

# Minutes of the Ordinary Meeting of Council



Held on 9 May 2022

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

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

**Apologies**

Cr Alida McKern

**Leave of Absence**

**Confirmation of Minutes**

That the following Minutes be confirmed:

*Ordinary Meeting of Council held 11 April 2022*

Moved: Cr Rick Garotti

Seconded: Cr Fiona Mitsinikos

CARRIED

**Disclosure of Interests**

**Presentation**

**1. URGENT BUSINESS**

## 2. PETITIONS

### 2.1 PROVIDE ITEMISED TAX INVOICE TO OWNERS

There were 2 speakers on this item.

Written statements were read out on behalf of Kate Wilson and Tony Webster.

#### SUMMARY

1. A Petition titled 'Provide Itemised Tax Invoice to Owners' was received with 107 names in support of the Petition.
2. Entries which have been deemed ineligible by officers have not been included as valid signatories.
3. Officers have taken ineligible signatories to include those that do not have a full address provided including suburb or street number, or where a name was not provided in line with s 46(1)(e) Council's Governance Rules.
4. As such, of the 107 submissions of support received there are 35 ineligible signatories for a total of 72 complete signatories.
5. Of the 72 complete signatories, 45 are from within Banyule municipality and 27 are from outside of municipality.
6. The petition request is summarised as follows:

*We, the undersigned, petition and respectfully demand Banyule Council to: **Provide Itemised Tax Invoice to property owners ongoing for Council Rates.***

*The Itemised invoice/account must show:*

- *How the price was worked out (breakdown)*
- *If relevant, the number of labour hours and hourly rate*
- *If relevant, a list of materials used and the amount charged for them*

#### Resolution (CO2022/69)

That Council:

1. Receives and notes the petition titled 'Provide Itemised Tax Invoice to Owners' as attached to this report;
2. Refers the petition to the Finance and Procurement Services Department in the Corporate Services Directorate for consideration and response to the lead petitioner; and
3. Advise the primary petitioner of the Council resolution associated with this report.

Moved: Cr Mark Di Pasquale  
Seconded: Cr Alison Champion

CARRIED

## 2.2 INSTALLATION OF SAFETY BOLLARDS AT THE GREVILLE ROAD SHOPPING PRECINCT

There were 2 speakers on this item.

Beverley Moss addressed Council in person.

A written statement was read out on behalf of Stanley Chang.

### SUMMARY

1. A Petition titled "Installation of Safety Bollards at the Greville Road Shopping Precinct" was received by 143 names in support of the Petition.
2. Entries which have been deemed ineligible by officers who have not been included as valid signatories.
3. Officers have taken ineligible signatories to include those that do not have a full address provided including suburb or street number, or where a name was not provided in line with s46(1)(e) Council's Governance Rules.
4. As such, of the 143 submissions of support received there are 86 ineligible signatories for a total of 57 complete signatories.
5. All of the 57 signatories are from within Banyule with 31 from Rosanna, 13 from Heidelberg, 11 from Viewbank, 1 from Macleod and one PO box within Banyule.
6. The petition request is summarised as follows:

*We request that Banyule City Council urgently install safety bollards or barriers to prevent future accidents occurring which could result in serious injury or death and damage to property.*

### Resolution (CO2022/70)

That Council:

1. Receives and notes the petition 'Installation of Safety Bollards at the Greville Road Shopping Precinct';
2. Refers the petition to the Traffic and Transport Department in the City Development Directorate for consideration and request that a report be brought back to Council at a future Ordinary Council Meeting; and
3. Advise the primary petitioner of the Council resolution associated with this report.

Moved: Cr Fiona Mitsinikos  
Seconded: Cr Alison Champion

CARRIED

### 3. OUR INCLUSIVE AND CONNECTED COMMUNITY

#### 3.1 INCLUSIVE BANYULE DRAFT

There was 1 speaker on this item.

A pre-recorded video message was played on behalf of Melissa Murphy-Webster

#### SUMMARY

1. The draft Inclusive Banyule Plan (Inclusive Banyule) is the next iteration of the Inclusion, Access and Equity Framework 2017-2021. Inclusive Banyule has been informed by practice reviews, an achievements report, **Attachment 1**, research and community consultation findings.
2. Over the course of a year, advisory and population committees have been involved in developing this renewed approach. Population advisory committees will continue to be engaged to share lived experiences and provide advice on key community issues and advocacy throughout the life of this plan.
3. The hallmark of Inclusive Banyule is taking an intersectional approach to identify, prioritise and address societal common issues and community development opportunities. In addition to working with the current population groups, an expanded focus on a broader range of identified populations is featured to embed this intersectional approach.
4. Inclusive Banyule articulates the importance of upholding the social justice pillars of access, equity, participation and rights, as a mechanism for addressing a range of contemporary inequity issues present within the Banyule society.
5. Inclusive Banyule proposes that in order to improve outcomes, particularly for people experiencing inequities, Council is best placed to focus on key drivers of change. These drivers are: address perceptions and attitudes; elevate visibility and awareness of diversity; values lived experiences of people experiencing inequities; and identify and address systemic barriers.
6. Inclusive Banyule positions Council to respond to legislative requirements, and will support Council to take a significant, aligned step towards uplifting inclusive practices and experiences.

#### Resolution (CO2022/71)

That Council:

1. Approves the draft Inclusive Banyule Plan for a six-week public consultation period
2. Receives a further report following the community consultation period, to consider adopting a final Inclusive Banyule Plan, including any adaptations based on community feedback.

Moved: Cr Rick Garotti

Seconded: Cr Alison Champion

CARRIED

**Councillor Dimarelos left the Chamber at 7.31pm.**

**Councillor Dimarelos returned to the Chamber at 7.35pm.**

**3.2 AUDIT & RISK COMMITTEE MEETING MINUTES - 25 MARCH 2022****SUMMARY**

1. The Audit & Risk Committee is an Advisory Committee of Council and its role is determined by the *Local Government Act 2020*. The responsibilities and terms of reference of the Audit & Risk Committee are defined in the Committee's Charter.
2. The *Audit & Risk Committee Charter* states the minutes of each meeting of the Audit & Risk Committee are required to be reported to an Ordinary Council Meeting.
3. Consequently, the Minutes of the meeting held on the 25 March 2022 are being circulated for noting by Council.
4. The minutes are subject to confirmation by the Audit & Risk Committee at its next meeting, scheduled for 17 June 2022.

**Resolution (CO2022/72)**

1. That Council note the unconfirmed Minutes of the Audit & Risk Committee meeting held on the 25 March 2022.

Moved: Cr Mark Di Pasquale  
Seconded: Cr Alison Champion

CARRIED



**3.3 ADVISORY COMMITTEES REPORT - QUARTER THREE, 2021/22****SUMMARY**

1. Advisory committees are made up of Councillors and community members. They have terms of references and meet to discuss relevant issues, advise Council on specific matters based on Committees purpose and objectives, and oversee the implementation of Council's strategic plan for their respective focus.
2. Advisory Committees provide important linkages between Council, Community, State agencies and interest groups. Following each advisory committee meeting, a report is submitted to Council to note the minutes from the committee meetings held during February-April 2022 and draw attention to specific recommendations that each advisory committee wishes to bring to the attention of Council. Where there have been actions requested or recommendations made by the committee, officer comments have been provided in the report.
3. The following minutes are presented to Council for noting:
  - Inclusive Banyule Advisory Committee – 11 February 2022
  - Reconciliation Action Plan Advisory Committee – 13 April 2022
  - Arts and Culture Advisory Committee – 3 February 2022
  - Banyule Environment and Climate Action Committee – 10 March 2022
  - Multicultural Committee – 8 December 2021 & 16 February 2022
  - Disability and Inclusion Committee – 23 February 2022
  - LGBTIQA+ Committee – 17 February 2022
  - Age Friendly Committee – 10 February 2022

**Resolution (CO2022/73)**

That Council:

1. Notes the following meeting minutes and reports:
  - a) Inclusive Banyule Advisory Committee – 11 February 2022
  - b) Reconciliation Action Plan (RAP) Advisory Committee – 13 April 2022
  - c) Arts and Culture Advisory Committee – 3 February 2022
  - d) Banyule Environment and Climate Action Committee – 10 March 2022
  - e) Multicultural Committee – 8 December 2021 & 16 February 2022
  - f) Banyule Disability and Inclusion Committee – 23 February 2022
  - g) LGBTIQA+ Committee – 17 February 2022
  - h) Age Friendly Committee – 10 February 2022
2. That the administrative error was picked up in the agenda papers and will be amended to reflect that Cr Castaldo was the Chair of the Banyule Environment and Climate Action Plan Committee (BEACAC) meeting that was held on 10 March 2022

Moved: Cr Peter Castaldo

Seconded: Cr Mark Di Pasquale

CARRIED

#### 4. OUR SUSTAINABLE ENVIRONMENT

##### 4.1 ELEVATING ESD TARGETS PROJECT - STAGE 2

###### SUMMARY

1. Banyule City Council is a member of the Council Alliance for a Sustainable Built Environment (CASBE) and has been collaborating with the CASBE in partnership with a group of 31 Councils across Victoria in Stage 1 of the Elevating Targets Planning Project.
2. 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.
3. Council participating in this project is consistent with the direction and commitment articulated in Banyule's Community Climate Action Plan and the project has the potential to lift ESD in planning outcomes and furthers Banyule's advocacy position on climate action.
4. 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.
5. Stage 1 of a two-stage process of the project has now been completed which developed the evidence base through a set of three Technical Reports to support improved environmental performance within the Banyule City Council Planning Scheme, in conjunction with CASBE and a group of 31 Victorian Councils.
6. CASBE is inviting all participating Victorian Councils in the Project to express interest in participating in Stage 2. Council will need to enter into a Memorandum of Understanding (MoU) for the Elevating ESD Targets Stage 2 by the end of May 2022.
7. Stage 2 of the project involves the Planning Scheme Amendment Process and is estimated to commence from June 2022. Key standards the project is proposing to improve include:
  - o Zero carbon operating requirements
  - o Increased landscaping and green infrastructure
  - o Increased bicycle parking and EV infrastructure
  - o Updated circular economy standards
  - o Increased water efficiency targets
  - o New indoor environment quality standards
8. The Project Group has drafted a letter to Ministers to advocate for the adoption of the Planning Provision which Banyule has been requested to co-sign.

