

Agenda



Monday, 7 June 2021 7.00pm

Ordinary Meeting of Council

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.”

Diversity Statement

“Banyule is a diverse community, made up of people from different cultures, beliefs, abilities, bodies, ages, sexualities, genders and identities. Council is committed to inclusion, access and equity for everyone. These principles foster cohesiveness, empower people and improve the wellbeing of the Banyule Community.”

Apologies and Leave of Absence

Confirmation of Minutes

Ordinary Meeting of Council held 24 May 2021 and Council Meeting – Hearing of Submissions 26 May 2021

Disclosure of Interests

1. Urgent Business

REPORTS:

2. Petitions

Nil

3. People – Community Strengthening and Support

- 3.1 Ford Park, 244 - 268 Banksia Street, Bellfield - Proposed Lease and Licence with Yarra Junior Football League..... 5

4. Planet – Environmental Sustainability

Nil

5. Place – Sustainable Amenity and Built Environment

- 5.1 59 Swanston Street, Heidelberg Heights - Renewal of Leases ... 11
5.2 1017 Heidelberg Road, Ivanhoe - Proposed Declaration of Public Highway..... 15

6. Participation – Community Involvement in Community Life

Nil

7. Performance - Use Our Resources Wisely

- 7.1 Adoption of Rates Financial Hardship Assistance Policy 2021/2022..... 19
7.2 RW465 - Proposed Discontinuance of Road Bounded by 275 Upper Heidelberg Road, Ivanhoe..... 24
7.3 Award of Contract no. 1115-2021 - Provision of Town Planning Consultancy Services 28
7.4 Olympic Park Master Plan - Funding Announcement..... 33
7.5 Budget 2021 - 2025 Submissions Declarations..... 37

7.6 Consideration of Submissions Received - Proposed Budget 2021-2025 & Proposed Revenue and Rating Plan 2021-2025 40

8. Sealing of Documents

Nil

9. Notices of Motion

Nil

10. General Business

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 and adjourn for five minutes to allow the public to leave the Chamber prior to considering the following confidential matters:

11. Confidential Matters

11.1 CEO Employment Matters

Matters Discussed in Camera

That all confidential matters and reports related to the above items remain confidential unless otherwise specified.

Closure of Meeting

Live Streaming of Council Meeting

Please note that the Council Meeting will be livestreamed to ensure compliance with the Government's COVID -19 restrictions.

The livestream will be available on Council's Facebook and website

www.banyule.vic.gov.au

The next Ordinary Meeting of Council will be held on Monday, 28 June 2021.

3.1 FORD PARK, 244 - 268 BANKSIA STREET, BELLFIELD - PROPOSED LEASE AND LICENCE WITH YARRA JUNIOR FOOTBALL LEAGUE

Author: Gary Mills - Senior Property Officer, City Development

Ward: Bakewell

Previous Items

Council on 05 Aug 2019 7.00pm (Item 6.1 - North East link Sporting Club Relocation)

Council on 08 Feb 2021 7.00pm (Item 3.3 - Ford Park, 244 - 268 Banksia Street, Bellfield - Proposed Lease and Licence with Yarra Junior Football League)

SUMMARY

1. This report was deferred at the Council Meeting on 8 February pending Council's Chief Executive Officer meeting with counterparts of Yarra Junior Football League (YJFL), North East Link (NEL) and Manningham City Council to confirm Council's lease offer to YJFL.
2. The proposed lease is a five-year term with a four-year option at a commencing annual rent of \$7,500 plus GST. The lease commencement date is still to be settled with YJFL. The YJFL has been advised of the proposal.
3. Ongoing discussions have occurred with NEL and the YJFL for the opportunity for YJFL to relocate from their premises at Bulleen Park, Bulleen to Ford Park, Bellfield.
4. Council has successfully negotiated with NEL to provide substantial capital funding for the upgrade of Ford Park to accommodate this relocation.
5. The YJFL seeks a long-term lease at Ford Park to provide security of tenure for the league's operations and administrative headquarters.
6. It is proposed to offer YJFL a Lease for occupancy of part of the new sports pavilion and a licence for shared space within the pavilion, refer Attachment 1.
7. Ford Park is currently the home to the Ivanhoe Junior Football Club and Bellfield Cricket Club. Both clubs will continue occupation at the site.
8. The proposed Lease and Licence would run for a term of five-years with a four-year option.
9. The Ford Park upgrade is expected to be completed by August 2021.

FORD PARK, 244 - 268 BANKSIA STREET, BELLFIELD - PROPOSED LEASE AND LICENCE WITH YARRA JUNIOR FOOTBALL LEAGUE cont'd

RECOMMENDATION

That Council:

1. Grants a Lease to the Yarra Junior Football League Inc. (YJFL) for occupancy and use of part of the new Ford Park sports pavilion for office administration purposes for an initial term of five years (commencement date to be determined) with an option for a further four years at a commencing annual rent of \$7,500 plus GST.
2. Notes that a Licence agreement will be negotiated with the YJFL for shared space within the pavilion on a similar term to the Lease.
3. Authorises the Director Community Programs to execute both the Lease Deed and Licence Agreement.

COUNCIL PLAN

- This report is in line with Banyule's Council Plan key direction to "Preserve and improve Banyule as a great place to live, work and play".

BACKGROUND

- This report was deferred at the 8 February 2021 Council meeting pending Council's Chief Executive Officer meeting with counterparts of Yarra Junior Football League (YJFL), North East Link (NEL) and Manningham City Council, confirming Council's proposed lease offer to YJFL.
- The YJFL has been advised of the proposed lease offer.
- A report was presented to Council on 5 August 2019 concerning the displacement of several Banyule sporting clubs and potential relocation of an external organisation to a Banyule site due to the North East Link Project (NELP). Council acknowledged NEL's interest in Ford Park to provide shared use for the YJFL as an interim (and possibly permanent) venue.
- NEL and Council officers have been exploring the opportunity to relocate the YJFL from its premises at Bulleen Park, Bulleen Road, Bulleen to Ford Park, 244-268 Banksia Street, Bellfield as a temporary or permanent option.
- NEL has worked with Council officers to scope the works in line with the adopted *Ford Park Masterplan 2017* and *Ford Park AFL Infrastructure Plan 2018*, considering the needs of YJFL with the aim of providing a major upgrade at Ford Park to accommodate this relocation.
- The YJFL presently leases its Bulleen Park premises from Manningham City Council at an annual rent of \$7,051.63 plus GST.
- Bulleen Park serves the YJFL for training and competition, together with office administration, meeting room space and amenities. The YJFL has the option of returning to Bulleen Park at the completion of NELP.
- The Ford Park upgrade is in progress and includes ground improvements, new sports pavilion (with expanded space for office administration, social function space, kitchen, canteen, changerooms and amenities), undercover seating, public

FORD PARK, 244 - 268 BANKSIA STREET, BELLFIELD - PROPOSED LEASE AND LICENCE WITH YARRA JUNIOR FOOTBALL LEAGUE cont'd

toilets and a regional playground. The upgrade is being funded by the state government, NELP and Council. Upgrade works are expected to be completed by August 2021.

- Ford Park is currently the home to the Ivanhoe Junior Football Club and Bellfield Cricket Club. Both clubs will continue occupation at the site.

