objectives including delivering community infrastructure and providing a financial return to Council. This enables the Council to reinvest in public infrastructure that it may not be able to do under a rate capped environment.</p> <p><i>Scott Walker – Director City Development</i></p>

8	<p>Name & Suburb</p> <p>Anonymous</p>
	<p>Question:</p> <p>There are four sets of Tennis Courts on Council land in the Ivanhoe/East Ivanhoe area servicing disparate groups and further Courts near Ford Park in Bellfield. If Council is supportive of this number of sites for one sport in Ivanhoe, why does it want to forcibly close a sport of long tenancy by evicting East Ivanhoe Bowls Club from its Ivanhoe Park site, held for some seventy years? There are only two Bowls Clubs in Ivanhoe.</p>
	<p>Response:</p> <p>The draft Ivanhoe Sports Precinct Plan considered the need for access to quality tennis facilities across the three sites in the Precinct.</p> <p>The draft plan proposes a consolidation and improvements to clubrooms and facilities for tennis at John Street and Chelsworth Park. The Ivanhoe Tennis Club and Chelsworth Tennis Club are aware and have been involved in these discussions throughout the plan's development.</p> <p>The draft plan proposes one consolidated bowls facility (at John Street) that can sustain and support the current and future lawn bowls needs for Ivanhoe.</p> <p>No decision has been made by Council. The plan is in draft and out for community consultation.</p> <p><i>Kath Brackett – Director Community Programs</i></p>