**Resolution (CO2022/74)**

That Council:

1. Authorise the Chief Executive Officer to enter into a Memorandum of Understanding for Stage 2 of the 'Elevating ESD Targets' project.
2. Note the resolution of the 24 May 2021 Ordinary Council meeting included a funding commitment that anticipated both Stage 1 and Stage 2, to a maximum of \$130,000 and that the actual spending at the end of Stage 1 for Council was \$5,372.
3. Note the required financial contribution would be a maximum of \$133,333 (if only the two initiating councils proceed to Stage 2) funded through the existing Environment Sustainability Project funding in the operational budget, albeit this could be as low as \$16,000 if all participating council's sign up.
4. Co-signs a letter (**Attachment 1**) to the Minister for Planning and Housing, the Minister for Energy, Environment and Climate Change and Solar Homes and the Minister for Local Government and Suburban Development which shows support for requesting the Minister for Planning to introduce a Particular Provision in the Victoria Planning Provisions that will enable 31 councils to elevate Environmentally Sustainable Development built form requirements into their respective Planning Scheme.
5. Seek authorisation from the Minister for Planning to prepare an Amendment to the Banyule Planning Scheme as shown in Attachment 5 to this report.
6. Notes the attached Technical Reports as completed in Stage 1 of the Project (**Attachments 2, 3 and 4**).
7. That Council receive a further report within 6 months following additional testing of The Green Factor Tool in targeted planning applications, to understand its effectiveness in improving planning decisions and the resource and budget requirements for its implementation should it be incorporated into Council's Local Planning Policy under the Banyule Planning Scheme.
8. Note that Council will continue to negotiate for the elevation of ESD targets in planning applications to move towards zero carbon operating outcomes, including consideration of building design to be all electric and provision of on-site renewables.

Moved: Cr Peter Castaldo  
Seconded: Cr Tom Melican

CARRIED

## 4.2 DRAFT BANYULE RESIDENTIAL PARKING PERMIT POLICY

There was 1 speaker on this item.

A written statement was ready out on behalf of Roger Fyfe.

### SUMMARY

1. A draft Banyule Residential Parking Permit Policy (BRPPP) has been prepared to update the current Banyule Residential Parking Permit Policy 2016-2020 and its operation. The purpose of the updated BRPPP is to facilitate reasonable access to on-street public parking for residents and their visitors, while preserving access for all other legitimate road users.
2. The draft BRPPP has been updated with reference to the Council Plan (2022-2025), Banyule Integrated Transport Plan 2015-2035 (BITP) and the Community Climate Action Plan 2020 (CCAP). Zero emissions transport is a key priority area of the CCAP. Transitioning to zero emissions transport will require a major shift to active and public transport use. The updated draft BRPPP will assist in achieving this outcome.
3. The current policy expires on 9 May 2022 and has worked reasonably well, in providing access to on street parking spaces for residents, with approximately 2,500 residential parking permits in use.
4. The draft BRPPP includes updated provisions to manage the availability of on-street parking spaces. Updated provisions include:
  - A reduction in the maximum number of parking permits issued per dwelling from four parking permits to three parking permits.
  - Removing the word 'Lot' which has caused confusion in the community and replacing with clearer eligibility criteria.
  - Rationalisation of the boundaries of some parking areas in Ivanhoe to provide more opportunities for resident parking.
5. To allow adequate time for a full public consultation of a draft of the updated BRPPP, it is recommended to extend the current residential parking permit scheme to 30 June 2023.
6. Public consultation is intended to take place in the first quarter of 2022/23.

### Resolution (CO2022/75)

That Council:

1. Extend the current residential parking permit scheme to 30 June 2023.
2. Approve the draft Banyule Residential Parking Permit Policy for public exhibition and community engagement for a six (6) week period during the first quarter of 2022/23.
3. Receive a further report to consider feedback and submissions and to consider adopting the final Banyule Residential Parking Permit Policy.

Moved: Cr Tom Melican  
Seconded: Cr Rick Garotti

CARRIED

## 5. OUR WELL-BUILT CITY

### 5.1 AMENDMENT C165 - PROPOSED HERITAGE OVERLAY - CONSIDERATION OF SUBMISSIONS

#### SUMMARY

1. The purpose of this report is to consider submissions to Planning Scheme Amendment C165bany (**C165**) following public exhibition. The amendment seeks to implement the recommendations of the *Banyule Heritage Study 2020* by introducing the Heritage Overlay (**HO**) to 21 proposed individual heritage places.
2. Interim heritage controls for the 21 places have been approved by the Minister for Planning via Amendment C163 and Amendment C164. The interim controls expire on 1 December 2022.
3. Exhibition of C165 occurred from 7 February to 18 March 2022. Council received a total of eight submissions, four opposed, three requesting changes and one in general support. **Attachment 1** provides a summary and response for each submission.
4. Recent building works at 38 Quinn Street, Heidelberg have impacted the heritage features of the place. The works have been undertaken without the required demolition approval from Council and a stop work order has been issued. Council's heritage consultant has advised the heritage elements that have been removed can and should be reinstated.
5. Council is now required to consider submissions under Section 22 of the *Planning and Environment Act 1987 (PE Act)* and determine what to do with them under Section 23 (PE Act) – being either to (summarised): 1) change the amendment, 2) refer to a Planning Panel or, 3) abandon the amendment (or part of).
6. As a number of issues raised in submissions are not able to be resolved, referral to an independent Planning Panel (**Panel**) is recommended. No submission raises any issue that would cause Council to consider abandoning the amendment. As highlighted in Attachment 1, a number of submissions can potentially be resolved (in full or part) and Council Officers will endeavour to do so where possible ahead of any Panel Hearing. All submissions will be referred to the Panel in case resolution cannot be achieved.
7. Following the Hearing, the Panel will provide Council with its recommendation. This provides Council with a further opportunity to decide on the Amendment. Following receipt of the Panel's recommendation, Council can decide to adopt, amend or abandon the Amendment.

**Resolution (CO2022/76)**

That Council:

1. Considers the submissions received to Amendment C165bany to the Banyule Planning Scheme in accordance with Section 22 of the *Planning and Environment Act 1987*.
2. Notes the summary of submissions received and endorses the planning officer's and heritage consultant's comments/recommendations at Attachment 1 for the purpose of advocacy before a Planning Panel.
3. Notes the recommendations regarding tree controls within the heritage overlay and proceeds to Panel on the basis of the recommendations contained within this Council Report.
4. Request that the Minister for Planning appoint a Planning Panel to consider submissions to Amendment C165bany in accordance with Section 23 of the *Planning and Environment Act 1987*.

Moved: Cr Peter Castaldo  
Seconded: Cr Rick Garotti

CARRIED

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**5.2 2A MOOLA CLOSE, YALLAMBIE - SPORTS PAVILION ADDITIONS (P152/2022)****SUMMARY**

- The proposal is for the redevelopment of the sports pavilion at Yallambie Park. The proposal consists of an internal refurbishment to the existing pavilion area, which will see a rearrangement of the match official, storeroom and first aid areas, and a new disability access bathroom.
- Removal of three Council trees of low-medium arboricultural value is proposed and to be offset by nine (9) large trees to facilitate the development.
- The proposal is exempt from public notice requirements under Clause 52.31 as a Local Government Project.
- The proposal is an upgrade of Council's sports facilities and viewing areas for families and friends. It is a positive inclusion for the community and residents, meets relevant planning policy and should be supported.

**Resolution (CO2022/77)**

That Council having complied with Section 52, 58, 60, 61 and 62 of the *Planning and Environment Act 1987*, resolves to issue a **Planning Permit** in respect of Application No. P152/2022 for Buildings and Works associated with a Sports Pavilion and associated Vegetation Removal, subject to the Heritage, Environmental Significance and Land Subject to Inundation Overlays at 2A Moola Close YALLAMBIE subject to the following conditions:

**Layout Not to Be Altered**

1. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

**Removal and Replacement of Council Trees**

2. Prior to the removal of the nominated Council Trees, the permit holder must notify and organise removal and replacement planting of the trees with Council's Parks department.

**Replacement Planting**

3. Within six (6) months of the removal of the trees allowed by this permit (unless otherwise agreed by Council's Park's Department), nine (9) large canopy trees (minimum mature height of 12 metres), planted at a semi-advanced state (minimum pot size 45 litre) must be planted. Planting locations are to be organised with and agreed to by Council's Park's Department.

**Sealed Parking/Access**

4. 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.

**Approved Drainage Outlet**

5. Stormwater must not be discharged from the subject land other than by means of an underground pipe drain to a Council nominated point of discharge. The drainage system within the subject land must be designed to the requirements and satisfaction of the relevant Building Surveyor.