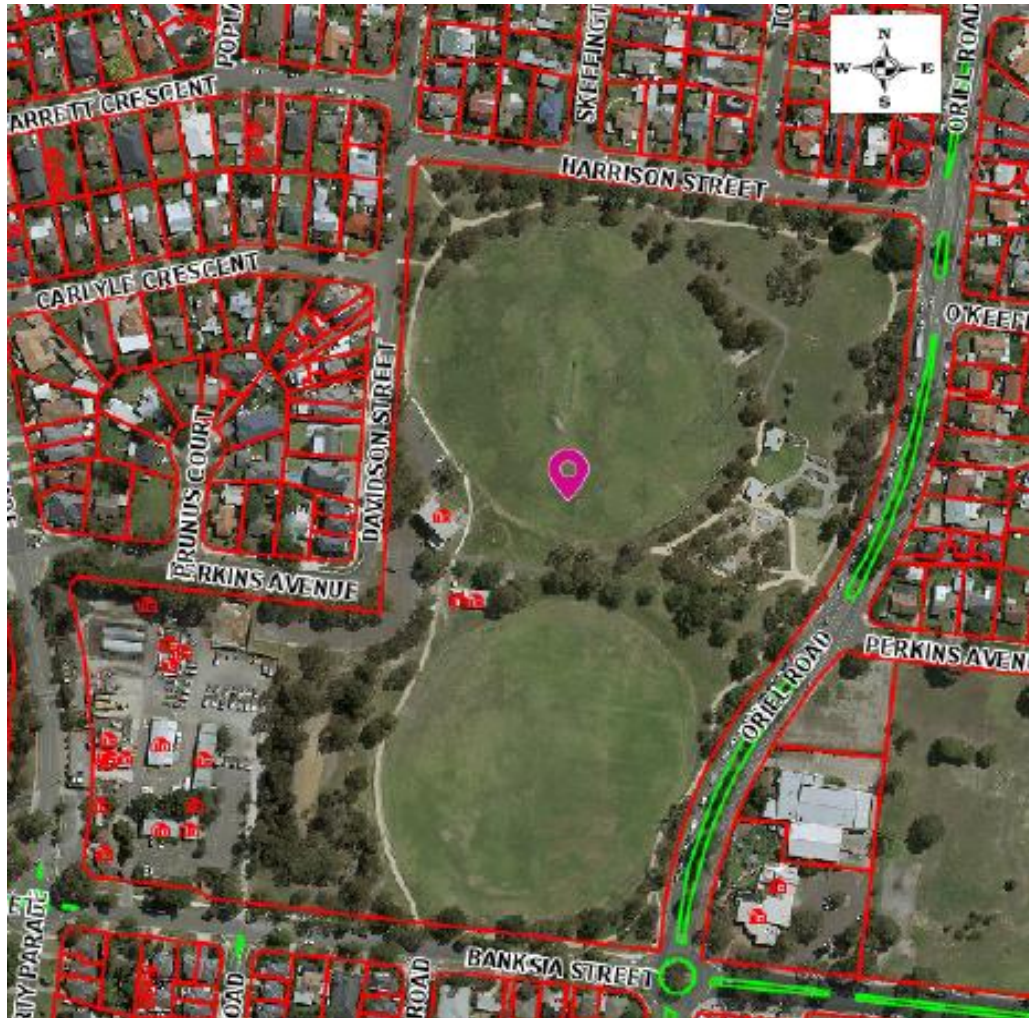


Figure 1: Ford Park, 244-268 Banksia Street, Bellfield

KEY ISSUES

- It is proposed that Council offer YJFL a Lease for occupancy of part of the new sports pavilion for office administration purposes (delineated red at Attachment 1), a Licence for shared space within the pavilion (delineated green at Attachment 1) and a seasonal allocation agreement for the playing grounds.
- The Lease shall be for an initial term of five years commencing between September – December 2021 with an option for a further term of four years. The Licence will run for a similar term. The seasonal allocation agreement is administered by Council's Leisure, Recreation and Culture department.
- The commencing annual rent is \$7,500 plus GST which is comparable to YJFL's current lease with Manningham City Council. The Licence agreement and fee is still to be settled with YJFL, since the proposed shared space use and frequency is yet to be determined.

FORD PARK, 244 - 268 BANKSIA STREET, BELLFIELD - PROPOSED LEASE AND LICENCE WITH YARRA JUNIOR FOOTBALL LEAGUE cont'd

- YJFL initially sought a lease with Council for a term of seven years with a six-year option. Such a term is considered unwarranted, given NELP completion by 2027. Should, YJFL seek permanency at Ford Park, then Council can consider entering a new lease prior to lease expiry.
- The proposed Lease and Licence arrangement will provide YJFL security of tenure at Ford Park to at least 2030. Should YJFL wish to return to Bulleen Park earlier, they can elect to surrender their Lease.

SUPPORTING REPORT DETAILS

Legal Consideration

- This Lease proposal will not trigger section 190 of the *Local Government Act 1989*, given the proposed lease is less than 10 years, the annual lease rental and market rental value is less than \$50,000 per annum.
- It is noted that Section 115 of the *Local Government Act 2020* comes into operation on 1 July 2021 and increases the threshold to \$100,000 per annum.

Human Rights Charter

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.

Sustainable Procurement Outcomes

- There are no sustainable procurement activities arising from the recommendation contained in this report.

Financial Implications

- There are no financial implications arising from the recommendation contained in this report.

Collaboration

- Ongoing discussions have occurred with NEL regarding the major facility upgrade at Ford Park, funding commitments and temporary relocation of YJFL to this site.
- Council, NEL, current tenants and YJFL have been working collaboratively to achieve the optimum outcome at Ford Park for all users.

Key Considerations

- Council's Lease and Licence Framework 2018 provides for Council to enter a lease for a maximum term of five years unless Council resolves to grant a longer term. Any additional term requires a Council resolution. Consideration may be given to developing a service level agreement with the organisation which seeks to develop the facility long term. In this case a service level agreement is not required, since the lease premises is a brand-new facility, YJFL's occupancy is temporary and they are sharing the space with other facility and ground users.

**FORD PARK, 244 - 268 BANKSIA STREET, BELLFIELD - PROPOSED LEASE
AND LICENCE WITH YARRA JUNIOR FOOTBALL LEAGUE cont'd**

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENTS

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1	Ford Park Pavilion Floor Plate	
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5.1 59 SWANSTON STREET, HEIDELBERG HEIGHTS - RENEWAL OF LEASES

Author: Andrea Turville - Property Officer, City Development

Ward: Olympia

Previous Items

Council on 15 June 2020 (Item 5.12 - 59 Swanston Street, Heidelberg Heights - Proposed Leases)

Council on 17 Sep 2018 7.00pm (Item 11.1 - Proposed Property Use)

SUMMARY

1. Council is the owner of the land and improvements at 59 Swanston Street, Heidelberg Heights, comprising 3 residential units.
2. At the Council meeting of 15 June 2020, Council resolved to engage a real estate agent to oversee the rental of the properties and to receive a further report in relation to the future of the site at a time when market conditions had improved.
3. The three units have been leased for a twelve-month term, due to expire on 31 July 2021 (Units 2 & 3) and 30 September 2021 (Unit 1).
4. This report seeks to outline the current opportunities available for the site, including continuing with the current rental arrangements or selling on the open market.

RECOMMENDATION

That Council:

1. Continues to rent the properties located at 59 Swanston Street, Heidelberg Heights for a further twelve months following a market rent review.
2. Receives a further report in relation to the future of the site in twelve months' time.

COUNCIL PLAN

- This report is in line with Banyule's Council Plan key direction to "Renew and maintain Banyule's public assets and infrastructure".

BACKGROUND

- Council owns three units at 59 Swanston Street, Heidelberg Heights. Unit 1 is located at the front of the property and units 2 and 3 at the rear, see **Figure 1**.

59 SWANSTON STREET, HEIDELBERG HEIGHTS - RENEWAL OF LEASES cont'd

- Units 2 and 3 were subjected to flooding events in 2008, 2010 and twice in 2011. Following proceedings at the Victorian Civil and Administrative Tribunal, Council purchased both units 2 and 3 and following a Council resolution in May 2018 also acquired unit 1, meaning that the entire site and land parcel of 1,121square metres is Council owned.
- Improvements to drainage infrastructure were completed in 2018/2019 to assist further storm water diversion.
- Mould remediation and renovations were completed in January 2020 and an Agent was subsequently engaged to market and lease the three units. Units 1 and 2 were leased successfully in August 2020, but due to COVID restrictions on real estate inspections, Unit 3 was not leased until October 2020.

Locality Plan

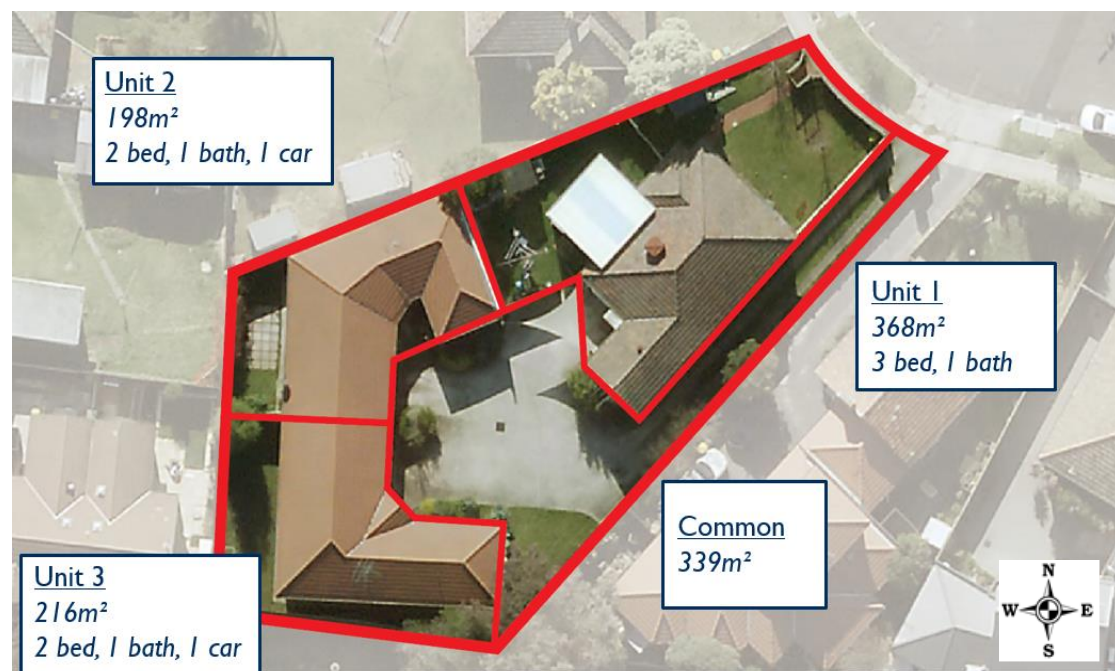


Figure 1: Properties at 59 Swanston Street, Heidelberg Heights

DISCUSSION

- The purpose of this report is for Council to decide whether or not to continue leasing the properties or to sell them on the open market.

