

# Minutes of the Ordinary Meeting of Council



**Held on the 20 November 2023**

Held at Nellie Ibbott Chambers,  
Ivanhoe Library and Cultural Hub,  
275 Upper Heidelberg Road, Ivanhoe 3079

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**PUBLIC QUESTION TIME.....40**  
**CLOSURE OF MEETING.....41**  
**MINUTES**

The Meeting opened at 7.00pm.

**Acknowledgement of the Traditional Custodians**

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

**Diversity Statement**

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

**Present**

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

Allison Beckwith – Chief Executive Officer, Marc Giglio Director Corporate Services, Kath Brackett – Director Community Wellbeing, Darren Bennett – Director Assets & City Services, Natasha Swan–Director City Development, Krysten Forte – Manager Governance & Integrity, Linda Chapple – Governance & Integrity Coordinator, Fletcher Coburn – Councillor Request Management Officer, Rachael Hudson – Council Business Officer, Joe Schipano – IT Service Desk Officer, Andrew Forsyth – Communications & Marketing Lead, David Lelis – Livestream Contractor, Alain Behran – Livestream Contractor

**Apologies**

Deputy Mayor Cr Rick Garotti, Cr Peter Dimarelos

**Leave of Absence**

Nil

**Confirmation of Minutes**

That the following Minutes be confirmed:

*Ordinary Meeting of Council held 30 October 2023*

*Special Meeting of Council held 13 November 2023*

Moved: Cr Elizabeth Nealy

Seconded: Cr Peter Castaldo

CARRIED

**Disclosure of Interests**

Nil

**Presentation**

Nil

**1. URGENT BUSINESS**

Nil

## 2. PETITIONS

### 2.1 PETITION REGARDING NORTH EAST LINK DESIGNS

**Benjamin Biro** from **Stop the Split of Watsonia by North East Link Community Group** addressed Council in person and spoke **FOR** the officer recommendation.

**Janelle Devine** provided a pre-recorded audio message which was played in the chamber and was **FOR** the officer recommendation.

**Kara Barnett** provided a written statement which was read by **Kath Brackett**, Director Community Wellbeing and was **FOR** the officer recommendation.

### SUMMARY

1. Council has been made aware of and have been asked to support a petition being presented to the Parliament of Victoria calling for improvements to the design of the North East Link project.
2. The petition had 152 signatures at the time this report was prepared. The petition is an e petition, and these signature numbers may change at the time that it is presented to Council and to the Parliament of Victoria.
3. The petition is due to close on the 26 November 2023 and is expected to be tabled to the Parliament at the end of November 2023.
4. The petitions ask is directly aligned with Council's existing advocacy on design improvements for North East Link.
5. The petition is being presented to Council for noting.

### RECOMMENDATION

That Council:

1. Receives and tables the Petition.
2. Refer the Petition to the Transport Development & Environment Department for consideration.
3. Advise the primary petitioner of this Resolution.

### **Resolution (CO2023/208)**

That Council:

1. Receives and tables the Petition.
2. Refer the Petition to the Transport Development & Environment Department for consideration.
3. Advise the primary petitioner of this Resolution.

Moved: Cr Mark Di Pasquale  
Seconded: Cr Fiona Mitsinikos

CARRIED

### 3. OUR TRUSTED AND RESPONSIVE LEADERSHIP

#### 3.1 RECORD OF COUNCILLOR MEETINGS

##### SUMMARY

In accordance with section 60 of *the Local Government Act 2020*, Council at its meeting on 30 October 2023 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

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>	16 October 2023 5.05pm- 6.00pm
	<b>Type of Meeting:</b>	Opt in Briefing - Customer Satisfaction Survey
	<b>Matters Considered:</b>	Insights and outcomes from the Customer Satisfaction and "Living in Banyule" survey.
	<b>Councillors Present:</b>	Cr Peter Castaldo Cr Alida McKern – arrived 5.23pm Cr Tom Melican Cr Fiona Mitsinikos – arrived 5.46pm Cr Elizabeth Nealy
	<b>Staff Present:</b>	Allison Beckwith - <i>Chief Executive Officer</i> Darren Bennett – <i>Director Assets &amp; City Services</i> Marc Giglio – <i>Director Corporate Services</i> Natasha Swan – <i>Director City Development</i> Jo Wilson – <i>Acting Director Community Wellbeing</i> Sherryn Prinzi – <i>Community Impact Coordinator</i> Laura Cattapan – <i>Community Connections Coordinator</i> Birgit King – <i>Integrated Planning Coordinator</i>
	<b>Others Present:</b>	Mark Zuker - <i>Managing Director JWS Research.</i> Dan Evans – <i>Consultant ID Consulting</i> Ivan Motley– <i>Founder ID Consulting</i>

	<b>Conflict of Interest:</b>	n/a
2	<b>Date of Meeting:</b>	16 October 2023 6.39pm - 8.19pm
	<b>Type of Meeting:</b>	Councillor Briefing
	<b>Matters Considered:</b>	
	Community Satisfaction and Liveability Survey Results Presentation People and Culture Quarter 1 Report Quarterly Capital Works Update Option for consideration for change of date (26 January) for Citizenship Ceremonies Darebin Creek Management Committee (DCMC) external audit findings and recommendations 1 Stradbroke Avenue - Commencement of Expression of Interest	
	<b>Councillors Present:</b>	
	Cr Peter Castaldo Cr Alison Champion Cr Peter Dimarelos – arrived 6.45pm Cr Mark Di Pasquale – arrived 7.20pm Cr Rick Garotti Cr Alida McKern Cr Tom Melican Cr Fiona Mitsinikos Cr Elizabeth Nealy	
<b>Staff Present:</b>		
Allison Beckwith - <i>Chief Executive Officer</i> Darren Bennett – <i>Director Assets &amp; City Services</i> Marc Giglio – <i>Director Corporate Services</i> Natasha Swan – <i>Director City Development</i> Jo Wilson – <i>Acting Director Community Wellbeing</i> Toni Toaldo – <i>Manager People &amp; Culture</i> Mathew Deayton – <i>Capital Works Coordinator</i> Linda Chapple – <i>Governance &amp; Integrity Coordinator</i>		
<b>Others Present:</b>		
	<b>Conflict of Interest:</b>	n/a
3	<b>Date of Meeting:</b>	23 October 2023 6.38pm – 9.05pm
	<b>Type of Meeting:</b>	Councillor Briefing
	<b>Matters Considered:</b>	
	Digital Transformation Quarterly Update Banner, NFON Schedule Public Realm Strategy and design Guide North East Link – Ring Road Completion Urban Design Landscape Plan-Council Submission Support for Banyule Activity Centres – Update on Reforms	
<b>Councillors Present:</b>		

Cr Peter Castaldo Cr Alison Champion Cr Peter Dimarelos (left at 8.55pm) Cr Rick Garotti Cr Alida McKern Cr Tom Melican Cr Fiona Mitsinikos Cr Elizabeth Nealy	
<b>Staff Present:</b>  Allison Beckwith - <i>Chief Executive Officer</i> Darren Bennett – <i>Director Assets &amp; City Services</i> Marc Giglio – <i>Director Corporate Services</i> Natasha Swan – <i>Director City Development</i> Jo Wilson – <i>Acting Director Community Wellbeing</i> Joty Singh – <i>Head of IT and Digital Transformation</i> Fae Ballingal – <i>Strategic Planning &amp; Urban Design Coordinator</i> Karen Leeder – <i>Manager City Futures</i> Paty Galan- <i>Senior Urban Designer</i> Megan Kemp – <i>Strategic Executive Assistant to CEO &amp; Mayor</i> Shawn Neilsen – <i>Manager Advocacy, Communication, Engagement &amp; Performance</i>	
<b>Others Present:</b>  n/a	
<b>Conflict of Interest:</b>	n/a

<b>4</b>	<b>Date of Meeting:</b>	30 October 2023
	<b>Type of Meeting:</b>	Councillor Pre-Briefing 5.34pm – 6.30pm
	<b>Matters Considered:</b>  3.1 Annual Report 2022/2023 3.2 Governance Rules Stage 2 Review Final Report 3.3 Record of Councillor Meetings 3.4 Council Meeting Dates 2024 3.5 Award Contract 1287-2023 Macleod Park Pavilion Construction 3.6 Abandoned Shopping Trolleys 4.1 Outcomes of the 2023 - 2024 Community, Arts & Culture, and Environment grant funding rounds 4.2 Improved walking and cycling access to all schools in Banyule 4.3 Draft Older Adults Framework 2030: Endorsement for community consultation 5.1 Environmental Impact of Business Travel 5.2 Pest Animal Management - Fox Control within Banyule City Council Urban Environment 5.3 Darebin Creek Management Committee (DCMC) external audit findings and recommendations 6.1 Planning Scheme Review Report 6.2 Proposed State Government changes to residential standards for dwellings on small lots and Signage requirements 7.1 Chelsworth Park Sports Pavilion Redevelopment - Proposed Heads of Agreement - Ivanhoe Grammar School 7.2 2/50 Chapman Street, Macleod - Renewal of Telecommunications Lease with TPG Telecom Limited	



<b>Councillors Present:</b>	
Cr Peter Castaldo Cr Alison Champion left 6.29pm Cr Peter Dimarelos arrived 6.29pm Cr Mark Di Pasquale arrived 6.30pm Cr Rick Garotti Cr Alida McKern arrived 5.36pm Cr Tom Melican Cr Fiona Mitsinikos Cr Elizabeth Nealy	
<b>Staff Present:</b>	
Allison Beckwith - <i>Chief Executive Officer</i> Darren Bennett – <i>Director Assets &amp; City Services</i> Marc Giglio – <i>Director Corporate Services</i> Jonathan Risby – <i>Acting Director City Development</i> Jo Wilson – <i>Acting Director Community Wellbeing</i> Krysten Forte – <i>Manager Governance &amp; Integrity</i> Linda Chapple - <i>Governance &amp; Integrity Coordinator</i>	
<b>Others Present:</b>	
<b>Conflict of Interest:</b>	

## RECOMMENDATION

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

### Resolution (CO2023/209)

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

Moved: Cr Mark Di Pasquale  
Seconded: Cr Elizabeth Nealy

CARRIED

## 3.2 78-80 HAWDON ST, HEIDELBERG - NOTICE OF INTENT TO SELL - HEARING OF SUBMISSIONS

**Pippa Griffith** provided a pre-recorded audio message which was played in the chamber and spoke to her written submission.