Note:

Any connection to Council's drainage system

- (a) within the road reserve must be carried out under a Memorandum of Consent for Works; and/or
- (b) Other than within a road reserve must be carried out under a Drainage Connection Permit;

This is to be carried out under Council supervision and to the satisfaction of the Responsible Authority

### **Melbourne Water**

6. The finished floor levels of the extension must be constructed no lower than the finished floor levels of the existing building to the satisfaction of the Responsible Authority.
7. Any new fencing associated with the building and extension must be of an open style of construction (50 percent permeable/open) to maintain conveyance of flows through the floodplain to the satisfaction of the Responsible Authority.

### **Time Limits**

8. 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 (2) years from the date of permit issue.
  - (b) The development is not completed within four (4) years from the date of permit issue.

### **PERMIT NOTES**

#### **(A) Permit Extension**

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 before the permit expires, within six months afterwards, or within twelve months afterwards if the development started lawfully before the permit expired.

#### **(B) Building Permit Required**

Prior to the commencement of the development or use you are required to obtain the necessary Building Permit.

#### **(C) Referral Authority Conditions**

Conditions No. 6 and 7 have been included at the direction of the respective Referral Authority(s).



**(D) Copy of approved plans to Building Surveyor**

The applicant/owner must provide a copy of this planning permit to any appointed Building Surveyor. It is the responsibility of the applicant/owner and Building Surveyor to ensure that all building development works approved by any building permit is consistent with the planning permit.

**(E) Removal of Council Trees**

If further information is required in relation to the removal of any Council tree, please contact Council's Parks Department on (03) 9490 4222.

**(F) Memorandum of Consent for Works**

Council's Construction Department must supervise all works undertaken on Council assets within private property, Council Reserves, easements, drainage reserves and/or road reserves, including connection of the internal drainage system to the existing Council assets. Prior to the commencement of any works, an application must be made, and a permit received for:

- A "Memorandum of Consent for Works" for any works within the road reserve; and/or
- A "Drainage Connection Permit" for any works other than within a road reserve.

Moved: Cr Fiona Mitsinikos  
Seconded: Cr Alison Champion

CARRIED

### 5.3 7 DUNSTAN STREET, MACLEOD - DEVELOPMENT OF THREE DWELLINGS (P762/2021)

There were 5 speakers on this item.

Council was addressed in person by Patrick Stapleton, George Paras and Simon Mason.

A pre-recorded audio message was played on behalf of Stephanie Blair.

A written statement was read out on behalf of Rachael Hutt.

#### SUMMARY

- The proposal is for the development of three dwellings on the subject site in a tandem arrangement. The dwellings each contain four bedrooms and associated living, dining, bathroom and kitchen areas.
- A total of 22 objections were received during the public notification period raising concerns relating to neighbourhood character and residential amenity, vegetation removal and vegetation impacts to neighbouring trees.
- A community consultation meeting was held on 1<sup>st</sup> March 2022 with seven objectors and Councillors in attendance.
- The applicant submitted amended plans in response to objections, which included additional screening to upper floor windows and a reduction in size of the upper levels of Dwellings 1 and 2.
- The proposal is considered acceptable given its location close to the Macleod train station, the commercial precinct to the south and the pattern of existing unit developments in the immediate area. The proposal provides an appropriate balance within the strategic context of the site and surrounding area, and with the objectives of the Bush Garden Neighbourhood Character Precinct.
- Whilst separation is not provided between Dwellings 1 and 2, there is sufficient landscaping opportunity through the site including the planting of medium to large canopy trees to strengthen the landscape character of the area.
- The proposal should be supported, subject to conditions.

#### Resolution (CO2022/78)

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. P762/2021 for Development of Three (3) Dwellings and works within the dripline of a tree protected under the Environmental Significance Overlay – Schedule 2 at 7 Dunstan Street MACLEOD subject to the following conditions:

#### General plans

1. Before the development permitted by this permit commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and be submitted in an electronic format acceptable to the Responsible Authority. The plans must be substantially in accordance with the amended plans submitted 03 March 2022 with the application but modified to show:
  - A plan notation that no front fence is permitted;

- Planting slots provided in the driveway for grasses;
- Native screen planting with a minimum height of 3m between the driveway and south eastern property boundary;
- Details of all external dwelling paved areas;
- Swept Path Diagrams for all dwellings parking spaces including entry and exit manoeuvres;
- Removal of the 'Right of Way' notation from plans;
- Internal Elevations of all dwellings showing materials usage and windows where applicable;
- Any separate structure containing electrical meters or other site services must not exceed 1.5 metres in height and must be located behind the front line of the dwelling facing the street or adjacent to the side boundary fence;
- Meters to be nominated on the plans and sited or screened to minimise visibility from neighbouring properties and the public realm with details of elevations for communal meter grouping;
- The location for any split system air conditioner units and/or hot water systems at ground level to minimise visibility from the public realm and neighbouring properties;
- The location of all external motion sensor lighting and bollards where applicable;
- The mail boxes located in accordance with Australia Post guidelines including elevations;
- Landscape and tree zones to be clearly marked with hatching, colour coding or similar and distinguished from useable open space areas;
- A plan notation indicating that no building works or facilities are to be provided within the dedicated landscape areas;
- Dimensions of all rooms;
- Details of driveway gradient(s);
- No soil level changes within the SRZ of Tree #11 (3m from Northern Boundary and 4.5m from Western Boundary);
- All sustainable design features indicated in the submitted Sustainable Design Assessment (SDA). Where sustainable design features outlined in the SDA 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);
- 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 with an amended colour palette reflecting bush colour tones;
- Development Drainage Plans in accordance with Condition 2 of this permit;
- A Landscape Plan in accordance with Condition 3 of this permit;
- A Sustainable Design Assessment (SDA) in accordance with Condition 4 of this permit;

- An Environmentally Sustainable Development (ESD) Drawing in accordance with Condition 5 of this permit;
- A Water Sensitive Urban Design (WSUD) Drawing in accordance with Condition 6 of this permit; and
- Tree Preservation Fencing in accordance with Condition 8 of this permit.

### Development Drainage Plans

2. Before the development permitted by this permit commences, Development Drainage Plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must be prepared by a suitably qualified engineer or similar person showing a properly prepared design with computations for the internal drainage and method of disposal of stormwater from all roofed areas and sealed areas including:
  - (a) The use of an On-site Stormwater Detention (OSD) system;
  - (b) The connection to the Council nominated legal point of discharge;
  - (c) The outfall drainage works necessary to connect the subject site to the Council nominated Legal Point of Discharge;
  - (d) The integration, details and connections of all Water Sensitive Urban Design features in accordance with the endorsed Sustainable Design Assessment and STORM report and include drainage details as a result of landscaping; and
  - (e) The Tree Protection Zone and Structural Root Zone of Trees #1, #10 and #11 as identified in the submitted Arboricultural Report prepared by **Chris Walshe June 2021** and shown to be retained.

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

### Landscape Plan

3. Before the development permitted by this permit commences, a satisfactory detailed landscaping plan must be submitted to and approved by the Responsible Authority. Such plan must be prepared by a person suitably qualified or experienced in landscape design and must show:
  - Amendments required by Condition 1 of this permit;
  - The identification of existing vegetation (which is not intended to be removed), and nomination of vegetation for removal throughout the site;
  - Provision of formed garden beds with edging along the front property boundary and within the front setback to prevent cars parking;
  - Planting adjacent to driveways and within landscaping zones to consist of varying heights and species;
  - Planting slots provided in the driveway for grasses
  - A plan notation indicating that no building works or facilities are to be provided within the dedicated landscape areas;

- Provision of the following minimum plantings:
    - One (1) large *Eucalyptus Camaldulensis* (River Red Gum) planted at a semi-advanced state (minimum pot size 40 litre) within the front setback;
  - Four (4) medium native canopy trees (mature height of at least 8m) planted at a semi-advanced state (minimum pot size 16 litre) within the front setback, Dwelling 1 and 2 secluded private open space and Common Property area(s); and
  - Two (2) small indigenous canopy trees (mature height of at least 5m) planted within the Dwelling 3 secluded private open space; and
  - Native screen planting with a minimum height of 3m between the driveway and south eastern property boundary;
- (g) An indigenous and/or drought tolerant planting theme;
- (h) 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;
- (i) Tree species and planting locations must be carefully selected to avoid canopy or root conflicts with overhead wires, easements and existing trees;
- (j) Location and details of paving, steps, retaining walls, water tanks, clotheslines, fence design details and other landscape works including cut and fill; and
- (k) Location, details and cross section drawings of all Water Sensitive Urban Design features in accordance with the endorsed Sustainable Design Assessment 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.

#### **Sustainable Design Assessment (SDA)**

4. Before the development permitted by this permit commences, a satisfactory amended Sustainable Design Assessment (SDA) must be submitted to and approved by the Responsible Authority. The following is required within the SDA:
- The Preliminary Energy Report: NatHERS Star Rating Certificates for each dwelling.
  - An Implementation Schedule, identifying the responsible parties and project stage for the implementation of each ESD strategy.

#### **Site specific SDA amendments:**

- Architectural details of the north, east and west shading devices (Northern windows should have a depth-window height ratio of 25% with window height taken from under the eave to window sill) shown on plans or demonstration of eaves complying.

- A plan notation indicating an all-electric (no gas) development including a heat pump for hot water and space heating and cooling reflecting the agreement of the land owner of 9 May 2022.