KEY ISSUES

- Before a decision is made on whether to retain or sell the premises, consideration should be given to the acquisition, remediation and renovation costs for Council, current valuation (all outlined in the Attachment) and current market conditions.
- The sales market is currently in a strong position seeing increases of 8.8% for metropolitan Melbourne compared to the last quarter and an 83.8% clearance rate (REIV). This upward trend could continue, but may be affected by interest rates, first home buyer incentives, international border closures impacting

**59 SWANSTON STREET, HEIDELBERG HEIGHTS - RENEWAL OF LEASES
cont'd**

overseas investors and the impacts of the new Residential Tenancies Act on current investors.

- Whilst the current market is showing historic increases and although there is no strategic need to retain the properties, reletting of the premises is the preferred option due to the supplementary rental income for Council, the quality of the current tenants and the potential to negate some of the remediation/renovation costs in the interim.
- The three units have been leased for an initial twelve-month term, providing an income of approximately \$64,000 per annum (less fees and maintenance).
- In order to recoup Councils remediation and renovation costs, the properties would need to be leased for a further three to four years. Note that with retention of the properties Council will incur ongoing maintenance responsibilities and risks associated with vacancy periods, market forces and depreciation.

Legal Consideration

- Should Council decide to sell the properties, s.189 of the *Local Government Act 1989* (s.114 of the *Local Government Act 2020* commencing 1 July 2021) provides that Council must give public notice of its intention to do so and invite submissions from the public. Council must also obtain a valuation not more than six (6) months prior to the date of sale.

Human Rights Charter

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.

Sustainable Procurement Outcomes

- There are no sustainable procurement activities arising from the recommendation contained in this report.

Financial Implications

- There are no adverse financial implications arising from the recommendation contained in this report.

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

**59 SWANSTON STREET, HEIDELBERG HEIGHTS - RENEWAL OF LEASES
cont'd**

ATTACHMENTS

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1	Aquisitions, Costs and Valuation - CONFIDENTIAL	

5.2 1017 HEIDELBERG ROAD, IVANHOE - PROPOSED DECLARATION OF PUBLIC HIGHWAY

Author: Gary Mills - Senior Property Officer, City Development

Ward: Chelsworth

SUMMARY

1. Council commenced statutory procedures under section 204(1) of the *Local Government Act 1989* (the Act) to declare the land known as 1017 Heidelberg Road, Ivanhoe (the Land) a public highway under the *Road Management Act 2004* (RMA).
2. The Land provides pedestrian access to Darebin Station.
3. At the close of submissions on 18 May 2021, no written submissions were received.
4. Council may now consider formally declaring the Land a public highway (for pedestrian use only) and publish a notice in the Victorian Government Gazette to complete the process.
5. A declaration made under section 204(1) of the Act will automatically make the Land a public highway under the RMA and impose on Council a statutory duty to inspect, repair and maintain the road in accordance with the standards and requirements specified in Council's road management plan.
6. Council may consider assigning a name to the road/pedestrian way at a future time.

RECOMMENDATION

That Council:

1. Having undertaken statutory procedures under sections 204, 207A and 223 of the *Local Government Act 1989* (the Act) to consider a proposal to declare the land known as 1017 Heidelberg Road, Ivanhoe, being Lot 1 on TP573493L contained on certificate of title volume 5593 folio 592 (the Land) a public highway for pedestrian use only by:
 - (a) Giving public notice of the proposed declaration;
 - (b) Notifying the registered proprietor of the Land;
 - (c) Notifying owners and occupiers of nearby properties;
 - (d) Placing a notice in situ and information on Council's website;and having not received any written submissions to the proposal under sections 207A(c) and 223 of the Act and Council's Community Engagement

1017 HEIDELBERG ROAD, IVANHOE - PROPOSED DECLARATION OF PUBLIC HIGHWAY cont'd

Policy, hereby declares the Land a public highway for pedestrian use only pursuant to section 204(2) of the Act.

2. Publish a notice in the Victorian Government Gazette under section 204(1) of the Act declaring the Land a public highway for pedestrian use only.
3. Record the Land in Council's Register of Public Roads in accordance with schedule 1 clauses 1 and 2 of the *Road Management Act 2004*.
4. Refer funding for any upgrade works in the 2022/23 capital works budget.
5. Receive a future report on a proposal to assign a name to the public highway following the completion of upgrade works on the Land.

COUNCIL PLAN

- This report is in line with Banyule's Council Plan key direction to "Renew and maintain Banyule's public assets and infrastructure".

BACKGROUND

- The land parcel known as 1017 Heidelberg Road, Ivanhoe (Land) provides pedestrian access to Darebin Station. The Land status is Lot 1 on TP573493L contained on Certificate of Title volume 5593 folio 592 registered in the name of H W Buckley. Refer Figure 1.
- Currently, Council does not control or manage the Land. The Land is not recorded in Council's Road Register required to be kept under the *Road Management Act 2004* (RMA).
- The Darebin station precinct is undergoing considerable change with higher density residential development occurring, resulting in increased use of the Land by rail commuters, pedestrians and cyclists.



Figure 1: 1017 Heidelberg Road, Ivanhoe (Lot 1 on TP573493)

1017 HEIDELBERG ROAD, IVANHOE - PROPOSED DECLARATION OF PUBLIC HIGHWAY cont'd

KEY ISSUES

- It is proposed that Council formally declare the Land a public highway for pedestrian use only.
- A declaration made under section 204(1) of the Act will automatically make the Land a public highway under the RMA and impose on Council a statutory duty to inspect, repair and maintain the road in accordance with the standards and requirements specified in Council's road management plan.
- Following publication of a notice in the Victorian Government Gazette under section 204(1) of the Act declaring the Land a public highway (for pedestrian use only) the Land shall be recorded in Council's register of public roads.
- After Council has undertaken any necessary upgrade works on the Land, a proposal will be prepared to consider assigning a name to the public highway.

SUPPORTING REPORT DETAILS

Legal Consideration

- A summary of Council's legal advice is provided below:
 - Because of the long-term existing use of the Land being primarily a pedestrian way, it is already a public highway at common law.
 - The Land is already vested in and owned by Council free of all encumbrances by virtue of section 45, schedule 5, clauses 1(4) and (5) of the RMA.
 - The land is not subject to the *Land Acquisition and Compensation Act* 1986 (meaning that Council is not required to acquire the land or liable to pay any compensation).
 - Notwithstanding the above, it is recommended that Council formally declare the Land a public highway under section 204(1) and (2) of the Act.
 - Council will be required to give public notice of the declaration, separate written notices to nearby property owners and occupiers and the registered proprietor of the land. The registered proprietor is H W Buckley is likely deceased.
 - Council will need to consider any written submissions received under sections 207A and 223 of the Act and community engagement principles set out in section 56 of the *Local Government Act 2020*.
 - Following a Council resolution, publish a notice in the Victorian Government Gazette declaring the land a public highway for pedestrian use only under section 204(1) of the Act.
 - Notwithstanding the above, it is recommended that Council formally declare the Land a public highway under section 204(2) of the Act. The effect of which would be to make the road a public highway under the RMA and to impose on Council a statutory duty to inspect, repair and maintain the road in accordance with the standards and requirements specified on Council's road management plan.

1017 HEIDELBERG ROAD, IVANHOE - PROPOSED DECLARATION OF PUBLIC HIGHWAY cont'd

Human Rights Charter

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.

Sustainable Procurement Outcomes

- There are no sustainable procurement activities arising from the recommendation contained in this report.