**Alicia Curry** addressed Council in person and spoke to her written submission.

### SUMMARY

1. Council owns the land at 78-80 Hawdon Street, Heidelberg, publicly referred to as the Hawdon Street Community Hall (or Hawdon Hall).
2. At the time that the Community Hub at Bellfield was planned, Council contemplated relocation of other users into this new facility. This was to occur in conjunction with the

subsequent sale of ageing buildings. One of the buildings from which users were to be moved was the Hawdon Street Community Hall.

3. From the point at which Council advised that it would consider the sale of the Hawdon Street Community Hall, Council's Community Facilities Team has been working individually with each current user group to find an alternate community venue that meets their needs.
4. There are seven (7) regular not-for-profit community groups currently located at Hawdon Hall. Six (6) have identified a suitable alternative community hall that they are happy to relocate to and are working with Council officers to ensure a smooth transition. One group has chosen not to continue operating, noting that this is not due to the potential sale.
5. One of the other main user groups is a commercial dance studio that services and supports many local young girls and women to access dance classes for activity and competition. Council can provide a mix of other halls to replace Hawdon Hall, however the times and venue spread remains problematic. Council officers are currently looking at other community facility options in consultation with the dance school and are confident a viable solution can be found.
6. At the 25 September 2023 Ordinary Meeting of Council, Council gave notice of its intention under Section 114 of the *Local Government Act 2020* to potentially sell the Council land by private treaty at 78-80 Hawdon Street, Heidelberg.
7. The purpose of this report is for Council to consider the six separate written submissions received in response to the notice of intention to sell.

### RECOMMENDATION

That Council:

1. Receive and consider six (6) written submissions with regards to the sale of 78-80 Hawdon Street, Heidelberg, 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 11 December 2023 to resolve on the sale of land proposal.

### Resolution (CO2023/210)

That Council:

That Council defer item 3.2 until the 11 December 2023 Council Meeting to enable invitations to be sent to those that provided written submissions to speak to their individual submission.

Moved: Cr Peter Castaldo  
Seconded: Cr Elizabeth Nealy

CARRIED

### 3.3 INSURANCE RENEWAL ANALYSIS 2023/24

**SUMMARY**

1. The purpose of this report is to provide an overview of Banyule City Council's Insurance Renewal Program as recommended by Council's Audit & Risk Committee at its September 2023 meeting.
2. Councils' insurance package increased significantly for 2023/24 and totalled \$4,534,979 up 48.99% from the previous financial year.
3. The most substantial increases where the cost for total Industrial Special Risk (ISR) insurance (+9.38%), WorkCover insurance (+83.17%).
4. The WorkCover insurance premium increase can be attributed to the increase to the WorkCover Scheme premium percentage, industry risk profile percentage in addition to Councils claims.

**RECOMMENDATION**

That Council:

1. Note the change in WorkCover premiums, with notable adjustments to premium calculations, including an increase in the premium percentage of Council's remuneration.
2. Note the increase in Industrial Special Risk insurance costs, which considers Council's claims history, a general hardening of the insurance market, and natural catastrophic weather events.

**Resolution (CO2023/211)**

That Council:

1. Note the change in WorkCover premiums, with notable adjustments to premium calculations, including an increase in the premium percentage of Council's remuneration from 1.2% to 1.80%.
2. Note the significant impact that the premium percentage increase has had on Banyule's WorkCover premium for 2022/2023 being \$1,272,538, an increase of \$332,698 on the previous year and 2023/2024 being \$2,330,892 an increase \$1,058,354.
3. Note the increase in Industrial Special Risk insurance costs, which considers Council's claims history, a general hardening of the insurance market, and natural catastrophic weather events.

Moved: Cr Mark Di Pasquale  
Seconded: Cr Peter Castaldo

CARRIED

**3.4 QUARTERLY FINANCIAL MANAGEMENT REPORT - SEPTEMBER 2023**

**SUMMARY**

1. The Quarterly Financial Management Report for September 2023 is presented in accordance with Section 97 of the *Local Government Act 2020* which requires a comparison of the actual and budgeted results to date and an explanation of any material variations.
2. The Quarterly Financial Management Report is for the period ended 30 September 2023 and provides assessment of the following:
  - o Financial Performance - key income and expenditure actual operating results against budget; includes operating and initiatives projects (refer to the attachment 'Quarterly Financial Management Report').
  - o Capital Works Expenditure – summary of actual spend, budget and forecast. Key projects per ward are provided in the Capital Works project delivery update (attached).
  - 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**

3. The 30 September 2023 full-year forecast is projected to be an operating deficit of \$16.307m compared to the budget deficit of \$16.959m (\$0.652m unfavourable movement).
4. The 2023/24 underlying operating deficit is forecast to be \$7.764m compared to a budgeted underlying deficit result of \$5.716m (\$2.048m unfavourable). The underlying result is determined after adjusting for non-recurrent capital grants and capital contributions.
5. Council's primary focus moving forward is to closely manage the underlying forecast variance through identifying cost savings across operational activities and initiatives and income opportunities.

**Capital Works Performance**

6. As of 30 September 2023, a total of \$7.354m has been spent on capital works (year-to-date budget \$7.022m).
7. Capital works expenditure is forecast to be \$67.685m against the budget of \$68.002m.

**RECOMMENDATION**

That Council note:

1. The Quarterly Financial Management Report for the period 30 September 2023.
2. Council officers are regularly monitoring and restricting discretionary expenditure to maintain financial sustainability.
3. The September 2023 forecast is for Council to deliver an operating deficit of \$16.307m against the adopted budget deficit of \$16.959m for the year ended 30 June 2024.
4. The Adjusted Underlying Operating deficit of \$7.764m is after adjusting for non-recurrent capital grants and capital contributions of \$24.071m.

**Resolution (CO2023/212)**

That Council note:

1. The Quarterly Financial Management Report for the period 30 September 2023.
2. Council officers are regularly monitoring and restricting discretionary expenditure to maintain financial sustainability.
3. The September 2023 forecast is for Council to deliver an operating surplus of \$16.307m against the adopted budget surplus of \$16.959m for the year ended 30 June 2024.
4. The Adjusted Underlying Operating deficit of \$7.764m is after adjusting for non-recurrent capital grants and capital contributions of \$24.071m
5. Request officers to bring back a report on options to reduce legal expenditure at a future Council meeting.

Moved: Cr Elizabeth Nealy

Seconded: Cr Mark Di Pasquale

CARRIED

### 3.5 AUDIT & RISK COMMITTEE MINUTES 22 SEPTEMBER 2023

#### SUMMARY

1. The Audit & Risk Committee acts as 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:
  - (i) The minutes of each meeting of the Audit & Risk Committee are required to be reported to an Ordinary Council Meeting.
  - (ii) The term of the Chairperson shall be resolved on an annual basis.
3. Accordingly, the minutes of the meeting held on the 22 September 2023, are presented in this report for noting by Council.
4. The unconfirmed minutes have been reviewed by the Chairperson and are subject to confirmation by the Audit & Risk Committee at its next meeting scheduled for 8 December 2023.
5. During the September Committee meeting, the Committee resolved to appoint Professor Stuart Kells as Chairperson for a 12-month period concluding 30 September 2024.

#### RECOMMENDATION

That Council:

1. Note the unconfirmed minutes of the Audit & Risk Committee meeting that was held on the 22 September 2023, before presentation to the Audit and Risk Committee for confirmation at its scheduled meeting for 8 December 2023.
2. Note Professor Stuart Kells was elected as Chairperson of the Audit & Risk Committee for a 12-month period concluding, 30 September 2024

#### Resolution (CO2023/213)

That Council:

1. Note the unconfirmed minutes of the Audit & Risk Committee meeting that was held on the 22 September 2023, before presentation to the Audit and Risk Committee for confirmation at its scheduled meeting for 8 December 2023.
2. Note Professor Stuart Kells was elected as Chairperson of the Audit & Risk Committee for a 12-month period concluding, 30 September 2024.