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

### **Environmentally Sustainable Development (ESD) Drawing**

5. Before the development permitted by this permit commences, a satisfactory ESD Drawing dedicated to demonstrating all features claimed within the SDA Report must be submitted to and approved by the Responsible Authority. You may also provide ESD elevations. The drawings must include the following;
  - The Water Efficiency (WELS) Rating for water fixture/fitting and appliances as nominated in the SDA and their respective locations;
  - Water efficient garden design features annotated i.e. indigenous plant species, mulched garden beds, drip irrigation;
  - The NatHERS Energy Rating for each dwelling, annotated and emboldened;
  - The Hot Water unit type and energy rating;
  - The Heating System type and energy rating;
  - The Cooling System type and energy rating;
  - External Lighting including Motion Detectors in their respective locations;
  - Internal lighting type and density of installation required to achieve 4 W/sqm efficiency;
  - The Water Sensitive Urban Design (WSUD) measures on the property (as calculated using STORM or MUSIC) claimed, i.e Rainwater Tanks, Raingardens, Permeable Paving, etc and the path of connection to their respective end use, such as rainwater tank connection to toilets;
  - Location and depth of fixed external shading devices to northern windows;
  - Section details of external shading devices to northern windows demonstrating an appropriate shading angle for preventing summer sun for Melbourne to the satisfaction of the Responsible Authority;
  - The location of double-glazed windows annotated with glazing specification (U value and SHGC) on each window;
  - Bicycle space infrastructure location and details (bicycle spaces need to be securable and cannot be located on the floor of a garage hindering parking spaces);
  - Tap and Floor Waste (drain) locations in private open spaces and balconies;
  - Design measures annotated to minimise the urban heat island effect eg. light coloured roof, light coloured paving, vegetated site coverage;
  - Product specification of paints /sealants/adhesives/carpets/ engineered wood (as applicable) which meet maximum total indoor pollutant emission limits e.g. VOC or formaldehyde; and
  - Building materials which are of low embodied energy annotated on plan e.g. reused from site, recycled bricks, rammed earth.

When approved the assessments and plans will be endorsed and form part of the permit.

### Water Sensitive Urban Design (WSUD) Drawing

6. Before the development permitted by this permit commences, a satisfactory amended WSUD Drawing demonstrating all features claimed within the Melbourne Water STORM/MUSIC report and SDA/SMP report is to be submitted to and approved by the Responsible Authority.
- A dedicated drawing including all features, their location and corresponding catchment area (m<sup>2</sup>) as claimed in the Melbourne Water STORM Calculator;
  - An excerpt of the most recent Melbourne Water STORM Calculator included on plan with a pass rate that reflects the SDA report;
  - A Maintenance Schedule for stormwater treatment devices such as rainwater tanks, toilet connections and raingardens, including responsibility, key serviceable components and frequency of maintenance;
  - The location and storage volume (Litres) of rainwater storage tank(s), pumps and connections to end-uses, such as toilets and laundry, as claimed; and
  - A roof plan demonstrating the portion of the roof diverted into the rainwater treatment/storage device.

When approved the assessments and plans will be endorsed and form part of the permit.

### Development Infrastructure Levy

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. Unless otherwise approved in writing by the Responsible Authority, prior to the commencement of any building and or demolition works on the land, a Tree Protection Zone (TPZ) must be established and maintained during and until completion of all buildings and works including landscaping, around all trees shown to be retained on endorsed plans, including Trees #1, #10 and #11 to the satisfaction of the Responsible Authority:

At least 14 days prior to commencement of works, you must submit a 'Statement of Compliance' (from a suitably qualified Arborist - AQF Level 5) which must include photographic evidence of the installed TPZ requirements. Submission must be made to [enquiries@banyule.vic.gov.au](mailto:enquiries@banyule.vic.gov.au) [referencing the address and planning permit number](#).

Tree protection zone measures are to be established in accordance to Australian Standard 4970-2009 as calculated within the arborist report submitted with the application authored by **Chris Walshe June 2021** as follows:

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- (a) Tree protection zone measures are to be established in accordance to Australian Standard 4970-2009 and including the following:
- (i) Erection of solid chain mesh or similar type fencing at a minimum height of 1.8 metres held in place with concrete feet.
  - (ii) Signage placed around the outer edge of perimeter fencing identifying the area as a TPZ. The signage should be visible from within the development, with the lettering complying with AS 1319.
  - (iii) Mulch across the surface of the TPZ to a depth of 100mm and undertake supplementary watering in summer months as required.
  - (iv) No excavation, constructions works or activities, grade changes, surface treatments or storage of materials of any kind are permitted within the TPZ unless otherwise approved within this permit or further approved in writing by the Responsible Authority.
  - (v) All supports, and bracing should be outside the TPZ and any excavation for supports or bracing should avoid damaging roots where possible.
  - (vi) No trenching is allowed within the TPZ for the installation of utility services unless tree sensitive installation methods such as boring have been approved by the Responsible Authority.
  - (vii) Where construction is approved within the TPZ, fencing and mulching should be placed at the outer point of the construction area.
  - (viii) Where there are approved works within the TPZ, it may only be reduced to the required amount by an authorised person only during approved construction within the TPZ and must be restored in accordance with the above requirements at all other times. 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).
  - (ix) For neighbouring trees, protection must be to the extent of the calculated Tree Protection Zone (TPZ) where it occurs within the subject Land.
  - (x) Ground protection must be laid down where access is required through a TPZ outside the fenced area. 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.
  - (xi) Once installed a TPZ must be maintained until the conclusion of all works on site, including landscaping to the satisfaction of the responsible authority.
9. During the construction of any buildings or works, the following tree protection requirements must be carried out to the satisfaction of the responsible authority.
- (a) All buildings and works for the demolition of the site and construction of the development (as shown on the endorsed plans) must not alter the existing natural ground level or topography of the land within the SRZ of Tree #11 (3m from northern boundary & 4.5m from western boundary).
  - (b) A suitably qualified project Arborist (AQF Level 5) must ensure that any pruning, root severance or buildings and works within a TPZ does not adversely impact the health and or stability of any retained tree now or into the future.
  - (c) Any root severance within a TPZ must be undertaken by the project Arborist (AQF Level 5) in accordance with the Australian Standard *AS4373-2007 Pruning*
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of *Amenity Trees*, using sterilised, specialised tree root pruning equipment. There must be no root pruning within the SRZ of any tree. There must be no works undertaken within the TPZ other than those endorsed by the responsible authority.

- (d) Any tree pruning is to conform to AS4373-2007 *Pruning of Amenity Trees*, all work is to be performed by a suitably qualified Arborist (AQF Level 3, minimum) and must be restricted to the removal of no greater than 15% of the total live canopy of individual trees unless otherwise agreed in writing by the responsible authority.
- (e) The project arborist, site manager and builders must ensure that all conditions relating to Tree Protection Measures are being adhered to throughout the entire building process, including site demolition, levelling and landscape works.

### **Occupation of Development**

- 10. Unless otherwise agreed in writing by the Responsible Authority the development permitted by this permit must not be occupied until the development has been completed to the satisfaction of the Responsible Authority in accordance with the permit and endorsed plans (including, but not limited to built form and layout, parking, landscaping, drainage, street numbering, replacement of street trees).

### **ESD Inspection**

- 11. Prior to the issue of Statement of Compliance or Occupation (whichever comes first), the owner or developer must notify Council's Development Planning section that the development is complete to allow for an inspection of ESD features as shown on the endorsed documents. Council will visit the site to inspect or require suitable evidence to be provided, to ensure ESD features have been installed, to the satisfaction of the Responsible Authority.

*\*Please retain all manufacturers stickers on window glazing, WELS and Energy Ratings for fixtures and appliances, hot water services, heating and cooling units for evidencing purposes.*

### **General**

- 12. 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.

### **Land Acquisition**

- 13. Unless otherwise agreed in writing by the Responsible Authority, before the development permitted by this permit starts, the owner of the land at 7 Dunstan Street, Macleod must have the process of acquisition of land identified as 'RW243' finalised and vested within private ownership with updated land title information.
  - (a) Any other requirements set out by Council related to the sale of the land must be finalised and completed prior to any works commencing.

### **Car Parking/Access**

- 14. 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.

15. Areas set aside for the parking and movement of vehicles as shown on the endorsed plan(s) must be made available for such use and must not be used for any other purpose to the satisfaction of the Responsible Authority.

### **Urban Design and Landscaping**

16. 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.
17. 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.
18. 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.
19. Unless otherwise agreed in writing by 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) shall be damaged, removed, destroyed or lopped.

### **Permit Expiry**

20. 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;  
or
  - (b) The development is not completed within four years of the date of this permit.

Moved: Cr Tom Melican  
Seconded: Cr Peter Castaldo

CARRIED

## 5.4 TRANSLATING THE BANYULE PLANNING SCHEME INTO A NEW FRAMEWORK

### SUMMARY

- The purpose of this report is to seek Council endorsement for the State Government's 'translation' of the Banyule Planning Scheme into a new format.
- The State Government's Department of Environment, Land, Water and Planning (DELWP) and Council officers have been working together to translate, or restructure, the existing local policy content of the Banyule Planning Scheme into the State's new Planning Policy Framework (PPF) as part of DELWP's Smart Planning Program. The final draft of this translation is in **Attachment 1**.
- The translation is fundamentally an administrative exercise to fit the planning scheme into a new templated structure to improve legibility. It is 'policy neutral', meaning the intent of the existing local policies in the planning scheme will remain the same.
- The new PPF nests local policy under relevant state and regional policy themes. This will make the planning scheme more consistent, concise and easier to use – demonstrating a clearer 'line of sight' or alignment of Local and State policy. Local zones and overlays (and their schedules) will simply be updated to reference the new PPF but are otherwise untouched through this process.
- No new policies or direction can be introduced through this 'translation'. New policies are typically introduced into the scheme through key Council projects, such as the Housing and Neighbourhood Character work that has just been commenced.
- The translation of the Banyule Planning Scheme was due for completion last year. It has been delayed due to lack of State Government resourcing. The translation would be implemented by Ministerial Planning Scheme Amendment C162 (amendment prepared and approved by the Minister for Planning) – subject to Council endorsement of the draft translation at **Attachment 1**.
- It is important that the translation be finalised soon. The new framework needs to be in place before other significant projects can progress this year to ensure that it is clear what the applicable structure (of the Planning Scheme) will be. This is particularly important given the hiatus that the State Election and its caretaker period will bring to any planning scheme matters later this year.