Financial Implications

- An inspection and condition report undertaken on the Land recommends resurfacing. The estimated cost of resurfacing is \$60,000 plus GST will be considered for the 2022/23 capital works budget. Additional funds will be required for any beautification and safety (lighting) improvements.
- Any requirement for beautification and street lighting will be assessed and considered as part of Council's capital works program.
- The annual maintenance costs are minimal.

Community Engagement

- Council has acted in accordance with sections 204, 207A and 223 of the Act and its community engagement plan by giving public notice of the proposed public highway declaration.
- A public notice was placed in The Herald Sun on 19 April 2021, information published on Council's website and notices served on the registered proprietor of the Land. Letters were circulated to nearby property owners and occupiers.
- The submission period closed on 18 May. At the close of submissions, no written submissions were received.

Collaboration

- The City Assets team has been consulted in the preparation of this report.
- The Department of Transport has been advised of the proposal and offered no objection.

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENTS

Nil

7.1 ADOPTION OF RATES FINANCIAL HARDSHIP ASSISTANCE POLICY 2021/2022

Author: Philip Ryan - Revenue Services Coordinator, Corporate Services

SUMMARY

1. Council's existing Rates Hardship Assistance Policy expires on 30 June 2021.
2. A new Rates Hardship Assistance Policy for the period 1 July 2021 to 30 June 2022 has been prepared for consideration by Council for adoption.
3. Banyule City Council's Rates Financial Hardship Assistance Policy 2021/22 (the draft Policy) outlines the process of applying for and assessing hardship applications.
4. The draft Policy includes the two categories that are eligible for partial rates waivers due to hardship caused by the COVID-19 pandemic. Specifically:
5. Ratepayers holding a Commonwealth Health Care Card or Pensioner Concession Card– JobSeeker or Low Income category for Residential Improved properties where the ratepayer is an owner-occupier.
6. Ratepayers who do not hold a Commonwealth Health Care Card or Pensioner Concession Card– JobSeeker or Low Income category for Residential Improved properties where the ratepayer is an owner-occupier.
7. The anticipated reduction in rates income through application of these rate waivers is \$0.5 million.
8. Resourcing to administer the 2021/22 rate waivers and to assist those ratepayers that remain in financial hardship as a result of the COVID-19 pandemic is anticipated to be approximately \$0.05m (0.5 EFT).
9. The draft Policy also outlines the assistance that will be provided to ratepayers who applied to defer their payments during 2020/21. It provides structured payment plans to repay the arrears owed on an interest-free basis.
10. The draft Policy and support available to ratepayers will be featured with the 2021/22 Rates and Valuation Notices, subsequent instalment notices and promoted through Council's website.

RECOMMENDATION

That Council:

1. Adopt the Rates Financial Hardship Assistance Policy 2021/22.
2. Make available through the Council's website the adopted Rates Financial Hardship Assistance Policy 2021/22.

**ADOPTION OF RATES FINANCIAL HARDSHIP ASSISTANCE POLICY 2021/2022
cont'd**

3. Advice ratepayers of the financial assistance that is available through:
 - a) Council's website and
 - b) The 2021/22 Rates and Valuation Notices distribution
4. Note the financial impact of the partial waivers being proposed and
5. Fund in the proposed Budget 2021-2025 the estimated \$0.55m net cost (including resourcing) to administer the Rates Financial Hardship Assistance Policy 2021/22.

COUNCIL PLAN

- This report is in line with Banyule's Council Plan key direction to "Provide responsible financial management and business planning".

BACKGROUND

- During 2020/2021, Council put in place a significant stimulus and assistance package, designed to support business trading in Banyule as well as ratepayers who had been financially impacted by the COVID-19 pandemic.
- Council during 2020/21, under the Economic Assistance Package, waived rates of \$1m (under section 171A of the *Local Government Act 1989*). The rate waivers provided to owners or authorised representatives was applied against the following three criteria:
 - a) a waiver for all principal owned residential properties of ratepayers holding a current Commonwealth Health Care Card - JobSeeker category. The waiver was \$500 to a maximum of the applicants 2020/21 general rates levied; and
 - b) a waiver for commercial and industrial improved properties if assessed as eligible under Councils' Hardship criteria – Job Keeper eligibility. The waiver was \$500 to a maximum of the applicants 2020/21 general rates levied; and
 - c) a waiver for all other ratepayers if assessed as eligible under Councils' hardship criteria – financial hardship demonstrated through a significant loss of income directly due to the coronavirus pandemic. The amount waived was \$250 to a maximum of the applicants 2020/21 general rates levied.
- The commonwealth assistance for Job Keeper eligibility has been ceased since the Council's 2020/2021 Rates Hardship Assistance Policy was adopted. This criteria was used to assess financial hardship in 2020/2021 and can no longer be applied to the 2021/2022 Rates Hardship Assistance Policy (draft Policy).
- New criteria is being proposed as part of this draft Policy.

LEGAL CONSIDERATION

- Section 171A of the *Local Government Act 1989* states that Council may grant a waiver upon application. The Policy includes the mechanism upon which Council will be accepting applications and assessing them under section 171A.

ADOPTION OF RATES FINANCIAL HARDSHIP ASSISTANCE POLICY 2021/2022 cont'd

HUMAN RIGHTS CHARTER

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities. Section 13 of The Charter of Human Rights and Responsibilities enshrines the Right to privacy and reputation. In assessing the degree of hardship being suffered by ratepayers, there is a requirement to request more information than is usually provided to Council in the normal course of interactions between ratepayers and Council.
- Council may request information and supporting documentation relating to financial and employment status and business-related documents. This information will be used only for the purposes of assessing hardship and will have administrative controls to ensure this information is restricted to those assessing or reviewing hardship status. This information may need to be passed to Council's internal or external auditor, for the purposes of audit. In these cases, a ratepayer's privacy will be covered by professional auditing practices.

PARTIAL RATES WAIVERS - COVID-19 PANDEMIC

- The COVID-19 pandemic has created a degree of financial hardship for some ratepayers. As such, it is proposed that Council will, upon application, allocate rate waivers that directly assist ratepayers who are facing financial hardship as a result of the COVID-19 pandemic.
- The criteria used to assess hardship for those impacted by the pandemic has changed from what was applied in 2020/2021. The draft Policy outlines the criteria that will be used to assess and grant waiver applications in 2021/2022 as:

Category A (JobSeeker or Low Income Health Care Cards)

- Ratepayers holding a Commonwealth Health Care Card or Pensioner Concession Card – JobSeeker or Low Income category for Residential Improved properties where the ratepayer is an owner-occupier

Category B (Other Owner Occupiers)

- Ratepayers who do not hold an eligible card who are suffering hardship demonstrated through a significant loss in net income directly due to the coronavirus pandemic. This draft Policy provides this framework to allow ratepayers clarity as to how the waivers will be assessed and administered.
- Waivers will be capped at:

Property Usage / Type	Maximum Waiver
Category A (Owner-Occupied Properties)	\$500 to a maximum of the applicants 2021/22 general rates levied
Category B (Other Owner Occupiers)	\$250 to a maximum of the applicants 2021/22 general rates levied

- The Policy has widened the eligibility for ratepayers of owner-occupied premises by including those holding a Health Care Card Low Income Category in the Category A waiver eligibility.

**ADOPTION OF RATES FINANCIAL HARDSHIP ASSISTANCE POLICY 2021/2022
cont'd**

- In 2021/22, waivers due to hardship will not be available to:
 - Landlords of rental properties (residential)
 - Owners of properties rated as residential vacant / commercial vacant / industrial vacant / commercial improved / industrial improved)
- The anticipated reduction in rates income through application of these rate waivers is \$0.5 million.

RECOMMENCEMENT OF PAYMENTS – 2020/21 COVID-19 DEFERRAL

- The draft Policy outlines the assistance that will be provided to ratepayers who applied to defer their payments during 2020/21 with structured payment plans providing the full year to repay the arrears owed from this period on an interest-free basis.
- The draft Policy states that arrangements set up via direct debit will be facilitated and that penalty interest on arrears and overdue amounts will be held until 30 June 2022 if the direct debit remains in place and payments are made as scheduled.

HARDSHIP ASSISTANCE – NON-COVID-19 RELATED

- The Policy outlines the assistance that will be provided to ratepayers who are suffering hardship not related to the COVID-19 pandemic. The Policy guarantees that assistance can be tailored to a particular rate-payers circumstances, while maintaining their confidentiality, dignity and ability to seek professional advice from a financial counsellor or accountant.