Moved: Cr Elizabeth Nealy

Seconded: Cr Peter Castaldo

CARRIED

### 3.6 CEO EMPLOYMENT & REMUNERATION POLICY & CEO EMPLOYMENT MATTERS TERMS OF REFERENCE REVIEW

#### SUMMARY

1. Council have a CEO Employment Matters Committee which is comprised of all 9 elected Councillors and an Independent Committee Member who is the chairperson.
2. The Committee operates to a CEO Employment and Remuneration Policy (The Policy) (required in accordance with s45 of the Act) and a Terms of Reference (ToR) to guide the committee in discharging its duties.
3. The Policy was adopted by Council on 6 December 2021 and has not since been reviewed.
4. The ToR were first adopted in 2015, revised in September 2017 and last reviewed in August 2020. The Terms of Reference are out of date and require review.
5. At the CEO Employment Matters Committee Meeting on 16 October 2023 the Committee recommended to Council that a review of the Policy and the Committee ToR should be undertaken.
6. The Council ratified this decision at their Meeting on the 30 October 2023.
7. It is important that Council have the ability to review policies, strategies and plans to ensure that they remain contemporary, in line with industry standards and ensure that it meets the principles of good governance and transparency.
8. A range of opportunities for improvement have been noted since the Policy and ToR have been in place, particularly since the implementation of the *Local Government Act 2020* came into force in 2020 where new requirements were imposed on Council in relation to CEO employment matters obligations. The review is timely and appropriate.
9. Due to the structure and layout changes, a clean copy of the Revised Policy is attached at **Attachment 1** to enhance readability and ease of reading and interpretation. The Policy now incorporates an Annexure A – Terms of Reference which aims to replace the separate Terms of Reference. Comments are referenced to demonstrate rationale for key inclusions.
10. A summary of the key changes are captured in **Attachment 2**.
11. The current version of the Policy can be read at **Attachment 3** and the current Terms of Reference can be read at **Attachment 4**. Both show comments on what clauses and wording has been carried across in the Revised Policy & Terms of Reference and what has been disbanded.

#### RECOMMENDATION

That Council:

1. In accordance with section 45 of the *Local Government Act 2020* adopt the CEO Employment and Remuneration Policy and Terms of Reference (Annexure A to the Policy) referred to in **Attachment 1** to the Officer Report.
2. Note that the CEO Employment and Remuneration Policy and Terms of Reference at Annexure A comes into force immediately after the Council resolution

**Resolution (CO2023/214)**

That Council:

1. In accordance with section 45 of the *Local Government Act 2020* adopt the CEO Employment and Remuneration Policy and Terms of Reference (Annexure A to the Policy) referred to in **Attachment 1** to the Officer Report with an amendment to the Policy at clause 10.2 to read '*remuneration will be reviewed on an annual basis, in accordance with the CEO's Performance Plan and contractual requirements, and in accordance with any proposed Chief Executive Officer Employment and Remuneration Framework that is in place*'.
2. Note that the CEO Employment and Remuneration Policy and Terms of Reference at Annexure A comes into force immediately after the Council resolution.

Moved: Cr Alison Champion

Seconded: Cr Mark Di Pasquale

CARRIED

#### 4. OUR INCLUSIVE AND CONNECTED COMMUNITY

##### 4.1 ADVISORY AND POPULATION COMMITTEES REPORT - JULY - OCTOBER 2023

###### SUMMARY

1. Banyule City Council currently has eight (8) Advisory and Population Committees that are made up of Councillors and community members.
2. There are four (4) Advisory committees (Reconciliation Action Plan, Arts & Culture, Environment and Climate Action and Inclusive Banyule) and four (4) Population Committees (Age Friendly, LGBTIQ+, Multicultural, Disability and Inclusion).
3. The four (4) Population Committees and RAP Advisory Committee provide advice to the Inclusive Banyule Advisory Committee.
4. Each Committee has set terms of references (TOR) and meet to discuss relevant issues, provide recommendations to Council on specific matters based on the committee's purpose and objectives, and oversee the implementation of Council's strategic plan for their respective focus.
5. Advisory and population committees provide important linkages between Council, Community, State agencies and interest groups.
6. Following each Advisory Committee meeting, a quarterly report is submitted to Council to note the minutes from the committee meetings held during that previous period (for this period it is 1 August – 25 October 2023) and to draw attention to specific recommendations that each Advisory Committee wishes to bring to the attention of Council.

7. Where there have been actions requested or recommendations made by the committee, officer comments have been provided in the report.
8. Where there may be resource, workforce or project implications recommendations call for a further report to be presented back to Council or to the Committee on the impacts of such.
9. The following minutes are presented to Council for noting and are attached to the body of this report.
  - Inclusive Banyule Advisory Committee – Meeting held on 2 August 2023
  - Reconciliation Action Plan Advisory Committee – Meeting held on 13 September 2023
  - Banyule Arts and Culture Advisory Committee – Meeting held on 3 August 2023
  - Banyule Environment and Climate Action Committee – Meeting held on 14 September 2023
  - Multicultural Committee – Meeting held on 16 August 2023 and 18 October 2023
  - Banyule Disability and Inclusion Committee – Meeting held on 23 August 2023 and 25 October 2025
  - LGBTIQA+ Committee – Meeting held on 10 August 2023 and 5 October 2023
  - Age Friendly Committee – Meeting held on 17 August 2023 and 28 September 2023

## RECOMMENDATION

That Council:

1. Notes the following meeting minutes and reports:
  - Inclusive Banyule Advisory Committee – Meeting held on 2 August 2023
  - Reconciliation Action Plan (RAP) Advisory Committee – Meeting held on 13 September 2023
  - Banyule Arts and Culture Advisory Committee – Meeting held on 3 August 2023
  - Banyule Environment and Climate Action Committee – Meeting held on 14 September 2023
  - Multicultural Committee – Meeting held on 16 August 2023 and 18 October 2023
  - Banyule Disability and Inclusion Committee – Meeting held on 23 August 2023 and 25 October 2025
  - LGBTIQA+ Committee – Meeting held on 10 August 2023 and 5 October 2023
  - Age Friendly Committee – Meeting held on 17 August 2023 and 28 September 2023
2.
  - a. Note the RAP Advisory Committee recommends that Council invests in an MOU with Aboriginal Housing Victoria (AHV).





**Resolution (CO2023/215)**

That Council:

1. Notes the following meeting minutes and reports:
  - Inclusive Banyule Advisory Committee – Meeting held on 2 August 2023
  - Reconciliation Action Plan (RAP) Advisory Committee – Meeting held on 13 September 2023
  - Banyule Arts and Culture Advisory Committee – Meeting held on 3 August 2023
  - Banyule Environment and Climate Action Committee – Meeting held on 14 September 2023
  - Multicultural Committee – Meeting held on 16 August 2023 and 18 October 2023
  - Banyule Disability and Inclusion Committee – Meeting held on 23 August 2023 and 25 October 2025
  - LGBTIQA+ Committee – Meeting held on 10 August 2023 and 5 October 2023
  - Age Friendly Committee – Meeting held on 17 August 2023 and 28 September 2023
2.
  - a. Note the RAP Advisory Committee recommends that Council invests in an MOU with Aboriginal Housing Victoria (AHV).
  - b. In line with recommendation 2a. request that officers prepare a report that considers Council investment in an MOU with Aboriginal Housing Victoria for Council's consideration at a future Council meeting.
3. Note the unanimous Banyule's Arts and Culture Advisory Committee recommendation to endorse the Creative Banyule: Draft Arts and Culture Strategy 2023-2031 for public exhibition. Noting that the Draft Strategy was endorsed for public consultation by Council on 28 August 2023.
4.
  - a. Note the Disability and Inclusion Committee recommendation for Council to take a strong stance against the presence of gambling venues and outlets in Banyule and consider adopting a stronger advocacy campaign that aims to eliminate EGMs and other gambling activities in Banyule.
  - b. In line with recommendation 4a. note Officers have invited Disability and Inclusion Committee members to share additional feedback on the draft Gambling Policy via Shaping Banyule and encouraged attendance at the Gambling Community Workshop on the 15<sup>th</sup> November 2023.
  - c. Note that in 2024, as Officers develop an action plan to operationalise the Policy, the Disability and Inclusion Committee will be invited to provide further advice on addressing gambling harm to Council.

5.
  - a. Note the LGBTIQA+ recommendation that Council reads the Fuelling Hate Report and receives a summary of key points and recommendations on how to address local abuse, harassment, vilification and violence issues for Councillors' consideration.
  - b. In line with recommendation 5a, note that officers will summarise the Fuelling Hate Report and provide an update to Councillors for their consideration via a Councillor Briefing Paper.
  - c. Note the LGBTIQA+ Committee recommends Council raise the Progress Pride Flag, that is inclusive of the intersex symbol, at Council offices located at 1 Flintoff Street Greensborough and the Ivanhoe Town Hall located at 275 Upper Heidelberg Road Ivanhoe every day of the year.
  - d. In line with recommendation 5c notes that officers will prepare a report for submission to a future Council meeting regarding all Council flag raising on specific days of significance for adoption.
  - e. Notes the correction to the 5 October 2023 LGBTIQA+ Committee minutes that Cr Champion chaired the meeting from 5.30pm-7pm and Cr Castaldo chaired the remainder of the meeting from 7pm-7.25pm and the minutes available on Council's website will be updated to reflect this change
6.
  - a. Note the Age Friendly Committee recommendation for Council to note the importance of residential age care facilities existing in local communities to allow people to age in place.
  - b. Note the Age Friendly Committee would like to thank Council for the honorarium gift offered to committee members.