### Resolution (CO2022/79)

That Council:

1. Endorse the policy neutral translation of the Banyule Planning Scheme into the new Planning Policy Framework (PPF), generally in accordance with the 'Final Draft' **Attachment 1**.
2. Note that minor corrections may be made to the 'Final Draft' by the Minister for Planning for clarity prior to approval.
3. Write to the Minister for Planning advising of Council's support for Amendment C162bany for the Banyule PPF translation to be prepared, adopted and approved by the Minister for Planning, pursuant to section 20(4) of the *Planning and Environment Act 1987*.

Moved: Cr Rick Garotti  
Seconded: Cr Alison Champion

CARRIED

## 5.5 BELL STREET DEVELOPMENT - PUBLIC SUBMISSIONS TO NOTICE OF INTENTION TO SELL LAND

### SUMMARY

1. Council owns the land at 310 Bell Street, Heidelberg West, which currently functions as a carpark for the Bell Street Mall.
2. There is an opportunity to revitalise the Bell Street Mall area with a dedicated purpose-built community facility and associated higher-density, mixed-use development. A section of the subject land, located on the corner of Oriel Road and Bell Street, has been identified for this potential strategic development opportunity.
3. As part of the proposed sale of land, Council would retain ownership of the new community facility within the development.
4. Council gave notice of its intention under Section 114 of the *Local Government Act 2020* to potentially sell part of the Council land by private treaty.
5. The purpose of this report is for Council to consider the four separate written submissions (including one late submission) received in response to the notice of intention to sell.

### Resolution (CO2022/80)

That Council:

1. Receive and consider four (4) written submissions with regards to the Bell Street Development in accordance with Council's Community Engagement Policy and Plans pursuant to section 55 of the *Local Government Act 2020*.
2. Note a further report will be submitted to Council at its meeting on 30 May 2022 to resolve on the sale of land proposal.

Moved: Cr Peter Dimarelos  
Seconded: Cr Alison Champion

CARRIED

**6. OUR VALUED COMMUNITY ASSETS AND FACILITIES**

Nil

**7. OUR THRIVING LOCAL ECONOMY****7.1 NOTICE OF INTENTION TO DECLARE A SPECIAL CHARGE - WATSONIA SHOPPING CENTRE****SUMMARY**

1. The Watsonia Shopping Centre is one of eleven retail Centres located in the City of Banyule that benefits from a Special Rate or Charge program. The program allows traditional shopping strips and their trader associations to strategically plan, market and manage as a collective group.
2. Operating since the late 1990's over a number of schemes, Watsonia Shopping Centre's current five-year program is set to expire on 30 June 2022. In response, Council has received a letter from the Watsonia Traders Association requesting that Council declare, by way of renewal, a new Special Charge Scheme for a period of five years, raising \$44,850 annually.
3. The Watsonia Traders Association further requests Council's continued support by way of a Council contribution amount of \$26,827 per annum to supplement the amount raised by the proposed Scheme.
4. The continuation of a Special Charge Scheme will aim to achieve the following:
  - Collective marketing and promotion of the Centre as a whole, which will assist in raising the profile of the area, including what it has to offer to the community and its customers,
  - A resourced and supported Traders Association that coordinates the daily management of activities and drives the overall strategic direction of the Centre with the support of Council, and
  - Enhanced property values and improved use, enjoyment and occupation of properties and overall business goodwill within the Shopping Centre.
5. To declare a Special Charge Scheme, Council is required to comply with the statutory process under the *Local Government Act 1989* (the Act) and the *Local Government Act 2020*. The statutory process provides the community with the opportunity to make a submission and/or an objection to the Council on the proposed Scheme. Council will consider any submissions and take into account any objections in accordance with the Act prior to making a final decision.
6. Council is currently undertaking an extensive review into the current retail funding model which will inform the five-year Economic Development Strategy.

**Resolution (CO2022/81)**

That Council:

1. Commences the statutory process under the *Local Government Act 1989 and 2020* to reintroduce a Special Charge in the defined Watsonia Shopping Centre. This Charge will raise \$44,850 per annum for a period of five years, commencing on 1 July 2022 and ending on 30 June 2027.
2. Publishes a public notice in *The Herald Sun* newspaper of the intention of Council to declare a Special Charge at its ordinary meeting on 5 September 2022 in accordance with the Proposed Declaration of Special Charge (being **Attachment 1**).
3. Issues separate letters to owners and occupiers, enclosing a copy of the public notice and advising:
  - of the intention of Council to declare the Special Charge at its ordinary meeting on 5 September 2022,
  - the amount for which the property owner or the occupier will be charged, and
  - that submissions and/or objections in writing in relation to the Proposed Declaration of a Special Charge will be considered by Council in accordance with the Act.
4. Consider funding allocation as part of Council's 2022 to 2027 budgeting process.
5. Authorises the appropriate members of Council's staff:
  - to carry out administrative procedures necessary to enable Council to carry out its functions under the Act; and
  - to prepare a funding agreement between Council and the Traders Association to formalise the Special Charge.
6. Reviews the funding agreement, and if satisfied, approves and signs (by a delegated authority) before funds are paid to the Traders Association.

Moved: Cr Mark Di Pasquale

Seconded: Cr Alison Champion

CARRIED

**7.2 NOTICE OF INTENTION TO DECLARE A SPECIAL CHARGE - MACLEOD VILLAGE SHOPPING CENTRE****SUMMARY**

1. The Macleod Village Shopping Centre is one of eleven retail Centres located in the City of Banyule that benefits from a Special Rate or Charge program. The program allows traditional shopping strips and their trader associations to strategically plan, market and manage as a collective group.
2. Operating since 2002 over a number of schemes, Macleod Village's current five-year program is set to expire on 30 June 2022. In response, Council has received a letter from the Macleod Village Traders' Association requesting that Council declare, by way of renewal, a new Special Charge Scheme for a period of five years, raising \$19,170 annually.
3. The Macleod Village Traders Association further requests Council's continued support by way of a Council contribution amount of \$18,400 per annum to supplement the amount raised by the proposed Scheme.
4. The continuation of a Special Charge Scheme will aim to achieve the following:
  - Collective marketing and promotion of the Centre as a whole, which will assist in raising the profile of the area, including what it has to offer to the community and its customers,
  - A resourced and supported Traders Association that coordinates the daily management of activities and drives the overall strategic direction of the Centre with the support of Council, and
  - Enhanced property values and improved use, enjoyment and occupation of properties and overall business goodwill within the Shopping Centre.
5. To declare a Special Charge Scheme, Council is required to comply with the statutory process under the *Local Government Act 1989* (the Act) and the *Local Government Act 2020*. The statutory process provides the community with the opportunity to make a submission and/or an objection to the Council on the proposed Scheme. Council will consider any submissions and take into account any objections in accordance with the Act prior to making a final decision.
6. Council is currently undertaking an extensive review into the current retail funding model which will inform the five-year Economic Development Strategy.

**Resolution (CO2022/82)**

That Council:

1. Commences the statutory process under the *Local Government Act 1989 and 2020* to reintroduce a Special Charge in the defined Macleod Village Shopping Centre. This Charge will raise \$19,170 per annum for a period of five years, commencing on 1 July 2022 and ending on 30 June 2027.
2. Publishes a public notice in *The Herald Sun* newspaper of the intention of Council to declare a Special Charge at its ordinary meeting on 5 September 2022 in accordance with the Proposed Declaration of Special Charge (being **Attachment 1**).
3. Issues separate letters to owners and occupiers, enclosing a copy of the public notice and advising:
  - of the intention of Council to declare the Special Charge at its ordinary meeting on 5 September 2022,
  - the amount for which the property owner or the occupier will be charged, and
  - that submissions and/or objections in writing in relation to the Proposed Declaration of a Special Charge will be considered by Council in accordance with the Act.
4. Consider funding allocation as part of Council's 2022 to 2027 budgeting process.
5. Authorises the appropriate members of Council's staff:
  - to carry out administrative procedures necessary to enable Council to carry out its functions under the Act; and
  - to prepare a funding agreement between Council and the Traders Association to formalise the Special Charge.
6. Reviews the funding agreement, and if satisfied, approves and signs (by a delegated authority) before funds are paid to the Traders Association.