FINANCIAL

- The allocation of waivers under the COVID-19 pandemic provisions will impact the net amount of rate revenue raised in the financial year. The amount of rates declared will be as per Council's adopted budget, with rate waivers granted under this recommendation through a 'major initiatives' funding allocation.
- The financial impact to council is uncertain, as the total amount waived during the year will be directly reliant on the number of hardship applications made to Council.
- The total impact on the rate revenue is anticipated to be approximately \$0.5m. This amount has been included in Council's Proposed Budget 2021 - 2025
- The impact to net rate income will be reported through Council's quarterly Financial Management Report during the financial year.
- It is anticipated that resourcing to administer the draft Policy will result in the requirement for an additional 0.5 EFT. This resourcing will be used to work with ratepayers to assist those in hardship with ongoing payment arrangements and to administer the waivers available to those in hardship. The cost of this additional resource is anticipated to be approximately \$55,000.

ADOPTION OF RATES FINANCIAL HARDSHIP ASSISTANCE POLICY 2021/2022 cont'd

TIMELINES

- Ratepayers will be notified of the provisions of an updated Financial Hardship Assistance process through their annual rates and valuation notices which will be issued in late-July 2021.
- Financial hardship applications will be able to be made through Council's website. For those ratepayers who do not have access to online services, council officers will be able to assist in the application process.

OFFICER DECLARATION OF CONFLICT OF INTEREST

- The *Local Government Act 2020* (Act) requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

CONCLUSION

- Banyule City Council's Rates Financial Hardship Assistance Policy 2021/22 supports the resolution of Council to grant waivers to support ratepayers in financial hardship because of the COVID-19 pandemic and associated economic impact.
- It is recommended that Council adopts the Rates Financial Hardship Assistance Policy 2021/22 which provides ratepayers with further clarity in how Council will be assessing and administering waivers.
- Upon adoption, the Rates Financial Hardship Assistance Policy 2021/22 will be displayed on Council's website and promoted with Council's 2021/22 Rates and Valuation Notice and subsequent instalment notices.

ATTACHMENTS

N	Title	Page
0	.	
1	Rates Financial Hardship Assistance Policy 2021/2022	



7.2 RW465 - PROPOSED DISCONTINUANCE OF ROAD BOUNDED BY 275 UPPER HEIDELBERG ROAD, IVANHOE

Author: Amanda Allen - Property Coordinator, City Development

Ward: Chelsworth

SUMMARY

1. Council is the owner of the land at 275 Upper Heidelberg Road, Ivanhoe of which the right of way (road) RW465 abuts.
2. The right of way (road) currently serves no road purpose and is proposed for discontinuance.
3. The resultant land is intended to be retained for municipal purposes and consolidated with the adjacent land at 275 Upper Heidelberg Road, Ivanhoe.
4. The purpose of this report is for Council to consider whether or not to proceed with the discontinuance of the right of way (road), its retention for municipal purposes and consolidation of titles.

RECOMMENDATION

That Council:

1. Forms the view that the right of way (road) RW465 located adjacent to 275 Upper Heidelberg Road, Ivanhoe is no longer reasonably required for general public use and that:
 - a. the proposal will not impact the movement of pedestrians or vehicles within the vicinity of the road;
 - b. the service authority and Council assets will be protected; and
 - c. the discontinuance of the road will not affect neighbouring properties.
2. Publishes its resolution in the Victoria Government Gazette.
3. Agrees that the 'road' be discontinued and removed from Council's Road Register.
4. Agrees to consolidate the land with the adjacent property at 275 Upper Heidelberg Road, Ivanhoe.
5. Authorises the signing of the necessary documentation at the appropriate time.

RW465 - PROPOSED DISCONTINUANCE OF ROAD BOUNDED BY 275 UPPER HEIDELBERG ROAD, IVANHOE cont'd

COUNCIL PLAN

- This report is in line with Banyule's Council Plan key direction to "Provide good governance and be accountable".

BACKGROUND

- The 'road' known as RW465 is approximately 263m² and is shown highlighted green on the locality plan below.
- The 'road' is bounded by Council land to the north and south and currently serves no road purpose and is proposed for discontinuance.
- With the recent development of the Ivanhoe Library and Cultural Hub it is appropriate to amend this anomaly by discontinuing the 'road', retaining it for municipal purposes and consolidating it with the adjacent Council land parcels.

Locality Plan



275 Upper Heidelberg Rd, Ivanhoe – proposed area of discontinuance shown green

KEY ISSUES

- Consultation with the relevant service authorities reveals that there are assets for Yarra Valley Water (YVW), Jemena Electricity Networks and Australian Gas Networks (AGN) contained within the vicinity of the land.
- Council's engineers advise that there is a Council drain, pits and an implied easement within the Land.

EASEMENT RIGHTS

- **Yarra Valley Water** consents to the proposed discontinuance subject to the following conditions:
 - An easement for sewerage purposes must be created in favour of YVW over the whole of the land.

RW465 - PROPOSED DISCONTINUANCE OF ROAD BOUNDED BY 275 UPPER HEIDELBERG ROAD, IVANHOE cont'd

- Continued access to the assets within the area to be discontinued must be provided.
- Access chambers and inspection shafts must not be covered over or obstructed and, if there are any changes to surface levels, the access chamber and inspection shaft cover levels must be adjusted at the cost of the property owner/s.
- **Jemena Electricity Networks** consents subject to the following conditions:
 - An easement for electricity distribution purposes must be created in favour of Jemena Electricity Networks over the whole of the land.
 - Continued access to the assets within the area to be discontinued is required.
- **Australian Gas Networks** consents subject to the following conditions:
 - An easement for distribution gas purposes must be created in favour of AGN over the whole of the land.
 - Continued access to the assets within the area to be discontinued is required.
 - Council must cover all subsequent costs.
- **Banyule City Council** will save easement rights over the whole of the land.
- The saving of easement rights in favour of Council permits access to the Land at all times for purposes of maintenance or construction of assets. It will also prevent the construction of any building, structure or obstruction of a permanent nature on any part of the Land which is encumbered by the easement without prior written consent of the relevant authority.

PLANNING CONSIDERATIONS

- The Banyule Planning Scheme governs the use and development within the municipality and Banyule City Council is the responsible authority administering the scheme.
- Council planners advise that planning permit P451/2018 was issued for the Ivanhoe Library and Cultural Hub which is the adjoining section of land. The approved works do not extend over the RW465. No special planning consideration is necessary for the proposed discontinuance.

SUPPORTING REPORT DETAILS

Legal Consideration

- The power to discontinue or remove 'road' status and retain the resultant land is conferred on Council pursuant to Section 206 and Schedule 10 Clause 3 of the *Local Government Act 1989 (Act)*.

RW465 - PROPOSED DISCONTINUANCE OF ROAD BOUNDED BY 275 UPPER HEIDELBERG ROAD, IVANHOE cont'd

- Public notice of Council's intention was provided in the Herald Sun on 13 April 2021, with submissions closing on 11 May 2021. There were no submissions received.
- On publication of Council's resolution to discontinue a 'road' in the Victoria Government Gazette, the 'road' status is removed and the title to the resultant land then vests in Council.

Human Rights Charter

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.

Sustainable Procurement Outcomes

- There are no sustainable procurement activities arising from the recommendation contained in this report.

Financial Implications

- There are no financial implication arising from the recommendation contained in this report.

Key Considerations

- RW465 located adjacent to 275 Upper Heidelberg Road, Ivanhoe is not considered reasonably required for public use and as such Council should support the recommendation to discontinue it as road, retain for municipal purposes and consolidate with the surrounding Council land.

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENTS

Nil

7.3 AWARD OF CONTRACT NO. 1115-2021 - PROVISION OF TOWN PLANNING CONSULTANCY SERVICES

Author: David Moon - Development Planning Coordinator, City Development

SUMMARY

1. This report is to consider the awarding of Contract No. 1115-2021 - Provision of Town Planning Consultancy Services.
2. The Tender Evaluation Panel (TEP) has recommended awarding the contract to a total of eight contractors in accordance with the tender and conditions as determined by Council:
 1. Andrew Crack & Associates Pty Ltd
 2. Grace Town Planning
 3. Tamara Orrlov
 4. Hansen Partnership
 5. Kellock Town Planning Pty Ltd
 6. Multiply Town Planning
 7. Louise Lunn Planning
 8. David De Giovanni Town Planning
3. Tenders were received from 26 companies.
4. The contract will commence 1 July 2021. The Initial Contract Term shall be for a maximum initial period of three years with the option to extend for further periods of any duration up to a maximum extension period of two years based on satisfactory performance and meeting Council objectives.