Moved: Cr Alison Champion  
Seconded: Cr Peter Castaldo

CARRIED

#### **4.2 CREATIVE BANYULE: PROPOSED ARTS AND CULTURE STRATEGY 2023 - 2031**

##### **SUMMARY**

1. The purpose of this report is to seek Council's adoption of the Creative Banyule: Arts and Culture Strategy 2023-2031 (Creative Banyule) (the Strategy).
2. Creative Banyule sets out a vision and strategic framework for supporting and growing arts and cultural activity in Banyule into the next decade.
3. Linked directly to the Community Vision 2041 and Council Plan, it aims to put structure around the growth in profile, output and community benefit that arts and culture has

enjoyed in Banyule over recent years, as well as direct Council's approach to building on this growth.

4. It recommends five (5) strategic priority focus areas:
  - Foster a sustainable and thriving creative sector
  - Enhance social connection, health and wellbeing
  - Celebrate First Nations culture
  - Create equitable participation in arts and cultural experiences
  - Realise the creative potential of Banyule's spaces and places
5. An action plan will be developed, evaluated, and adapted each year, in place of a whole-of-strategy action plan, to maximise effectiveness and opportunities.
6. The draft Strategy was developed following multiple workshops with the Banyule Arts and Culture Advisory Committee, the Reconciliation Action Plan Committee and a community engagement program including focus groups, workshops, and surveys, with 141 community members participating.
7. Public exhibition of the draft Strategy ran for a period of four (4) weeks, with campaigns reaching more than 10,000 people through Facebook promotion and email subscriptions. 18 community members completed an online survey, with 89% of respondents either fully or partially supporting the draft Strategy.
8. Attached to this Officer Report is the Proposed Creative Banyule Arts and Culture Strategy 2023 – 2031 and the Year 1 Action Plan for Council's consideration.

## RECOMMENDATION

That Council:

1. Acknowledge the assistance provided by the Banyule Arts and Culture Advisory Committee in developing the Creative Banyule: Arts and Culture Strategy 2023 – 2031 and their recommendation that Council adopt the Strategy.
2. Adopt the proposed Creative Banyule: Arts and Culture Strategy 2023 – 2031 (**Attachment 1**) and Year 1 Action Plan (**Attachment 2**) as attached to this Officer Report.
3. Receive an annual report in mid-2025 with an update regarding year one (1) achievements of the Creative Banyule: Arts and Culture Strategy 2023 – 2031.

## Resolution (CO2023/216)

That Council:

1. Acknowledge the assistance provided by the Banyule Arts and Culture Advisory Committee in developing the Creative Banyule: Arts and Culture Strategy 2023 – 2031 and their recommendation that Council adopt the Strategy.
2. Adopt the proposed Creative Banyule: Arts and Culture Strategy 2023 – 2031 (**Attachment 1**) and Year 1 Action Plan (**Attachment 2**) as attached to this Officer Report.
3. Receive an annual report in mid-2025 with an update regarding year one (1) achievements of the Creative Banyule: Arts and Culture Strategy 2023 – 2031.

Moved: Cr Elizabeth Nealy  
Seconded: Cr Peter Castaldo

CARRIED

#### **4.3 OLYMPIC LEISURE CENTRE - REPORT ON PROGRAMMING, VISITATION AND COMMUNITY ENGAGEMENT**

##### **SUMMARY**

1. The purpose of this report is to provide an update on the operations at the Olympic Leisure Centre (OLC) post its re-opening in November 2022 following an 18-month closure for extensive emergency rectification work.
2. This resulted in approximately \$1.5 million being spent on upgrading the pool concourse and stadium which has resulted in a considerable uplift and improvements to the aquatics, gym, and basketball courts.
3. During 2021/22, a co-design community engagement process was undertaken regarding the future of the site which included the re-imagining of the Olympic Leisure Centre and consideration of what it could be into the future.
4. On 6 February 2023, Council received the OLC Community Vision and acknowledged the work and contributions of the Co-design Team in its development.
5. At this meeting Council also resolved to:
  - Continue to analyse viability, opportunities, outcomes, funding strategies and further work that might be required to achieve the aspirations in the Community Vision.
  - Receive an interim report in November 2023 that presents information on visits, programming and engagement at OLC over the 12 months since re-opening, as well as new partnerships, connections or initiatives that have been implemented and that respond to the Community Vision and key principles.
  - Endorse inclusion of the Olympic Leisure Centre as a local level facility within the Draft Banyule Aquatic Strategy to retain a level of aquatics at this site.
  - Receive a further report in late 2024 to report on progress on the feasibility of the OLC Community Vision and designs, as well as a further update on OLC operations, engagement and programming at OLC and the proposed next steps.

##### **RECOMMENDATION**

That Council:

1. Continue with internal analysis and investigation into the feasibility of OLC codesign vision and delivery options for the short and long term that includes:
  - a. Condition audit of existing decommissioned 12m learn to swim pool and corresponding plant equipment.
  - b. Concept design and cost for potential redesign of the 12m learn the swim pool for the purpose of delivering learn to swim and aquatic safety programming.
  - c. Review of OLC operational performance and ongoing maintenance costs.

2. Continue to investigate the community's needs through trialling and testing programming and service offerings, in collaboration with community groups and organisations within Heidelberg West.
3. Receive a future report in late 2024, to formally report on these investigations and analysis as well as community participation and engagement at OLC.

**Resolution (CO2023/217)**

That Council:

1. Continue with internal analysis and investigation into the feasibility of OLC codesign vision and delivery options for the short and long term that includes:
  - a. Condition audit of existing decommissioned 12m learn to swim pool and corresponding plant equipment.
  - b. Concept design and cost for potential redesign of the 12m learn the swim pool for the purpose of delivering learn to swim and aquatic safety programming.
  - c. Review of OLC operational performance and ongoing maintenance costs.
2. Continue to investigate the community's needs through trialling and testing programming and service offerings, in collaboration with community groups and organisations within Heidelberg West.
3. Receive a future report in late 2024, to formally report on these investigations and analysis as well as community participation and engagement at OLC.

Moved: Cr Alida McKern

Seconded: Cr Fiona Mitsinikos

CARRIED

#### **4.4 GREENSBOROUGH BASEBALL CLUB BATTING CAGE - ADDITIONAL FUNDING REQUEST**

**Sharon Fittock** from (Greensborough Baseball Club) addressed Council in person and spoke **FOR** the officer recommendation.

#### **SUMMARY**

1. In 2021/22 Council allocated \$30,000 for the construction of a solid roof to the existing batting cage at Elder Street Reserve, home of Greensborough Baseball Club.
2. On further investigation a structural assessment revealed that the existing cage structure could not safely support a solid roof and an alternate design to deliver a new batting cage would need to be pursued to meet the Club's requirements.
3. The Greensborough Baseball Club secured an additional \$120,000 in the 2022/23 budget through a formal submission to add to the original \$30,000 allocated, increasing the total budget to \$150,000.
4. The initial cost estimate included in the funding submission was based on a similar batting cage installed at Glenauburn Reserve and quotations received by the Club.

5. A new design has been developed to meet sporting association standards and includes minor civil works, drainage improvements, and relocating a light pole to accommodate the new cage. This detailed design has allowed for an accurate cost estimate for construction of this new design, **confidential attachment 1**
6. The current cost estimate for construction of this new design has been confirmed and there is a budget shortfall \$173,000 to complete the project in 2023/24.

### RECOMMENDATION

That Council:

1. Approve the allocation of an additional \$173,000 in the 2023/24 Capital Works Budget, to be sourced from anticipated savings within the 2023/24 Capital Program, to address the budget shortfall for the batting cage project at Elder Street Reserve.

### Resolution (CO2023/218)

That Council:

1. Approve the allocation of an additional \$173,000 in the 2023/24 Capital Works Budget, to be sourced from anticipated savings within the 2023/24 Capital Program, to address the budget shortfall for the batting cage project at Elder Street Reserve.

Moved: Cr Mark Di Pasquale

Seconded: Cr Alison Champion

CARRIED

## 5. OUR SUSTAINABLE ENVIRONMENT

Nil

## 6. OUR WELL-BUILT CITY

### 6.1 NORTH EAST LINK - RING ROAD COMPLETION URBAN DESIGN AND LANDSCAPE PLAN - COUNCIL SUBMISSION

**Michelle Giovias** from **Friends of Banyule** addressed council in person and spoke **FOR** the officer recommendation.

### SUMMARY

1. The North East Link Program (NELP) released the Ring Road Completion Urban Design and Landscape Plan (UDLP) for public exhibition from 9 October 2023 to 29 October 2023.
2. Council sought and was granted an extension for our submission to 21 November 2023.
3. It is acknowledged that significant effort has been put into the design of the northern section of the UDLP by the AMA consortium and NELP. Workshops were also provided to Council and Council Officers to assist in understanding the concept design developed by AMA and how it sought to address the project requirements which were appreciated.