Moved: Cr Tom Melican

Seconded: Cr Rick Garotti

CARRIED



### 7.3 NOTICE OF INTENTION TO DECLARE SPECIAL CHARGE – EAGLEMONT VILLAGE

#### SUMMARY

1. The Eaglemont Village Shopping Centre is one of eleven retail Centres located in the City of Banyule that benefits from a Special Rate or Charge program. The program allows traditional shopping strips and their trader associations to strategically plan, market and manage as a collective group
2. Operating since 2002 over a number of schemes, Eaglemont Village's current five-year program is set to expire on 30 June 2022. In response, Council has received a letter from the Eaglemont Village Traders' Association requesting that Council declare, by way of renewal, a new Special Charge Scheme for a period of five years, raising \$15,000 annually.
3. The Eaglemont Village Traders Association further requests Council's continued support by way of a Council contribution amount of \$12,500 per annum to supplement the amount raised by the proposed Scheme.
4. The continuation of a Special Charge Scheme will aim to achieve the following:
  - Collective marketing and promotion of the Centre as a whole, which will assist in raising the profile of the area, including what it has to offer to the community and its customers,
  - A resourced and supported Traders Association that coordinates the daily management of activities and drives the overall strategic direction of the Centre with the support of Council, and
  - Enhanced property values and improved use, enjoyment and occupation of properties and overall business goodwill within the Shopping Centre.
5. To declare a Special Charge Scheme, Council is required to comply with the statutory process under the *Local Government Act 1989* (the Act) and the *Local Government Act 2020*. The statutory process provides the community with the opportunity to make a submission and/or an objection to the Council on the proposed Scheme. Council will consider any submissions and take into account any objections in accordance with the Act prior to making a final decision.
6. Council is currently undertaking an extensive review into the current retail funding model which will inform the five-year Economic Development Strategy.

**Resolution (CO2022/83)**

That Council:

1. Commences the statutory process under the *Local Government Act 1989 and 2020* to reintroduce a Special Charge in the defined Eaglemont Village. This Charge will raise \$15,000 per annum for a period of five years, commencing on 1 July 2022 and ending on 30 June 2027.
2. Publishes a public notice in *The Herald Sun* newspaper of the intention of Council to declare a Special Charge at its ordinary meeting on 5 September 2022 in accordance with the Proposed Declaration of Special Charge (**being Attachment 1**).
3. Issues separate letters to owners and occupiers, enclosing a copy of the public notice and advising:
  - of the intention of Council to declare the Special Charge at its ordinary meeting on 5 September 2022,
  - the amount for which the property owner or the occupier will be charged, and
  - that submissions and/or objections in writing in relation to the Proposed Declaration of a Special Charge will be considered by Council in accordance with the Act.
4. Consider funding allocation as part of Council's 2022 to 2027 budgeting process.
5. Authorises the appropriate members of Council's staff:
  - to carry out administrative procedures necessary to enable Council to carry out its functions under the Act; and
  - to prepare a funding agreement between Council and the Traders Association to formalise the Special Charge.
6. Reviews the funding agreement, and if satisfied, approves and signs (by a delegated authority) before funds are paid to the Traders Association.

Moved: Cr Peter Castaldo  
Seconded: Cr Rick Garotti

CARRIED

**7.4 NOTICE OF INTENTION TO DECLARE SPECIAL RATE AND CHARGE – GREENSBOROUGH TOWN CENTRE****SUMMARY**

1. Greensborough Town Centre is one of eleven retail Centres located in the City of Banyule that benefits from a Special Rate or Charge program. The program allows traditional shopping strips and their trader associations to strategically plan, market and manage as a collective group.
2. Operating since the late 1990's over a number of schemes, Greensborough Town Centre's current five-year program is set to expire on 30 June 2022. Over the last five years, the Greensborough Special Rate and Charge Scheme has raised \$180,000 per annum, supplemented by a Council capped contribution in the amount of \$105,000 per annum to provide a total annual budget of \$285,000.
3. The Greensborough Chamber of Commerce has requested that Council declare, by way of renewal, a new Special Rate and Charge Scheme for a period of five years that will raise \$200,000 annually, an increase by \$20,000 per annum compared to the current scheme.
4. The Greensborough Chamber of Commerce further requests that Council increase the Council contribution amount from \$105,000 per annum to \$200,000 per annum to supplement the amount raised by the proposed Scheme.
5. The continuation of a Special Rate and Charge Scheme will aim to achieve the following:
  - Collective marketing and promotion of the Greensborough Town Centre as a whole, which will assist in raising the profile of the area, including what it has to offer to the community and its customers,
  - A resourced and supported Traders Association that coordinates the daily management of activities and drives the overall strategic direction of the Town Centre with the support of Council, and
  - Enhanced property values and improved use, enjoyment and occupation of properties and overall business goodwill within the Town Centre.
6. To declare a Special Charge Scheme, Council is required to comply with the statutory process under the *Local Government Act 1989* (the Act) and the *Local Government Act 2020*. The statutory process provides the community with the opportunity to make a submission and/or an objection to the Council on the proposed Scheme. Council will consider any submissions and take into account any objections in accordance with the *Local Government Act 1989* prior to making a final decision.

Council is currently undertaking an extensive review into the current retail funding model which will inform the five-year Economic Development Strategy

**Resolution (CO2022/84)**

That Council:

1. Commences the statutory process under the *Local Government Act 1989* to reintroduce a Special Rate and Charge in the defined Greensborough Town Centre.
2. Maintains the current levy in the amount of \$180,000 per annum for a period of five years, commencing on 1 July 2022 and ending on 30 June 2027.
3. Maintains its resolution on the 23 April 2011 to cap its contributions to the 2011-2012 levels for all of the eleven special rate and/or charge schemes operating within the Council's municipal district (including the Greensborough Town Centre).
4. Publishes a public notice in *The Herald Sun* newspaper of the intention of Council to declare a Special rate and Charge at its ordinary meeting on 5 September 2022 in accordance with the Proposed Declaration of Special Rate and Charge (being Attachment 1).
5. Issues separate letters to owners and occupiers, enclosing a copy of the public notice and advising:
  - of the intention of Council to declare the Special Rate and Charge at its ordinary meeting on 5 September 2022,
  - the amount for which the property owner or the occupier will be charged, and
  - that submissions and/or objections in writing in relation to the Proposed Declaration of a Special Charge will be considered by Council in accordance with the Act.
6. Consider funding allocation as part of Council's 2022 to 2027 budgeting process.
7. Authorises the appropriate members of Council's staff:
  - to carry out administrative procedures necessary to enable Council to carry out its functions under the Act; and
  - to prepare a funding agreement between Council and the Traders Association to formalise the Special Rate and Charge.
8. Reviews the funding agreement, and if satisfied, approves and signs (by a delegated authority) before funds are paid to the Traders Association.

Moved: Cr Mark Di Pasquale

Seconded: Cr Alison Champion

CARRIED

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**8. OUR TRUSTED AND RESPONSIVE LEADERSHIP****8.1 AWARD OF CONTRACT NO. MAV DO60125 - PROVISION OF PARK AND PLAYGROUND EQUIPMENT & ASSOCIATED PRODUCTS AND SERVICES****SUMMARY**

- This report is to consider the awarding of Contract No. MAV DO60125 - Provision of Park and Playground Equipment & Associated Products and Services.
- Through Banyule City Council's Procurement Policy, Council previously approved the use of Municipal Association of Victoria (MAV) Procurement, as an approved Third Party Arrangement contract. These contracts provide benefits of collective purchasing and improve efficiency in the procurement process of Council's park and playground equipment.
- Council previously purchased these products and services through contract 0880-2016 Playground Replacement Program (Supply & Install Playgrounds) which has expired.
- These products and services are now available through a MAV panel contract established through a new public tender process undertaken by and MAV for the provision of Park and Playground Equipment & Associated Products and Services.
- This panel contract will provide Council with the ability to purchase park and playground equipment & associated products and services, at the most cost-effective price ensuring that Council's operational expenses are minimised.
- The MAV Panel Contract has been established for a period of 3 years commencing 01 February 2022 and ending 31 January 2025, with 2 optional extension periods of 12 months each.

**Resolution (CO2022/85)**

That Council:

1. Approve opting into the MAV Contract Panel No. MAV DO60125 for the purchase of Park and Playground Equipment & Associated Products and Services, for an initial contract term of 33 months ending 31 January 2025 with 2 optional extension periods of 12 months each.
2. Authorise the Director of City Development to sign the contract and any other associated documents.
3. Authorise the Director of City Development to approve extensions of this Contract, subject to review of the Contractor's performance and Council's business needs, at the conclusion of the initial 33 month contract term and extension periods.

Moved: Cr Mark Di Pasquale  
Seconded: Cr Peter Castaldo

CARRIED

**8.2 RECORD OF COUNCILLOR MEETINGS****SUMMARY**

In accordance with section 60 of *the Local Government Act 2020*, Council at its meeting on 17 August 2020 adopted the Banyule Governance Rules. The Governance Rules, Chapter 6 Miscellaneous requires the Chief Executive Officer to ensure that a summary of the matters that are discussed, meet the following definition:

If there is a meeting of Councillors that:

1. Is scheduled or planned for the purposes of discussing the business of Council or briefing Councillors;
2. Is attended by at least one member of Council staff; and
3. Is not a Council meeting, Delegated Committee Meeting or a Community Asset Committee Meeting

The records of councillor attendance are tabled at the next convenient Council Meeting and are recorded in the meeting minutes of that Council meeting.