RECOMMENDATION

That Council:

1. Award Contract No. 1115-2021 - Provision of Town Planning Consultancy Services for a period of three years with the option to extend for further periods and any duration up to a maximum extension period of two years to a panel of eight contractors:
 - a) Grace Town Planning
 - b) Andrew Crack & Associates Pty Ltd
 - c) Tamara Orrlov
 - d) Kellock Town Planning Pty Ltd
 - e) Hansen Partnership
 - f) Louise Lunn Planning

AWARD OF CONTRACT NO. 1115-2021 - PROVISION OF TOWN PLANNING CONSULTANCY SERVICES cont'd

- g) Multiply Town Planning
 - h) David De Giovanni Town Planning
2. Authorise the Director of Corporate Services to sign the contract and any other associated documents.
 3. Authorise the Director of Corporate Services to award extensions of this contract, subject to review of the contractor's performance and Council's business needs, at the conclusion of the initial three year contract term and extension periods.

COUNCIL PLAN

This report is in line with Banyule's Council Plan key direction to *"plan and manage the systems and assets that support Council's service delivery"*.

TENDER DETAILS

Contract Period	Initial period of three (3) years with the option to extend for further periods of any duration up to a maximum extension period of two (2) years
Contract Type	
Advertising Period	Saturday 6 March 2021 and closed on Wednesday 31 March 2021 in the Age newspaper
Tenders Closed	31 March 2021
Works/Project	N/A
No. of tender documents downloaded	61
Tender Evaluation Panel	<ul style="list-style-type: none"> • Development Planning Coordinator • Development Planning Team Leader • Development Planning Team Leader
Tender Evaluation Criteria	<ul style="list-style-type: none"> • Tendered price • Qualifications and experience of Tenderer to provide the Goods and/or Services and/or Works • Previous experience in the provision of similar Goods and/or Services and/or Works, including referee feedback (Note that advice may be sought from any other person beyond that given by the nominated referees) • Capacity and capability of the Tenderer to provide the Goods and/or Services and/or Works • Previous performance, experience and reliability in the provision of similar types of projects, and previous performance in delivery of contracts or purchase orders directly with Banyule City Council (if applicable) • Existence of an accredited management system and procedures covering Quality, OH&S and Environmental performance • Demonstration of Social and Economic Sustainability • Any other factor considered relevant by Council.

AWARD OF CONTRACT NO. 1115-2021 - PROVISION OF TOWN PLANNING CONSULTANCY SERVICES cont'd

Other Background	<ul style="list-style-type: none"> • Council sought a panel of experienced and qualified consultants were sought to assist with statutory planning functions, particularly regarding: <ul style="list-style-type: none"> ○ Representation at Victorian Civil and Administrative Tribunal (VCAT) hearings, ○ The preparation of overflow reports in relation to planning applications, for Council or delegate consideration, and to a lesser extent; ○ The provision of expert services, including but not limited to the provision of expert witness services at VCAT hearings.
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TENDER/QUOTATION EVALUATION

- Prior to receiving the tenders, the tender evaluation panel convened to set the weightings for each of the evaluation criteria and establish how the tenders would be evaluated using the weighted evaluation matrix. A tender evaluation plan was developed and signed by all panel members.
- The tender submission includes a requirement for the contractor to complete a questionnaire which seeks clarifications on how they have included/considered sustainable procurement aspects of the contract which covers, Environmental, Economic and Social Sustainability. The TEP assesses this information as part of the weighted score for each tenderer and this forms part of the overall evaluation and recommendation for awarding of the contract.
- The TEP individually scored the tenders and then a tender evaluation panel meeting was held to agree on the consensus scores.
- Shortlisting was based on quality to ensure the appropriate experience and resources would be allocated to service the panel accordingly.
- The tendered rates were applied to a notional hourly volume in order to ascertain a notional tendered price. The notional volume was based on anticipated quantities of works which may be required under the contract. Quotes will be sought from the panel to obtain best value for money on all projects.
- Clarifications were sought from one tenderer regarding a possible departure from contract conditions, prior to acceptance or modification of any conditions.
- Following is the final scores of the recommended contractors:

Contractor	Weighted Scores
Grace Town Planning	92.17
Andrew Crack and Associates	69.29
Tamara Orrlov	68.77
Kellock Town Planning Pty Ltd	68.30
Hansen Partnership	64.29
Louise Lunn Planning	63.22
Multiply Town Planning	63.20
David De Giovanni Town Planning	62.62

AWARD OF CONTRACT NO. 1115-2021 - PROVISION OF TOWN PLANNING CONSULTANCY SERVICES cont'd

SUPPORTING REPORT DETAILS

Legal Consideration

- Section 186 of the *Local Government Act 1989* requires councils to undertake a competitive process to test the market by giving public notice and invite tenders before entering into a contract when the value of the contract is equal to or greater than \$150,000 (including GST) for contracts for the purchases of goods or services; or \$200,000 (including GST) for contracts for the carrying of works.
- The awarding of this contract complies with the tendering provisions of Section 186 of the *Local Government Act 1989* (this section will be repealed with the new 2020 Act provisions taking effect on 1 July 2020).

Human Rights Charter

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.

Sustainable Procurement Outcomes

- The tendered responses were evaluated based on the demonstration of commitment to sustainable procurement outcomes.
- Two recommended tenderers are based in Banyule. One local tenderer is working towards obtaining carbon neutrality through the introduction of an Environmental Management System and offers work experience placement to local schools.
- Three recommended tenderers are located within the northern region, two in Nillumbik and one in Darebin.

Financial Implications

- The estimated total value of the services over the three-year period will be funded from Council's approved annual operational budgets.

Additional information

- Attachment 1, as circulated in the confidential section of the agenda attachments. The information is designated as Confidential Information in accordance with Section 66(2)(a) of the *Local Government Act 2020* (as amended); as it contains confidential information relating to private 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.
- This item has been included in the public agenda to facilitate transparency and accountability in Council's decision making.

**AWARD OF CONTRACT NO. 1115-2021 - PROVISION OF TOWN PLANNING
CONSULTANCY SERVICES cont'd**

Banyule Procurement Policy

- Council's Procurement Policy is made under Section 186A of the *Local Government Act 1989*. *Local Government Act 1989* and the Procurement Policy of Council are the primary reference points for how all procurement should be performed.
- The Policy specifies the principles, processes and procedures applying in respect of the purchase of goods and services by the Council
- The process for inviting quotations and evaluation was undertaken in accordance with the Policy.

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.
- In undertaking the assessment, all members of the TEP completed and signed the Conflict of Interest and confidentiality declaration, and no conflicts were declared.

ATTACHMENTS

N	Title	Page
0	.	
1	Contract No. 1115-2021 - TAF Matrix - CONFIDENTIAL	

7.4 OLYMPIC PARK MASTER PLAN - FUNDING ANNOUNCEMENT

Author: Jacqueline Stephenson - Senior Project Manager, Assets & City Services
Ward: Olympia

SUMMARY

1. In March 2021, Council resolved to apply for funding under the Community Sports Infrastructure Stimulus Program towards the completion of the Olympic Park Master Plan and was successful in this application.
2. On 14 May 2021, the Hon. Ros Spence announced that the Victorian Government would commit \$4.5M towards the project. Banyule Council previously committed \$2.5M towards the project.
3. A further \$0.5M is required to accept the funding from the Victorian State Government, of which \$0.13M can be provided by reallocation of other funding.

RECOMMENDATION

That Council:

1. Acknowledge the \$4.5M contribution from the Victorian Government towards the completion of the final stage of the Olympic Park Master Plan
2. Endorse a further \$0.5M towards the final stage of the Olympic Park Master Plan, noting that Council has already endorsed \$2.5M at the Council Meeting on 1 March 2021
3. Abandon the project to light up the median strip of Southern Road and redirect this funding towards the Olympic Park Master Plan

COUNCIL PLAN

- This report is in line with Banyule's Council Plan key direction to "Renew and maintain Banyule's public assets and infrastructure".

BACKGROUND

Olympic Park Precinct Master Plan

- The Olympic Park Precinct Master Plan was adopted by Banyule City Council in March 2017. The Master Plan had been separated into four construction stages. Stage 1, consisting of the reconstruction of the main pitch, fencing, paths and associated electrical conduits, was awarded by Council in August 2019 and completed in April 2020. Stage 2, consisting of a synthetic warm up pitch, car parks, play space, Olympic Memorial Garden, lighting upgrades and main pitch lighting started in April 2020 and was completed in May 2021.