4. It is of concern that NELP do not intend on applying a Gender Impact Assessment (GIA) to its public infrastructure designs as required by the *Gender Equality Act 2020* either as part of the endorsed UDLP or as the designs progress through the design review process. It is noted that Crime Prevention Through Environmental Design (CPTED) principles have been applied.
5. The Watsonia Station carpark (including the proposed multideck carpark) has not been included in this UDLP and will be the subject of a future UDLP process at a date yet to be determined by NELP. This has made a context relevant assessment of the east west connectivity at Watsonia and integration with the project difficult by quarantining important aspects of the design.
6. It is considered that the UDLP has not fully met the requirements of the Urban Design Strategy (UDS).
7. While the Watsonia Road/ Greensborough Road intersection has improved from the reference case, requests for increased land bridge coverage and improved east west walking, cycling, and bus connectivity at Watsonia have not been adequately addressed.
8. The replacement of the required off road cycling connections with on-road cycling connections along both Ibbotson Street in Watsonia and Sellars Street in Watsonia North is considered unacceptable and it is recommended that further work to develop off road connections is undertaken.
9. The removal of the dangerous roundabout at Greensborough Bypass, Civic Drive, and Diamond Creek Road has not been included in the project scope.
10. Council has made a number of further recommendations to improve compliance of the UDLP with the UDS.

## RECOMMENDATION

That Council:

1. Write to the North East Link Project (NELP) to provide this report and attachments as Council's submission to the NEL Ring Road Completion Urban Design and Landscape Plan (UDLP) public exhibition.
2. Provide a copy of Council's submission to the Minister for Transport and Infrastructure, the Minister for Public and Active Transport, and the State Member for Bundoora.
3. Write to the Minister for Transport and Infrastructure, the State Member for Bundoora and the State Member for Eltham to request the upgrade of the Watsonia Train Station and the removal of the dangerous roundabout at Greensborough Bypass, Civic Drive, and Diamond Creek Road.

## Resolution (CO2023/219)

That Council:

1. Write to the North East Link Project (NELP) to provide this report and attachments as Council's submission to the NEL Ring Road Completion Urban Design and Landscape Plan (UDLP) public exhibition.
2. Provide a copy of Council's submission to the Minister for Transport and Infrastructure, the Minister for Public and Active Transport, and the State Member for Bundoora.



3. Write to the Minister for Transport and Infrastructure, the State Member for Bundoora and the State Member for Eltham to request the upgrade of the Watsonia Train Station and the removal of the dangerous roundabout at Greensborough Bypass, Civic Drive, and Diamond Creek Road.

Moved: Cr Mark Di Pasquale

Seconded: Cr Alison Champion

CARRIED

## 6.2 230-232 BANKSIA STREET AND 96 ORIEL ROAD BELLFIELD – BELLFIELD REDEVELOPMENT PRECINCT AMENDMENT (P1616/2021 PT2)

**Billy Rebakis** from **Glenvill Pty Ltd** addressed council in person and spoke **FOR** the officer recommendation.

**Alicia Curry** addressed council in person and spoke **AGAINST** the officer recommendation.

### SUMMARY

1. This amendment application for the Bellfield Redevelopment Precinct follows Council's approval of the amended Development Plan at the 28 August 2023 Council Meeting.
2. The amended proposal seeks approval for 385 dwellings, increased building heights to apartment buildings 1A, 1B and 1C, increase in footprint of building 1A, deletion of the loft apartment building and replacement with additional townhouses, deletion of the central linear park, tree removal, alteration to vehicle access arrangements and further parking reductions.
3. Public notification of the proposed amendments has not been undertaken as the amendment is generally in accordance with the approved amended Development Plan and is exempted under Clause 67.02-2 of the Banyule Planning Scheme.
4. The amendment is considered to continue to meet the objectives and directions of both the Urban Design Guidelines (UDG) and Development Plan Overlay – Schedule 8 (DPO8), in addition to applicable ResCode objectives.
5. It is recommended that the amendment be approved subject to conditions to address parking reductions and improve landscaping and the overall urban design response.

### RECOMMENDATION

That Council having complied with Section 52, 58, 60, 61 and 62 of the *Planning and Environment Act 1987*, resolves to issue an amended **Planning Permit** in respect of Application No. P1616/2021 for 'Buildings and works for a staged mixed-use development incorporating the construction of 385 dwellings and alterations of access to a Transport Zone 2, use of the land for a shop or food & drink premises, and the reduction of car parking requirements' at 230 & 232 Banksia Street BELLFIELD and 96 Oriel Road BELLFIELD subject to the following amendments:

1. Changes to the plans prepared by Rothe Lowman, submitted 1 November 2023 and including:
  - A maximum of 385 dwellings

- Increased building heights to six storeys (Building 1B) and five (5) storeys (Buildings 1A and 1C)
  - Deletion of the four (4) storey loft apartment building and replacement with three (3) four (4) storey townhouses
  - Deletion of the central linear park
  - Removal of tree #55 *Eucalyptus scoparia*
  - Alteration to vehicle access arrangements
  - 29 space parking reduction
2. Amend the permit preamble to refer to '385 dwellings'
  3. Delete conditions 1(a), 10, 25 and 26
  4. Amend conditions 1(j), 2(d), 9, 16 and 23
  5. Renumbering of existing conditions 24 – 48
  6. Addition of new conditions 1(x) (y) (z) (aa) (bb) (cc) (dd) (ee), 11 (h) (i) (j), 19(d), 24

Condition 1(x)

Provision of two (2) share car spaces and six (6) additional allocated spaces within the basement carpark, at no loss to the existing number of spaces.

Condition 1(y)

Splaying of the pedestrian link footpath at Daphne Crescent.

Condition 1(z)

Width of the pedestrian link footpath increased to 3m.

Condition 1(aa)

Provision for and details of a sculpture or landscape feature the mark the entrance to the pedestrian link footpath at Daphne Crescent.

Condition 1(bb)

Enhanced wayfinding and pedestrian connectivity to central banks of townhouses in Stages 2 and 3 through variations in pavement treatment and/or signage.

Condition 1(cc)

Exposed side elevations to Stage 2 and 3 townhouses to incorporate greater visual interest and articulation through variations in materials, architectural expression and/or colours.

Condition 1(dd)

Extended use of brick material to external ground floor walls of Stage 2 and 3 townhouses

Condition 1(ee)

Alterations to fenestration of Stage 2 and 3 townhouses to avoid excessive repetition of window placement and shrouding.

Condition 11(h)

Planting to pergolas to Stage 2 and 3 townhouses facing Banksia Street and Perkins Avenue.

Condition 11(i)

Details of planting between garages to Stage 2 and 3 townhouses, to incorporate a mix of species.

Condition 11(j)

Details of understorey planting around Tree #18 and its reserve.

Condition 19(d)

The owner acknowledge that the two (2) share care spaces must always function as share car spaces to the satisfaction of the Responsible Authority

Condition 23

Unless with the further written consent of the responsible authority, prior to the commencement of the development, plans must be prepared by a suitability qualified person and in consultation with Banyule City Council's Transport and Development Department and submitted to and approved by the Responsible Authority. The plans must include:

- Construction details for the footpath on the western side of Daphne Crescent. Civil works plans required to be submitted and approved and deliver by the owner of the land.
- The provision of four (4) indented car parking spaces along the eastern side of Daphne Crescent. Functional layout plans to be provided.
- The provision of one wombat pedestrian crossing along Daphne Crescent, in vicinity of the central pedestrian link, either north or south of the Bellfield Community Hub carpark. Functional layout plans to be provided.

Condition 24

The civil works associated with the provision of four (4) intended parking spaces along Daphne Crescent and one (1) wombat pedestrian crossing to Daphne Crescent required by Condition 23 will be paid for by the owner of the land at 230 and 232 Banksia Street and 96 Oriel Road BELLFIELD to the satisfaction of the Responsible Authority.

**Resolution (CO2023/220)**

That Council having complied with Section 52, 58, 60, 61 and 62 of the *Planning and Environment Act 1987*, resolves to issue an amended **Planning Permit** in respect of Application No. P1616/2021 for 'Buildings and works for a staged mixed-use development incorporating the construction of 385 dwellings and alterations of access to a Transport Zone 2, use of the land for a shop or food & drink premises, and the reduction of car parking requirements' at 230 & 232 Banksia Street BELLFIELD and 96 Oriel Road BELLFIELD subject to the following amendments:

1. Changes to the plans prepared by Rothe Lowman, submitted 1 November 2023 and including:
  - A maximum of 385 dwellings
  - Increased building heights to six storeys (Building 1B) and five (5) storeys (Buildings 1A and 1C)
  - Deletion of the four (4) storey loft apartment building and replacement with three (3) four (4) storey townhouses
  - Deletion of the central linear park
  - Removal of tree #55 *Eucalyptus scoparia*
  - Alteration to vehicle access arrangements
  - 29 space parking reduction
2. Amend the permit preamble to refer to '385 dwellings'
3. Delete conditions 1(a), 10, 25 and 26
4. Amend conditions 1(j), 2(d), 9, 16 and 23
5. Renumbering of existing conditions 24 – 48
6. Addition of new conditions 1(x) (y) (z) (aa) (bb) (cc) (dd) (ee), 11 (h) (i) (j), 19(d), 24

Condition 1(x)

Provision of two (2) share car spaces and six (6) additional allocated spaces within the basement carpark, at no loss to the existing number of spaces.

Condition 1(y)

Splaying of the pedestrian link footpath at Daphne Crescent.