**Record of Meetings**

<b>1</b>	<b>Date of Meeting:</b>	4/4/2022
	<b>Type of Meeting:</b>	Councillor Briefing
	<b>Matters Considered:</b>	
	<ul style="list-style-type: none"> <li>• LXP <ul style="list-style-type: none"> <li>○ Greensborough Carpark upgrade</li> <li>○ Hurstbridge Line update</li> </ul> </li> <li>• North East Link Project (NELP) update</li> <li>• Final draft budget supporting documents for community engagement</li> </ul>	
	<b>Councillors Present:</b>	
Peter Castaldo Alison Champion Mark Di Pasquale Rick Garotti Tom Melican Fiona Mitsinikos		
<b>Staff Present:</b>		
<ul style="list-style-type: none"> <li>• Allison Beckwith - Chief Executive Officer</li> <li>• Darren Bennett – Director Assets &amp; City Services</li> <li>• Marc Giglio – Director Corporate Services</li> <li>• Natasha Swan – Director City Development</li> <li>• Kath Brackett – Director Community Programs</li> <li>• Kerryn Woods – Executive &amp; Councillors Team Leader</li> <li>• Jonathan Risby – Manager Transport</li> <li>• Daniel Fantin – Major Property Projects Coordinator</li> <li>• Lucy Rasdell – Manager Strategic Properties &amp; Projects</li> <li>• Paul Bellis – Transport Planning &amp; Advocacy Coordinator</li> <li>• Karen Leeder – Manager City Futures</li> </ul>		
<b>Others Present:</b>		
Level Crossing Removal Authority		

	<ul style="list-style-type: none"> <li>• Andrew Peplinkhouse – Program Director</li> <li>• John Matta – Director</li> <li>• Neil Rankin – Senior Project Manager</li> <li>• Michael Bermingham – Stakeholder Relations and Communications</li> <li>• Stephanie Eggleston</li> <li>• Andrew Brenchley</li> <li>• Scott Nicholls</li> </ul> <p>North East Link</p> <ul style="list-style-type: none"> <li>• Duncan Elliott – CEO</li> <li>• Michael Caink – Delivery Director Central</li> <li>• Marco Di Pietro – Package Director</li> <li>• Paul Yerondais – Spark Consortium</li> </ul>		
	<table border="1" style="width: 100%;"> <tr> <td style="width: 30%;"><b>Conflict of Interest:</b></td> <td><i>NIL</i></td> </tr> </table>	<b>Conflict of Interest:</b>	<i>NIL</i>
<b>Conflict of Interest:</b>	<i>NIL</i>		

<b>2</b>	<table border="1" style="width: 100%;"> <tr> <td style="width: 30%;"><b>Date of Meeting:</b></td> <td>11/4/2022</td> </tr> <tr> <td><b>Type of Meeting:</b></td> <td>Council Pre-Meeting Briefing</td> </tr> </table>	<b>Date of Meeting:</b>	11/4/2022	<b>Type of Meeting:</b>	Council Pre-Meeting Briefing
<b>Date of Meeting:</b>	11/4/2022				
<b>Type of Meeting:</b>	Council Pre-Meeting Briefing				
	<p><b>Matters Considered:</b></p> <ul style="list-style-type: none"> <li>• Over Development of Wattle Avenue, Montmorency</li> <li>• Cricket Club COVID relief for season 2021/22</li> <li>• Banyule Integrated Transport Plan and Transport Advocacy Update</li> <li>• 15 - 17 Flintoff Street - Commuter Car Park &amp; Bus Interchange - Advocacy for Future Development</li> <li>• Housing and Neighbourhood Character Review</li> <li>• 10 Year Asset Plan</li> <li>• Suite 2.01 1 Flintoff St Greensborough and part 7 Flintoff St, Greensborough - Proposed Lease to Albury Wodonga Community College Limited</li> <li>• Ivanhoe Aquatic Redevelopment Stage 2 - Concept Design</li> <li>• Proposed Budget 2022-2026 for public consultation</li> <li>• Revised Financial Plan 2022-2032 for public consultation</li> <li>• Revised Revenue and Rating Plan 2022-2026 for public consultation</li> <li>• Council Plan 2021-2025 - Preparation of Year 2 Annual Action Plan 2022/2023</li> <li>• Mayor, Deputy Mayor and Councillor Allowances</li> <li>• Making of Governance Local Law No. 2 (2022)</li> <li>• 2022 Federal Election - Australian Local Government Association Advocacy Campaign</li> <li>• Record of Councillor Meetings</li> </ul>				
	<p><b>Councillors Present:</b></p> <ul style="list-style-type: none"> <li>• Peter Castaldo</li> <li>• Alison Champion</li> <li>• Mark Di Pasquale</li> <li>• Rick Garotti</li> <li>• Alida McKern</li> <li>• Tom Melican</li> <li>• Fiona Mitsinikos</li> <li>• Elizabeth Nealy</li> </ul>				
	<p><b>Staff Present:</b></p>				

	<ul style="list-style-type: none"> <li>• Allison Beckwith - Chief Executive Officer</li> <li>• Darren Bennett – Director Assets &amp; City Services</li> <li>• Marc Giglio – Director Corporate Services</li> <li>• Natasha Swan – Director City Development</li> <li>• Roberta Colosimo – Acting Director Community Wellbeing</li> <li>• Gina Burden – Manager Corporate Governance &amp; Communication</li> <li>• Jonathan Risby – Manager Transport &amp; Environment</li> <li>• Krysten Forte – Governance Coordinator</li> <li>• Nick Van – Council Business Officer</li> <li>• Tania O’Reilly – Manager Finance and Procurement</li> </ul>
	<b>Others Present:</b> Nil
	<b>Conflict of Interest:</b> Nil

<b>3</b>	<b>Date of Meeting:</b>	4/4/2022
	<b>Type of Meeting:</b>	CONFIDENTIAL Councillor Briefing
	<b>Matters Considered:</b>	
	Potential sale of land	
	<b>Councillors Present:</b>	
	Peter Castaldo Alison Champion Peter Dimarelos Mark Di Pasquale Rick Garotti Tom Melican Fiona Mitsinikos Elizabeth Nealy	
<b>Staff Present:</b>		
<ul style="list-style-type: none"> <li>• Allison Beckwith - Chief Executive Officer</li> <li>• Darren Bennett – Director Assets &amp; City Services</li> <li>• Marc Giglio – Director Corporate Services</li> <li>• Natasha Swan – Director City Development</li> <li>• Kath Brackett – Director Community Programs</li> <li>• Kerryn Woods – Executive &amp; Councillors Team Leader</li> </ul>		
<b>Others Present:</b>		
Lucy Rasdell - Manager Strategic Properties & Projects Daniel Fantin - Major Property Projects Coordinator		
	<b>Conflict of Interest:</b>	NIL

<b>4</b>	<b>Date of Meeting:</b>	29/3/2022
	<b>Type of Meeting:</b>	Watsonia Town Square Community Reference Group Meeting
	<b>Matters Considered:</b>	



	<ul style="list-style-type: none"> <li>• Watsonia Town Square – Preferred Concept Design</li> <li>• Intersection Options and Car Parking Losses</li> </ul>
	<b>Councillors Present:</b> <ul style="list-style-type: none"> <li>• Alison Champion</li> <li>• Mark Di Pasquale</li> <li>• Rick Garotti</li> </ul>
	<b>Staff Present:</b> <ul style="list-style-type: none"> <li>• Jonathan Risby – Manager Transport &amp; Environment</li> <li>• Lucy Rasdell – Manager Strategic Properties and Projects</li> <li>• Erica Hardie - Senior Project Manager</li> </ul>
	<b>Others Present:</b> <ul style="list-style-type: none"> <li>• The Hon Colin Brooks MP</li> <li>• Alexander Madden</li> <li>• Acacia Karabatsos</li> <li>• Jeremy Richards, Watsonia Traders Association</li> <li>• Hesham Mobarek, Watsonia Traders Association</li> <li>• Matthew Guest, Watsonia RSL</li> <li>• Paul Parrella</li> <li>• Sarah Maguire, Watsonia Traders Association</li> <li>• Susannah Madden</li> <li>• Rev Denise Nicholls, Anglican Parish of Banyule</li> <li>• Rita Fernandes, Group GSA</li> </ul>
	<b>Conflict of Interest:</b> Nil

5	<b>Date of Meeting:</b>	13/4/2022
	<b>Type of Meeting:</b>	Banyule Reconciliation Action Plan Advisory Committee Meeting
	<b>Matters Considered:</b>	<ul style="list-style-type: none"> <li>• Victorian Aboriginal Local Government Strategy</li> <li>• RAP Priority Actions for discussion, feedback and consultation</li> <li>• RAP Annual Report</li> <li>• Barrbunin Beek Update:</li> </ul>
	<b>Councillors Present:</b>	<ul style="list-style-type: none"> <li>• Peter Castaldo</li> <li>• Peter Dimarelos</li> </ul>
	<b>Staff Present:</b>	<ul style="list-style-type: none"> <li>• Roberta Colosimo – Manager Family and Community Services</li> <li>• Blair Colwell – Barrbunin Beek Coordinator</li> </ul>
	<b>Others Present:</b>	<ul style="list-style-type: none"> <li>• Maddie Miller</li> <li>• Julio Estorninho</li> <li>• Uncle Charles Pakana</li> <li>• Walley Johnson</li> <li>• Shane Grigg</li> <li>• Shelly Ware</li> <li>• Tom Conley</li> </ul>

	<ul style="list-style-type: none"> <li>• Sue Harris</li> <li>• Terry Makin Rita Fernandes, Group GSA</li> </ul>	
	<table border="1" style="width: 100%;"> <tr> <td style="width: 30%;"><b>Conflict of Interest:</b></td> <td>Nil</td> </tr> </table>	<b>Conflict of Interest:</b>
<b>Conflict of Interest:</b>	Nil	

**Resolution (CO2022/86)**

That Council receives and notes the Record of Councillor Meetings report.