OLYMPIC PARK MASTER PLAN - FUNDING ANNOUNCEMENT cont'd

- In late 2020 Council was invited to submit an application for funding under the Community Sport Stimulus grant for Olympic Park. At the 1 March 2021 Council meeting, Council resolved to support this application by funding \$2.5M towards the \$7.5M project.
- In May 2021, at the Official Opening of Stages 1 and 2 of the Olympic Park Precinct Master Plan, The Hon. Ros Spence, Minister for Community Sport, announced that Banyule Council were successful in their application and that the Victorian Government would be contributing \$4.5m towards the final stage of the project.
- The final stage of the redevelopment of Olympic Park cleverly realigns the reserve to deliver an optimal layout, increasing the number of competition level pitches with lighting within the reserve. This will allow for increased participation in both cricket and soccer for our male and female competitions across all age levels. The new cricket pavilion will enable the expansion for Barrbunin Beek to provide a fit-for-purpose space for our Aboriginal community.
- The scope includes the reconstruction of the two northern ovals, making better use of the land for allow for 3 soccer pitches, 2 cricket ovals, cricket nets, a multiuse sports court, pavilion, car parking, lighting, landscaping, paths and the refurbishment of the Barrbunin Beek Aboriginal Gathering Place. Plans of Stages 3 and 4 are attached to this report.
- There is also \$50,000 funding in the existing 2021/22 Capital Work Budget for design work for the refurbishment of Barrbunin Beek.

Community Gateways Renewal Project and Municipal Entry Projects

- There is funding in the existing capital works budget for the Community Gateways Renewal Project and Municipal Entry Projects which totals \$90,000.
- As these gateway treatments are on VicRoads main roads and discussions with VicRoads has revealed that suitable treatments are limited and mainly consist of planting which is being undertaken as part of our street tree planting program.
- A proposal was put forward in 2020 to use the budget under the Community Gateways Renewal Project and Municipal Entry Projects to complement the Olympic Park redevelopment works by lighting up the trees on the median strip of Southern Road adjacent to Olympic Park. The available budget was \$90,000 to the design and deliver the project, however preliminary estimates has indicated that the cost will be approximately \$170,000.
- As part of Councils public art program it is intended to install a public art piece in the Olympic Park Precinct in 2021/22 budget year.
- As there is already a public art piece with a 1956 Olympic theme within the precinct and the budget is inadequate to deliver the lighting project, this project is not feasible within the budget and therefore it is recommended not to proceed with this lighting project.
- The funding saved by not proceeding with the lighting project can be reallocated to the Olympic Park Master Plan.

OLYMPIC PARK MASTER PLAN - FUNDING ANNOUNCEMENT cont'd

KEY ISSUES

- Banyule Council acknowledges the great contribution by the Victorian Government throughout all stages of the Olympic Park Precinct Master Plan, in particular the \$4.5M announced in May 2021 to complete the Master Plan.
- The conditions of the Victoria Governments funding contribution requires Council to contribute \$3.0M in order to accept their \$4.5M.
- \$2.5M was committed to the project on the 1 March 2021 Council meeting.
- \$50,000 allocated to the design of the refurbishment of Barrbunin Beek should be reallocated to the Olympic Park Master Plan budget in 2021/22 as this work was included in the funding application.
- \$83,796 allocated to the project to light up the median strip on Southern Road should be reallocated to the Olympic Park Master Plan budget given the public art due for inclusion in the Olympic Park Precinct and the inability to complete the project for the allocated funding.

SUPPORTING REPORT DETAILS

Legal Consideration

- There are no direct legal implications arising from the recommendation contained in this report.

Human Rights Charter

- It is considered that the subject matter does not raise any human rights issues.

Sustainable Procurement Outcomes

- There are no sustainable procurement activities arising from the recommendation contained in this report.
- Sustainable procurement will be included in the tender for these works.

Financial Implications

- The Victorian Government have committed \$4.5M of the \$7.5M final stage of the project.
- At the Council meeting on 1 March 2021, Council resolved to allocate \$2.5M towards this project. A further \$0.5M is required to be endorsed by Council to complete the project.
- \$1.3M has been allocated in the 4 year capital works budget in 2022/23 towards the project.
- A current budget allocation of \$50,000 for the design of the refurbishment of Barrbunin Beek can be reallocated to the Olympic Park Master Plan budget in 2021/22.
- The current budget allocation of \$83,796 for the project to light up the median strip on Southern Road can be reallocated to the Olympic Park Master Plan budget in 2021/22.
- \$1.57M is required to be allocated in the 2022/23 capital works budget to fund the balance of the \$3M contribution towards the project which can come from Councils public Open Space Reserve which has available funding.

OLYMPIC PARK MASTER PLAN - FUNDING ANNOUNCEMENT cont'd

Community Engagement

- Banyule City Council has an established a Community Reference Group for the Olympic Park Precinct Master Plan project consisting of representative from the user groups of the Olympic Park Precinct. The Project Control Group includes representatives Banyule Council, Football Victoria and Sport and Recreation Victoria.
- Along with consulting with the Community Reference Group, multiple community consultation sessions were hosted throughout the development of the Master Plan. Open sessions were advertised on our Shaping Banyule websites and letters were sent via mail to over 1000 nearby residents inviting them to drop in to meetings, hosted at Olympic Park, to provide feedback the Master Plan. Valuable community feedback was taken on board and incorporated into the design. Further community drop in session were hosted to inform the community of how their feedback had been incorporated.
- Consultation will continue as the schematic design progresses to detailed design over the next 6 months.
- A Planning Permit (P956 2019) was granted for these works on 3 February 2020. All the statutory advertising for the planning permit was adhered to. Council also hosted additional drop in sessions to answer any questions community may have had about the application. These sessions were advertised on Shaping Banyule and invites sent to over 800 nearby residents. Notification of the planning permit was also mailed out to over 800 nearby residents.

Collaboration

- The Victorian Government have committed to their contribution of \$4.5M towards the final stage of this project.

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENTS

N	Title	Page
o	.	
1	Schematic Design for Stages 3 and 4 of Olympic Park master Plan	

[⇒](#)

7.5 **BUDGET 2021 - 2025 SUBMISSIONS DECLARATIONS**

Author: Gina Burden - Manager Governance & Communication, Corporate Services

SUMMARY

1. The proposed Budget 2021 - 2025 (Budget) has been prepared to deliver the overall strategic direction for Banyule. The Budget comprises services, initiatives and capital works across the municipality.
2. Consideration of 2021 - 2025 Budget submissions is included in this Council meeting agenda.
3. The need for Councillors to disclose a conflict of interest where one exists in relation to any of the Budget submissions requires that they be addressed separately.
4. Any item in which a Councillor discloses a conflict of interest are to be dealt with by separate resolution under this 'Budget Submissions Declarations' process.
5. If a Councillor has declared a conflict of interest, they must outline the nature of the interest and leave the Chamber at the request of the Mayor/Chairperson.
6. Once all disclosures have been made and the items which are the subject of any disclosure are determined by the Council, all Councillors are able to vote on the consideration of submissions.
7. This report provides an opportunity for Councillors to disclose any conflicts in relation to the Budget submissions.

RECOMMENDATION

That:

1. The Mayor invite Councillors to disclose any conflicts of interest in relation to consideration of submissions to the Budget describing the nature of the interest in accordance with the *Local Government Act 2020* and the Banyule Governance Rules.
2. Following each disclosure, Council consider and determine upon the relevant submission.

COUNCIL PLAN

- This report is in line with Banyule's Council Plan key direction to "Provide good governance and be accountable".

BUDGET 2021 - 2025 SUBMISSIONS DECLARATIONS cont'd

BACKGROUND

- In developing the Proposed Budget 2021 - 2025, Council services and capital works have been considered for funding. Councillors who have a conflict of interest in any items to be considered are required to disclose the type and nature of the interest.
- Due to the wide-ranging nature of the services and capital works involved in the Budget, it is reasonably foreseeable that a Councillor may disclose a conflict and would otherwise be required to excuse themselves from the vote. As this would make the adoption of an annual Budget unworkable in practice, *Local Government (Governance and Integrity) Regulations 2020* provides a mechanism for Councillors to vote on a Budget, by requiring the conflict of interest items to be considered and resolved separately. This good practice has also been applied to the consideration of submissions to the Budget.

Legal Consideration

- Councillors and staff are required to declare Conflicts of Interest in accordance with the Act and the Banyule Governance Rules. Normally where a Councillor has a conflict of interest in an item on the agenda, they must declare the interest and must remove themselves from being involved in participating in the discussion or voting on the matter.
- With regard to the adoption of the Council Budget, provision has been made in the *Local Government (Governance and Integrity) Regulations 2020* (regulation 7, 1r) for exempting a Councillor from having to declare a conflict of interest in the overall Budget so long as the item/s that a Councillor has a conflict of interest in are considered and determined separately prior to adoption of the Budget as a whole.
- Therefore, to ensure all Councillors are able to participate in the adoption of the Budget submissions, any submission to the Budget in which a Councillor discloses a conflict of interest are to be dealt with by separate resolution under this 'Budget Submissions Declarations' process. Any Councillor declaring a conflict of interest would need to then follow the normal process and remove themselves from the Chamber for the discussion and vote on the matter/s.
- Once all disclosures have been made and the items which are the subject of any disclosure are determined by the Council, all Councillors will be able to participate in the consideration and adoption of the Budget submissions as a whole package.