Condition 1(z)

Width of the pedestrian link footpath increased to 3m.

Condition 1(aa)

Provision for and details of a sculpture or landscape feature to mark the entrance to the pedestrian link footpath at Daphne Crescent.

Condition 1(bb)

Enhanced wayfinding and pedestrian connectivity to central banks of townhouses in Stages 2 and 3 through variations in pavement treatment and/or signage.

Condition 1(cc)

Exposed side elevations to Stage 2 and 3 townhouses to incorporate greater visual interest and articulation through variations in materials, architectural expression and/or colours.

Condition 1(dd)

Extended use of brick material to external ground floor walls of Stage 2 and 3 townhouses

Condition 1(ee)

Alterations to fenestration of Stage 2 and 3 townhouses to avoid excessive repetition of window placement and shrouding.

Condition 11(h)

Planting to pergolas to Stage 2 and 3 townhouses facing Banksia Street and Perkins Avenue.

Condition 11(i)

Details of planting between garages to Stage 2 and 3 townhouses, to incorporate a mix of species.

Condition 11(j)

Details of understorey planting around Tree #18 and its reserve.

Condition 19(d)

The owner acknowledge that the two (2) share care spaces must always function as share car spaces to the satisfaction of the Responsible Authority

Condition 23

Unless with the further written consent of the responsible authority, prior to the commencement of the development, plans must be prepared by a suitability qualified person and in consultation with Banyule City Council's Transport and Development Department and submitted to and approved by the Responsible Authority. The plans must include:

- Construction details for the footpath on the western side of Daphne Crescent. Civil works plans required to be submitted and approved and deliver by the owner of the land.
- The provision of four (4) indented car parking spaces along the eastern side of Daphne Crescent. Functional layout plans to be provided.

- The provision of one wombat pedestrian crossing along Daphne Crescent, in vicinity of the central pedestrian link, either north or south of the Bellfield Community Hub carpark. Functional layout plans to be provided.

#### Condition 24

The civil works associated with the provision of four (4) intended parking spaces along Daphne Crescent and one (1) wombat pedestrian crossing to Daphne Crescent required by Condition 23 will be paid for by the owner of the land at 230 and 232 Banksia Street and 96 Oriel Road BELLFIELD to the satisfaction of the Responsible Authority.

Moved: Cr Mark Di Pasquale

Seconded: Cr Alison Champion

CARRIED

Cr McKern called for a Division:

FOR: Cr Mark Di Pasquale, Cr Tom Melican, Cr Peter Castaldo, Cr Alison Champion, Cr Elizabeth Nealy, Cr Fiona Mitsinikos

AGAINST: Cr Alida McKern

The Chairperson declared the motion CARRIED

### 6.3 IVANHOE GRAMMAR SCHOOL DEVELOPMENT PLAN

**Alice Maloney** addressed Council in person and spoke **FOR** the officer recommendation.

**Helen Frost** addressed Council in person and spoke **AGAINST** the recommendation.

**Zoran Trimcevski** provided a written statement which was read by **Marc Giglio** Director of Corporate Services and was **AGAINST** the officer recommendation.

*Cr Alison Champion left the chamber at 8.34pm returning at 8.36pm and was present for the vote.*

#### SUMMARY

1. Ivanhoe Grammar School has submitted a new Development Plan (**Attachment 1**) to Council to replace the existing Ivanhoe Grammar School Development Plan.
2. The proposed Development Plan identifies new buildings and extensions to existing buildings, proposes new hours of operation of the sport facilities and swimming pool, proposes new vehicle access hours to carparks, and provides a new landscape plan which identifies trees for potential removal.
3. The proposed Development Plan does not seek to increase the number of students or staff members or public access to the site.
4. Public consultation occurred from 4 July 2023 to 11 August 2023 and included a public information session.

5. An additional consultation meeting between submitters and the proponent was held on 14 September 2023.
6. Officer assessment of the proposed Development Plan finds that it meets the conditions of the DPO4 and is, in general, a suitable planning response for the site and context.
7. However, in response to submissions and officer assessment, a number of changes to the proposed Development Plan are recommended, as outlined in **Table 1** of this report.

## RECOMMENDATION

That Council:

1. Resolves that the amended Development Plan for the Ivanhoe Grammar School at 41 The Ridgeway, Ivanhoe be endorsed, subject to amendments in accordance with **Table 1** that is attached to this report.
2. Notify submitters of Council's Resolution.

### Resolution (CO2023/221)

That Council:

1. Resolves that the amended Development Plan for the Ivanhoe Grammar School at 41 The Ridgeway, Ivanhoe be endorsed, subject to amendments in accordance with **Table 1** that is attached to this report with the following further amendments;
  - a) Vehicle access from Elphin and Fairy Street being limited to staff access only, with all student and visitor vehicle access to be from Russell Street;
  - b) b. IGS to manage opening and closing of the pedestrian gates on Fairy Street commensurate with the requirement for no private vehicle drop off/pick up in Fairy Street;
  - c) c. Use of the Swimming Pool opening hours no earlier than 6am Monday to Friday and consequential change to vehicle access hours; and
  - d) d. The provision of a staggered setback to the upper levels (top 5.4m minimum) of the Senior Building to reduce its visual bulk.
2. Representatives continue negotiations with Ivanhoe Grammar School representatives with regards to community access to the pedestrian footpath connecting Merton Street to Russell Street (Central Pathway).
3. Be provided with a report to a future Council Meeting with an update in relation to the discussion in point 2 within 12 months.
4. Notify submitters of Council's Resolution.

Moved: Cr Alida McKern  
Seconded: Cr Peter Castaldo

CARRIED

## 6.4 DRAFT BANYULE PUBLIC REALM STRATEGY

### SUMMARY

1. The public realm refers to spaces and places that are publicly owned and managed, and publicly accessible, and includes parks, civic areas, pedestrian links, paths, streets, trails, sports ovals, and areas around public transport.
2. The scope and complexity of Council's public realm responsibilities requires an innovative approach that provides a strong strategic direction and embeds design excellence and industry best-practice. Such an approach will enable Council to reshape how Banyule delivers better quality, activated and sustainable spaces for our community in an integrated and cost-efficient way.
3. In response to this need, a draft Banyule Public Realm Strategy (the Strategy) has been prepared to coordinate a place-based and typological approach to public realm responsibilities of Council.
4. It provides the overarching strategic plan that establishes the 10-year vision, objectives, guiding and design principles and design elements, across Banyule's broadly defined public realm areas.
5. A draft (**Attachment 1**) has now been prepared for community and key stakeholder engagement.
6. The consultation period will run from 21 November 2023 to 21 January 2024 and include information sessions in early December 2023 and an online survey.

### RECOMMENDATION

That Council:

1. Endorse the draft Banyule Public Realm Strategy for community engagement from the 21 November 2023 to 21 January 2024.
2. Note that following community consultation and officer assessment the proposed Banyule Public Realm Strategy will be presented to Council at a future Council meeting.

### Resolution (CO2023/222)

That Council:

1. Endorse the draft Banyule Public Realm Strategy for community engagement from the 21 November 2023 to the end of February 2024 and to include consultation with all Councils Advisory & Population Committees.
2. Notes that consideration will be given in the development of the Proposed Banyule Public Realm Strategy to the following items:
  - a) Monitoring and evaluating procedures
  - b) The performance of public spaces, including evaluation methods and assessment criteria
  - c) The development of a data base for performance information which is used to inform design and management briefs for public spaces



- d) Post project completion, to document and measure the outcomes of each project in relation to the brief and the Council endorsed plans
3. Note that following community consultation and officer assessment the proposed Banyule Public Realm Strategy will be presented to Council at a future Council meeting.

Moved: Cr Alida McKern

Seconded: Cr Elizabeth Nealy

CARRIED

## 7. OUR VALUED COMMUNITY ASSETS AND FACILITIES

### 7.1 7 WELLINGTON STREET MONTMORENCY COMMUNITY HUB EXPRESSION OF INTEREST OUTCOME

**Michelle Giovias** addressed Council in person and spoke **FOR** the officer recommendation.

#### SUMMARY

1. In August 2023 Council resolved to endorse an Expression of Interest (EOI) process for a not-for-profit provider to operate a Community Hub at 7 Wellington Street Montmorency.
2. One (1) EOI submission was received from Greenhills Neighbourhood House which included a clear vision and proposal for the operation of the proposed site.
3. A formal interview was conducted and Greenhills Neighbourhood House has been recommended as the preferred provider.
4. It is proposed that operational funding support of \$36,470 (pro rata for 2023) be paid to Greenhills Neighbourhood House in the operation of the Montmorency site in line with the Neighbourhood House Partnership Framework upon commencement.
5. Some modifications and improvements are required at the property to ensure it is accessible and compliant as a community centre.
6. Pending the outcome of Council's decision on the successful provider for the Community Hub at 7 Wellington Street, Council will work with Greenhills Neighbourhood House and the selected architect to scope this design and costs.
7. This will then be presented via an officer report to a future Council meeting.

#### RECOMMENDATION

That Council:

1. Endorses Greenhills Neighbourhood House (the respondent) as the successful provider to manage the facility known as 7 Wellington Street, Montmorency as a community hub.
2. Allocates funding of \$36,470 (pro rata for 2023/24) plus CPI annually to support the management of a community hub at 7 Wellington Street, Montmorency.
3. Notes that the pro rata funding for the 23/24 financial year will be found within the existing operational budget for this financial year.