Moved: Cr Alison Champion  
 Seconded: Cr Rick Garotti

**CARRIED**

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### 8.3 QUARTERLY FINANCIAL MANAGEMENT REPORT - MARCH 2022

#### SUMMARY

1. This Quarterly Financial Management Report is for the period ended 31 March 2022 and provides assessment of the following:
  - o Financial Performance - key income and expenditure actual operating results against budget, including COVID-19 financial impacts on operations and the 2021/22 Economic Support Package initiative.
  - o Capital Works Expenditure – summary of actual spend, budget and forecast.
  - o Investment activity – compliance against the current Investment Policy
  - o Other key financial indicators – Rates Outstanding, Accounts Receivable, Balance Sheet and Cash Flow statements

#### Financial Performance

2. As of 31 March 2022, the year to date operating deficit is \$2.96m unfavourable to budget, due mainly to the financial impact from the unexpected COVID-19 lockdowns (number 5 and 6) resulting in some council services prevented from operating and/or postponed.
3. The March forecast is projected to be a \$7.53m operating surplus compared to the adopted budget surplus of \$14.58m (\$7.05m unfavourable movement).
4. The key forecast variances are from:
  - o the net business impact from COVID-19 lockdowns which is estimated to be \$3.57m.
  - o Council endorsed, in August 2021, a further \$1.72m of funding of the 2021/22 Economic Support Package (initiative and operating budget) with the available provision now \$3.54m.
  - o Expensed Capital Works project: FOGO \$1.05m and various IT projects \$1.35m (budgeted in capital works); partially offset by the savings from departmental discretionary cost reduction.
5. The 2021/22 underlying operating deficit is forecasted to be \$7.83m compared to a budgeted underlying deficit result of \$1.19m (\$6.64m unfavourable). The underlying result is determined after adjusting for non-recurrent capital grants and capital contributions which represent \$15.41m of Council's income.

#### Capital Works Performance

6. As of 31 March 2021, a total of \$21.57m has been spent on capital works.
7. The capital works expenditure is forecast to be \$54.10m including \$13.22m of estimated carry forwards projects to the 2022/23 financial year (the adopted capital budget is \$66.75m).

**Resolution (CO2022/87)**

That Council note:

1. The Quarterly Financial Management Report for the period 31 March 2022.
2. The March 2022 forecast is for Council to deliver an operating surplus of \$7.53m against the adopted budget surplus of \$14.58m for the year ended 30 June 2021.
3. The underlying operating deficit of \$7.83m is after adjusting for non-recurrent capital grants and capital contributions of \$15.41m.
4. The net cost impact on the forecast directly from COVID-19 restrictions is \$3.57m unfavourable to budget.
5. Council officers are restricting discretionary expenditure to minimise the impact from COVID-19 on the organisation's financial sustainability.

Moved: Cr Rick Garotti

Seconded: Cr Mark Di Pasquale

CARRIED

**9. SEALING OF DOCUMENTS**

Nil

**10. NOTICES OF MOTION**

Nil

**11. GENERAL BUSINESS****11.1 WOMEN ONLY SWIM NIGHT**

Cr Alison Champion along with Cr Fiona Mitsinikos and Hon Natalie Hutchence attended Watermarc for Banyule's Women only swim night to celebrate Eid, at the end of Ramadan. Cr Champion thanked the Department of Justice and Community Safety as well as Banyule's dedicated Diverse Communities Team for supporting the event.

**11.2 101 YEAR OLD RESIDENT AT CITIZENSHIP CEREMONY**

Cr Fiona Mitsinikos attended the citizenship ceremony with EN, AC, TM, AM and several MPs. At the ceremony was a lady who moved to Australia at the age of 95, she became an Australian citizen at 101 years old. Cr Mitsinikos congratulated and welcomed all of our newest Australian citizens.

**11.3 FOGO CHAMPIONS**

Cr Peter Castaldo thanked all of the participants of Banyule's first FOGO (food organics and garden organics) Champions event. Cr Castaldo stressed the importance of this program and stressed that there is still an opportunity to become a FOGO champion at a meeting on May 24, information available on our website.

**11.4 IVANHOE READING CIRCLE**

Prepared by Cr Alida McKern and read out by Mayor Elizabeth Nealy.

The Ivanhoe Reading Circle, Melbourne's longest running book club, is in its 102<sup>nd</sup> year. This was marked by an event held at the Ivanhoe Library and attended by local author Laurie McMahon who was born and raised in Rosanna. Also acknowledged was the passing of the Reading Circle's former president and oldest member Glenn Jackson.

## PUBLIC QUESTION TIME

<b>1</b>	<p><b>Name &amp; Suburb</b> Sheldon Williams, Rosanna</p>
	<p><b>Question:</b> When will Council release its review to the community of the Council grants process undertaken as a result of revelations that came to light in the IBAC 'Operation Watts' hearings?</p>
	<p><b>Response:</b> Banyule City Council conducted an internal audit on all Outgoing Grants Management and Service Level Agreements in June 2021. The report was tabled at Council's Audit &amp; Risk Committee at its meeting on 18 June 2021. A copy of the Audit was also provided to the Minister for Local Government. Council has also conducted a review of outgoing funding provided to the Somali Australian Council of Victoria (SACOV) and will be tabled at the Audit &amp; Risk Committee at its meeting on 17 June 2022. Copies of the Committee minutes are available to the community when tabled at an Ordinary Council meeting.</p> <p><i>Marc Giglio – Director Corporate Services</i></p>

<b>2</b>	<p><b>Name &amp; Suburb</b> Jenny Mulholland, Ivanhoe</p>
	<p><b>Question:</b> Given that the Australian Electoral Commission has designated the Ivanhoe Uniting Church in Seddon Street Ivanhoe as one of two pre-polling centres in Jagajaga would Council consider reopening the temporary closure of Waterdale Rd at the Upper Heidelberg Road intersection for the two week prepolling period from May 9th to May 20th to allow easier access to the Waterdale Rd public carpark located adjacent to the prepolling centre?</p>
	<p><b>Response:</b> Waterdale Road, south of Upper Heidelberg Road was formally closed at the Council meeting on 21 September 2020. Reopening would require a formal decision of Council and this can't be accommodated in such a short time frame.</p> <p><i>Natasha Swan – Director City Development</i></p>

<b>3</b>	<b>Name &amp; Suburb</b> Roger Marcus Fyfe, Ivanhoe
	<b>Question:</b> Are the Council Meeting Chambers fit for purpose in order for Open Meetings to be held there, as was promised when the Library Hub was approved
	<b>Response:</b> The preparation of Council meetings to return to the Council Chambers at Ivanhoe Library Cultural Hub (ILCH) is underway and it is anticipated that in the coming months this will occur. The Council Chambers will be fit for purpose, OH&S and accessibility compliant before the community, Councillors, and members of Council staff return for Council meetings  <i>Gina Burden – Manager Corporate Governance &amp; Communications</i>

**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 12.1 and 12.2

Moved: Cr Alison Champion  
Seconded: Cr Tom Melican

CARRIED

*The Ordinary Council Meeting was closed to the public at 9.00pm.*

The Confidential Council meeting was opened at 9.09pm to discuss Item 12.1 Purchase of Land for Council Spaces and Item 12.2 Macleod Rec and Fitness Centre – YMCA request for operational support.

Item 12.1 and 12.2 were both designated confidential pursuant to section 3(a) and (g) of the *Local Government Act 2020* as they Council business information, being information that could prejudice the Council’s position in commercial negotiations if prematurely released, and confidential information relating to private and commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage, including Council.

The premature release of this information in the open Council Meeting could prejudice and diminish Council’s position on the Matter.

Council did not determine to release any of the resolution relating to 12.1 Purchase of Land for Council Spaces and 12.1 Macleod Rec and Fitness Centre – YMCA Request for Operational Support to the public and therefore the resolution is not included in the meeting minutes in line with Council’s obligations under section 125 of the *Local Government Act 2020*.

**Closure of Meeting**

The Meeting was closed at 9.19pm.

DATED: ..... DAY OF ..... 2022

.....  
MAYOR

*The next Ordinary Meeting of Council will be held on Monday, 30 May 2022.*



## Banyule Environment and Climate Action Advisory Committee | Minutes



### Meeting details

<b>Date of meeting</b>	Thursday, 10 March 2022
<b>Time</b>	6:30pm – 8:30pm
<b>Venue</b>	Online – MS TEAMS
<b>Chair/Facilitator</b>	Cr Peter Castaldo
<b>Minutes</b>	Ellie Hall

### Acknowledgement of the Traditional Custodians

"Our meeting is being held on the Traditional Land of the Wurundjeri Woi-wurrung people and, on behalf of Banyule City Council, I wish to acknowledge them as the Traditional Custodians. I would also like to pay my respects to the Wurundjeri Woi-wurrung Elders, past, present and emerging, and to acknowledge other Aboriginal and Torres Strait Elders joining us today."

### Inclusive Banyule Statement

"Our community is made up of diverse cultures, beliefs, abilities, bodies, sexualities, ages and genders. We are committed to access, equity, participation and rights for everyone: principles which empower, foster harmony and increase the wellbeing of an inclusive community."

### Attendee

Attendee name
Kellie Watson – BECAAC Member
Denise Fernando - BECAAC Member
Alex Tzikas - BECAAC Member
Lynne Siejka - BECAAC Member
Jack Ellis - BECAAC Member
Paul Gale Baker - BECAAC Member
Michelle Giovas - BECAAC Member
Trivess Moore - BECAAC Member
Vicky Rowe – BECAAC Member
Cr Alida McKern
Cr Peter Castaldo - Chair
Cr Tom Melican
Ollie Forster – Banyule Staff
Daniela Tartaglia – Banyule Staff
Pierre Asselin – Banyule Staff