4. Refers the additional budget allocation of \$36,470 plus the CPI increase for 2024/25 and 2025/26 financial years to the 2024/25 budget process.
5. Endorses the signing of the Funding Agreement with Greenhills Neighbourhood House for the facility known as 7 Wellington Street Montmorency.
6. Notes that modifications and improvements are required to the site located at 7 Wellington Street, Montmorency to make the site compliant and that a future report will be presented to Council with the scope and costings.
7. Endorses any other associated documents in line with all current Neighbourhood House Lease Agreements until 30 June 2026.

**Resolution (CO2023/223)**

That Council:

1. Endorses Greenhills Neighbourhood House (the respondent) as the successful provider to manage the facility known as 7 Wellington Street, Montmorency as a community hub.
2. Allocates funding of \$36,470 (pro rata for 2023/24) plus CPI annually to support the management of a community hub at 7 Wellington Street, Montmorency.
3. Notes that the pro rata funding for the 23/24 financial year will be found within the existing operational budget for this financial year.
4. Refers the additional budget allocation of \$36,470 plus the CPI increase for 2024/25 and 2025/26 financial years to the 2024/25 budget process.
5. Endorses the signing of the Funding Agreement with Greenhills Neighbourhood House for the facility known as 7 Wellington Street Montmorency.
6. Notes that modifications and improvements are required to the site located at 7 Wellington Street, Montmorency to make the site compliant and that a future report will be presented to Council with the scope and costings.
7. Endorses any other associated documents in line with all current Neighbourhood House Lease Agreements until 30 June 2026.

Moved: Cr Alison Champion

Seconded: Cr Elizabeth Nealy

CARRIED

**7.2 RESPONSE TO COMMUNITY INFRASTRUCTURE OPPORTUNITIES AT PUBLIC SCHOOLS NOTICE OF MOTION****SUMMARY**

1. This report has been prepared in response to a Notice of Motion raised by Councillor Garotti that was resolved by Council on 25 September 2023.

The Notice of Motion is detailed below:

Request that a report be presented back to Council providing information regarding:

- a) Current opportunities that exist to meet community infrastructure needs with facility upgrades at Banyule's public secondary and primary schools, detailing type of infrastructure opportunities, upgrade and redevelopment costs and community and school benefits achieved through investment.
  - b) Advocacy opportunities for future State Government budgets for these facility upgrades with a shared funding model between both State Government and Banyule Council.
  - c) A proposed program of works that could be considered within future budgets with a consideration of seeding funding from Banyule Council to stimulate State Government investment opportunities, over several years.
2. The Department of Education through the Victorian School Building Authority strategically supports schools to develop partnerships that support the construction, upgrade and ongoing management of facilities such as indoor sports stadiums, sporting grounds and theatres for both student and community use.
  3. Banyule Council has existing examples of Community Joint Use Agreements with public schools where shared investment and use is facilitating positive outcomes for Banyule sporting clubs with access to sports facilities.
  4. Council's Community Infrastructure Plan has a focus on maximising use, accessibility and performance of existing infrastructure and also identifies community infrastructure opportunities, needs and gaps over a 10-year period. It also highlights Council's role as "Partner".
  5. The Community Infrastructure Planning process has identified two (2) significant community infrastructure opportunities at Banyule public secondary schools that have potential to meet the identified needs and provide long term benefits to the local community: These are:
    - o The revitalisation of the Banyule Theatre Complex in Heidelberg to support community-based performing arts and culture activities.
    - o The development of a competition grade indoor sports stadium with two multi-use courts at Viewbank Secondary College to support demand for after hours and weekend basketball facilities from Banyule based youth clubs.
  6. The Education Department has indicated a willingness to have ongoing discussions about long term plans and future opportunities for construction and development projects at Banyule public schools and how they might best support our identified community infrastructure needs and gaps and vice versa.
  7. More comprehensive investigation and meaningful discussion with the Education Department and individual public schools is required to further flesh out and explore future potential partnership opportunities.
  8. These discussions and analysis will be presented back to Council to enable further insights into what the future partnership opportunities might be, how they respond to needs and initiatives of Council and public schools and what options there are in the longer term for collaboration, joint investment or advocacy.

## **RECOMMENDATION**

That Council:

1. Notes that Council's Community Infrastructure Plan identifies two (2) current public-school projects that respond to unmet community needs and infrastructure gaps and these can be considered for advocacy and further investigation for funding contribution in the short term.
2. Note that these two (2) projects are the Banyule Theatre re-instatement and Viewbank College Sports Stadium construction.
3. Notes further investigation is required with the Education Department and individual school stakeholders to produce a more detailed report with a proposed program of potential works and opportunities for the longer term that can deliver school and community benefits and support future needs.
4. Notes that strategic partnerships with State Government for community infrastructure are developed and prioritised to respond to unmet community needs and community infrastructure gaps and this remain the priority in considering future opportunities.
5. Request an additional report to be presented to Council by March 2024 that outlines:
  - a. Outcomes of Officer discussion with each secondary and public school regarding the potential community infrastructure opportunities and interest and capacity in collaboration, joint investment or advocacy.
  - b. Information on any confirmed Department of Education Victorian School Building Authority projects that will be receiving future funding to assist with identifying potential projects.
  - c. Identification of any other funding opportunities that may support realisation of the future infrastructure opportunities with public schools.

**Resolution (CO2023/224)**

That Council:

1. Notes that Council's Community Infrastructure Plan identifies two (2) current public-school projects that respond to unmet community needs and infrastructure gaps and these can be considered for advocacy and further investigation for funding contribution in the short term.
2. Note that these two (2) projects are the Banyule Theatre re-instatement and Viewbank College Sports Stadium construction.
3. Notes further investigation is required with the Education Department and individual school stakeholders to produce a more detailed report with a proposed program of potential works and opportunities for the longer term that can deliver school and community benefits and support future needs.
4. Notes that partnerships with non-government schools will also be explored where there is an identified community need and community infrastructure gap.
5. Notes that strategic partnerships with State Government for community infrastructure are developed and prioritised to respond to unmet community needs and community infrastructure gaps and this remain the priority in considering future opportunities.
6. Request an additional report to be presented to Council by March 2024 that outlines:

- a. Outcomes of Officer discussion with each secondary and public school regarding the potential community infrastructure opportunities and interest and capacity in collaboration, joint investment or advocacy.
- b. Information on any confirmed Department of Education Victorian School Building Authority projects that will be receiving future funding to assist with identifying potential projects.
- c. Identification of any other funding opportunities that may support realisation of the future infrastructure opportunities with public schools.

Moved: Cr Peter Castaldo  
Seconded: Cr Alida McKern

CARRIED

## 8. OUR THRIVING LOCAL ECONOMY

Nil

## 9. NOTICES OF MOTION

Nil

## 10. GENERAL BUSINESS

### Condolence motion– Mr John Walkley

Cr Alida McKern reflected on the passing of Ivanhoe Resident John Walkley extending Council's condolence and sympathy to John's wife Bronwyn and family.

Cr McKern described John as a passionate and hardworking advocate for the local communities of both Eaglemont and Ivanhoe. John was president of Eaglemont Stationers and Friends of Eaglemont Village.

Cr Mckern shared with the Council that John inspired members of the community through his dedication to supporting Eaglemont Village, published a weekly newsletter circulated to over 180 residents and led by example, advocating for causes in southern Banyule.

John participated in working bees including , planting new plants many of which he propagated from seeds and cuttings, and led a team of volunteers who met once a month at Ryder Cheshire Homes in Ivanhoe.

Cr McKern reflected that John's energy and passion for the Village, for Ivanhoe and Banyule and its community and environment have inspired many to become involved.

### Acknowledgement of the newly elected Mayor and Deputy Mayor

Cr Peter Castaldo congratulated the new Mayor Cr Tom Melican and the new Deputy Mayor Cr. Rick Garotti and wished them well for the next 12 months.

### Ivanhoe Park Croquet Club – 100 Year Celebration

Cr Peter Castaldo reflected on Ivanhoe Park Croquet Club's weekend event celebrating 110 years . The Club celebrated with over 60 active members many of who participated on the day and made everyone feel very welcome.

### Sustainable Macleod - Clean Energy Expo - Sunday 19 November

Cr Peter Castaldo congratulated Sustainable Macleod who hosted a Clean energy Expo on Sunday 19 November.

**Malahang Festival- Sunday 12 November 2023**

Cr Castaldo reflected on Malahang Festival which was held on Sunday 12 November 2023, following Youthfest in September and marks the beginning of Banyule's major events for the season.

Over 3500 locals enjoyed stalls, workshops and performances from many key community groups in Banyule such as Greenhills Neighbourhood House, charities 3081 Hope and 3081 Angels, Banyule Community Health, Diamond Valley Learning Centre, Farm Raiser, YMCA, Banyule Neighbourhood Watch, Heidelberg Allstars, Whistle and Trick children's band, Barrbunin Beek's First Nations Calisthenics Club, Tai Chi group, and local schools St Pius Primary School Choir, Viewbank College bands and Bundoora Primary School performances.

A well-received highlight was the popular First Nations performers 'The Murrundaya Yepengna Dancers' who also performed at the Lantern Festival earlier this year.

Also popular were the circus tent and workshops, reptile talks and displays, the Scouts climbing activities and the fairy tent. All food vendors sold out and the Barrbunin Beek BBQ sold 550 sausages throughout the day.

Visitors came from across the municipality with those surveyed listing Greensborough, Heidelberg and Heidelberg West, Ivanhoe, Macleod, Rosanna, Viewbank, Watsonia, and Preston, Doncaster and Eltham.

**The Institution of the Reverend Yvette Daniel as Vicar of St Margaret's Anglican Church, Eltham – 16 November 2023**

On Thursday 16<sup>th</sup> November 2023 Cr. Alison Champion attended the service of the Institution of the Reverend Yvette Daniel as Vicar of St Margaret's Anglican Church, Eltham (as directed by the Archbishop).

The newly appointed Reverend hails from Newcastle-Upon-Tyne in the UK and comes highly recommended by her career mentors in Newcastle and the St Margaret's Community is very excited to welcome their new Vicar.

The service was taken by The Right Reverend Brad Billings, Bishop of the Oodthenong Episcopate, assisted by Church Wardens and Parish Councillors.

**Montmorency Rockabilly Car Show – 19 November 2023**

On Sunday 19<sup>th</sup> of November 2023 Cr. Alison Champion attended the Montmorency Rockabilly Car Show, a fun event displaying cars from across the last 100 years.

Cr Champion detailed past features such as bench seats, right hand drives, white wall tyres polished timber dashboards, and venetian blinds along with a list of absent modern features including air conditioning, CD players, computer chips and seatbelts.

The event featured cars such as the 1970s Punch Buggy and Dillinger Dodge, along with some Rock and Roll dancing and overall was a great family and community event.

**Beale Ward Banyule Resident Kerry Longmuir**

Cr Elizabeth Nearly Acknowledged a Beale Ward Banyule Resident – Kerry Longmuir

On the 14<sup>th</sup> November 2023 Kerryn attended the Victorian award ceremony for Australian of the Year 2024, in the category Local Hero of the Year 2024. As one of four finalists, from a field of 3000+ Victorians who were nominated for the 4 categories, although not the winner one of the judges approached her and advised that they all felt a category should be created

just for her The biography that the Australian of the Year committee wrote about Kerryn is as follows;

*"Kerryn Longmuir and her husband Stephen have provided care and love for more than 400 children over the last 39 years. Kerryn is the proud foster mum of babies, children, teenagers in need - regardless of background, disability, race, religion and gender. Kerryn, who has two biological adult children was inspired to become a carer after reading a flyer about fostering at a local community fair. After the first experience was a success she continued - sometimes looking after up to seven children at a time.*

*The couple has continued to foster children even after Stephen was badly injured in a work accident a decade ago. Now in her 70s, Kerryn's days can include nursing babies through drug withdrawal, doing school drop-offs and taking kids to sports and community events. Some children only stay for a night, while others have stayed for their entire childhoods. Many still come back to visit."*

Whilst Cr Nearly had not met Kerryn as a local resident she was alerted to the nomination by resident Anne Marshall who added her own observations;

*'Kerry and Steven have never discriminated against any child or family for any reason, they are a shining beacon of light in our community, of inclusive care, love and integrity with grinding hard work!' How many people will we ever meet in our lives who have directly influenced, loved and nurtured over 400 children, their families and our community. They inspire us all with their lovely down to earth attitude, kindness and optimism. I feel so strongly especially at the moment in this grim time of war overseas, that people like the Longmuirs should be acknowledged and commended publicly by our community. Not only because of all they have done and do and that was acknowledged at the Australian of the Year awards ceremony but also because I think so many people like me are inspired to try a bit harder because there are heroes like them in our world.'*

Cr Nearly acknowledged the amazing contributions the Longmuirs have made. This was further acknowledged by Cr Alison Champion who agreed the community is very blessed to have them and acknowledged the amazing support that they provide to children and infants.

### **Immersion Therapy – 10 November 2023**

On Friday 10th November 2023 Mayor Cr Tom Melican attended the launch of the Immersion Therapy Program at WaterMarc.

A partnership between Belgravia Leisure and Determined2, the Immersion Therapy program offers freedom of movement within a weightless underwater environment using SCUBA equipment.

Underwater, participants with a wide variety of disabilities and injuries who find it difficult to walk on land can walk, swim and even dance, with participants (aged anywhere from ten upwards) reporting improved movement, reduced pain and enhanced mental and social health after their sessions.

The program originated in Adelaide where it has benefited people living with autism, anxiety, depression, MS, spinal cord injuries, amputations, soft tissue injuries and a range of other conditions.

It is now expanding into other states and WaterMarc has been selected as the first site to introduce it, which is such a great opportunity for the Banyule Community.

### **Local Resident Mr Kelvin Chamier- 96 Birthday Celebration**

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Mayor Cr Tom Melican congratulated Kelvin Chamier, a local resident celebrating his 96th birthday. To mark the occasion the Banyule Bicycle User Group (Banyule Bug) organised a 15km ride from Heidelberg to Mont Albert for cake and coffee and Kelvin joined the group for the ride home.

Kelvin having taken up ridding from the age of 80, still participates frequently with the group. Mayor Cr Melican concluded Kelvin was a living example of the adage 'you don't stop riding when you get old, you get old when you stop ridding'. Happy birthday and Congratulations to Kelvin Chamier.

## PUBLIC QUESTION TIME

#1	<p><b>Name and Details</b> Rowan Harrison Eaglemont Neighbourhood Conservation Association Inc</p>
	<p><b>Chapter 3, Division 15, Rule 68 - Governance Rules</b> This question is allowed in accordance with Chapter 3 of the Governance Rules.</p>
	<p><b>Background Information</b></p>
	<p><b>Question</b> Can Banyule please advise how our members will be affected under the new State Government 'Granny Flat' regulations when they reside under the following covenant/overlays?  <ul style="list-style-type: none"> <li>- Single dwelling covenant (E.g. Mount Eagle Estate)</li> <li>- Single building covenant (E.g. Glenard Estate)</li> <li>- Heritage Overlay</li> <li>- NRZ 3 Zoning</li> </ul> </p>
	<p><b>Officer Response</b> There are no changes proposed in the State's Housing Reform to the requirement for councils to consider restrictive covenants as part of permit assessments or for owners to have regard to restrictive covenants that apply to their land.</p> <p>The permit exemption to 'construct one dependent person's unit on a lot' applies to the Neighbourhood Residential (Schedule 3) Zone, however, the exemption has not been included in the Heritage Overlay.</p> <p><i>Natasha Swan – Director City Development</i></p>

#2	<p><b>Name and Details</b> Anonymous</p>
	<p><b>Chapter 3, Division 15, Rule 68 - Governance Rules</b> This question is allowed in accordance with Chapter 3 of the Governance Rules.</p>
	<p><b>Background Information</b> The answer referred to the Federal Government's amendment to the Australian Citizenship Ceremonies Code that allows Councils to hold citizenship ceremonies in a window 23-29</p>



	<p>January, without being stripped of their rights to hold other citizenship ceremonies. In more detail, the Code states that for Australia Day ceremonies:  <i>'The Government expects local government councils to hold a citizenship ceremony as part of their Australia Day celebrations. Many thousands of Australians have had their citizenship conferred on Australia Day, and many Australians would like to receive their citizenship on our national day, in their community. Councils must hold a ceremony on Australia Day, or the three days prior or the three days after Australia Day.'</i></p> <p>Note the above encouragement the Federal Government provides for Councils to hold citizenship ceremonies actually on Australia Day. This question follows up on the non-specific response provided by Council on the question on Australia Day (Minutes 30 Oct 23).</p> <p>With regards to this last sentence in the Council response, ' Council have not hosted or funded specific Australia Day celebrations previously.....'. It is patently incorrect, as Banyule Council has hosted celebrations and citizenship ceremonies on Australia Day in the past. It needs correction.</p>
	<p><b>Question</b>                  Noting the encouragement in the Federal Government's Australia Day Citizenship Code, for Councils to hold citizenship ceremonies actually on Australia Day (26 January); why has Banyule Council not planned to conduct Citizenship Ceremonies on that day in 2024, and indeed, future years?</p>
	<p><b>Officer Response</b>  <i>Council's stance has always been to follow and abide by the Citizenship Code whilst understanding the views and considerations of our First Nations People and that no further celebratory events were scheduled on this date.</i></p> <p><i>The decision to not hold the January 2024 Citizenship Ceremony on 26 January 2024 was determined based on a range of variables The first being that there it is no longer a requirement under the Citizenship Code to do so and holding it three days prior or three days after is in line with the Code;</i></p> <p><i>At its meeting of 14 June 2023, Council's Reconciliation and Action Plan (RAP) Advisory Committee recommended that Council consider no longer hosting citizenship ceremonies on January 26; and Moving the event from the public holiday is estimated to save Council \$1,000.00.</i></p> <p><i>Krysten Forte – Manager Governance and Integrity</i></p>

**Closure of Meeting**

The Meeting was closed at 9.34pm.

DATED: ..... DAY OF ..... 2023

.....  
 MAYOR

*The next Ordinary Meeting of Council will be held on Monday, 11 December 2023*