Human Rights Charter

- Victoria's Charter of Human Rights and Responsibilities (the Charter) outlines the basic human rights of all people in Victoria. The Charter requires that governments, local councils and other public authorities comply with Charter and to consider relevant Charter rights when they make decisions.
- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.

BUDGET 2021 - 2025 SUBMISSIONS DECLARATIONS cont'd

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENTS

Nil

7.6 CONSIDERATION OF SUBMISSIONS RECEIVED - PROPOSED BUDGET 2021-2025 & PROPOSED REVENUE AND RATING PLAN 2021-2025

Author: Tania O'Reilly - Manager Finance & Procurement, Corporate Services

Previous Items

Special Council on 26 May 2021 7.00pm (Item 5.1 - Proposed Budget 2021 – 2025 and Proposed Revenue and Rating Plan 2021 – 2025 – Hearing of Submissions)

SUMMARY

1. At the Ordinary Council Meeting on 12 April 2021, Council resolved to give notice for the preparation of the Budget 2021-2025 and the preparation of the Revenue and Rating Plan 2021-2025. Subsequently, Council commenced a public exhibition period.
2. The proposed Budget 2021-2025 and the proposed Revenue and Rating Plan 2021-2025 were made available for community comment from 14 April 2021 to 11 May 2021, enabling members of the community to provide written submissions.
3. Seventy (70) submissions were received in relation to the Budget and Revenue and Rating Plan.
4. Council held a Council Meeting on Wednesday, 26 May 2021 to hear the public submissions. At this meeting Council resolved that the submissions received be included in the report to the Council Meeting to be held on Monday, 7 June 2021 for Council consideration to determine outcomes for the submissions.
5. This report is to enable Council to formally consider and agree on the outcomes of each written submission received regarding the proposed Budget 2021-2025 and the proposed Revenue and Rating Plan 2021-2025.
6. All submissions received are presented in a summary table attached to this report. The attachment includes a summary of each submission, officer comments and recommendations.
7. The proposed Budget 2021-2025 and the proposed Revenue and Rating Plan 2021-2025 will be updated with the details and financial impact of each submission, as determined by the outcome of Council's consideration of the submissions.
8. Consideration to adopt the proposed Budget 2021-2025 and the proposed Revenue and Rating Plan 2021-2025 with or without amendment will be held at a Council Meeting on Monday, 28 June 2021.
9. Any conflicts of interest have been addressed separately under the 'Budget Submissions Declarations' process and will enable all Councillors to be able to vote on the consideration of submissions.

CONSIDERATION OF SUBMISSIONS RECEIVED - PROPOSED BUDGET 2021-2025 & PROPOSED REVENUE AND RATING PLAN 2021-2025 cont'd

RECOMMENDATION

That:

1. Council having heard and considered the submissions in respect of Council's intention to adopt the proposed Budget 2021-2025 and the proposed Revenue and Rating Plan 2021-2025 in accordance with sections 93 and 94 of the *Local Government Act 2020*.
 - a. Supports or partially supports the projects and or funding requests for submissions 1, 6, 10, 20, 28, 30, 31, 33, 36, 38, 40, 52, 56-58, 60, 62, 63, 69 & 70 and agrees to amend the proposed Budget 2021-2025 as outlined in this report.
 - b. Supports the projects and or funding requests for submissions 21 & 37 as already funded or planned to be funded within the capital works and initiatives program, with no changes proposed to the Budget 2021-2025.
 - c. Agrees to undertake further investigation regarding the projects and or specific funding requests for submissions 2, 5, 7, 9, 11 - 15, 18 -19 and, if warranted, utilise existing budget allocations and or refer the project to a future budget.
 - d. Notes the feedback, issues, concerns and or support from submissions 27, 34, 46, 54 & 67.
 - e. Pursues alternative solutions with the submitters for submissions 3, 4, 17, 29, 32 & 41.
 - f. Notes the unsupported submissions 8, 16, 22-26, 35, 39, 42-45, 47-51, 53, 55, 59, 61, 64, 65, 66 and 68.
 - g. Notes the resolution from the 'Budget Submissions Declaration' (Item No: 7.5) and the subsequent decisions in relation to any submissions which were dealt with as part of that resolution.
2. All submitters be advised Council has considered their submissions relating to the proposed Budget 2021-2025 and the proposed Revenue and Rating Plan 2021-2025, be advised of the outcome of the consideration as it relates to their specific submission and thanked for their contributions.
3. The details and financial impact of the submissions agreed to be included in the proposed Budget 2021-2025 and the proposed Revenue and Rating Plan 2021-2025 be updated with the documents to be considered by Council at its meeting on Monday 28 June 2021, where Council will consider adoption of the proposed Budget and Revenue and Rating Plan.

COUNCIL PLAN

- This report is in line with Banyule's Council Plan key direction to "Provide good governance and be accountable".

CONSIDERATION OF SUBMISSIONS RECEIVED - PROPOSED BUDGET 2021-2025 & PROPOSED REVENUE AND RATING PLAN 2021-2025 cont'd

BACKGROUND

- This report is presented to enable Council to formally consider written submissions received regarding the proposed Budget 2021-2025 and the proposed Revenue and Rating Plan 2021-2025.
- The submissions received by Council cover a wide and varied range of community proposals and requests for additional projects and or funding to be provided for a specific purpose. The Seventy (70) submissions received are included in this report for Council consideration and to determine outcomes of each of these submissions.
- The proposed Budget 2021-2025 and the proposed Revenue and Rating Plan 2021-2025 will be updated with the details and financial impact of each submission, as determined by the outcome of Council's consideration of the submissions.
- Council also relies on a wide range of partnerships and shared resources to provide services to the community. Key partnerships with the Community, other levels of government and agencies are very important to enable Council to deliver on the key directions.
- Council works closely with partners to advocate for improved services, infrastructure and social outcomes. Council also seeks opportunities for equitable funding and service arrangements.

KEY ISSUES

Community Engagement

- • Public submissions were called for in relation to the proposed Budget 2021-2025 and the proposed Revenue and Rating Plan 2021-2025. These documents were made available on Council's website from 14 April 2021 to 11 May 2021 enabling members of the community to provide written submissions.
- The overall total number of submissions received as at the time of preparing this report is Seventy (70). The submissions were presented to Council at a Council Meeting on Wednesday, 26 May 2021. This separate meeting provided an opportunity for Council to receive and hear the submissions in respect of Council's intention to adopt the proposed Budget 2021-2025 and the proposed Revenue and Rating Plan 2021-2025.
- The Councillors received all 70 submissions on Monday 17 May 2021 (including any amended submissions that were re-submitted by the submitter post the 11 May 2021 closing date).
- Following the Council Meeting on Wednesday 26 May 2021, a detailed summary of the submissions including officer comments and recommendations was provided to Councillors (Thursday 28 May 2021) and is now included in this report (attached).
- All submitters will be individually informed of the outcome of their submission in writing after the adoption of the Budget 2021-2025 and the Revenue and Rating Plan 2021-2025.
- Submissions are de-identified to the public where privacy concerns are evident.

CONSIDERATION OF SUBMISSIONS RECEIVED - PROPOSED BUDGET 2021-2025 & PROPOSED REVENUE AND RATING PLAN 2021-2025 cont'd

SUPPORTING REPORT DETAILS

Legal Consideration

- Council has followed the legislative requirements in accordance with the *Local Government Act 2020* and in accordance with the Council's Community Engagement Policy.
- Submitters have been provided with the opportunity to be heard and address Council in support of their submissions.
- Council will consider any submissions on a proposal (or proposals) contained in the proposed Budget and proposed Revenue and Rating Plan at the Council Meeting on Monday, 7 June 2021.
- If a Budget to be approved by a Council includes funding for a matter in respect of which a Councillor has a conflict of interest the Councillor is taken to not have a conflict of interest for the purposes of approving the Budget or Council Plan if the:
 - Council previously approved the matter for inclusion, and
 - Councillor disclosed the nature of the conflict of interest when the decision in respect of the matter was previously considered and made.

Human Rights Charter

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.

Sustainable Procurement Outcomes

- There are no sustainable procurement activities arising from the recommendation contained in this report.

Financial Implications

- The Seventy (70) submissions received are presented in a summary table attached to this report. The attachment includes a summary of each submission, officer comments and recommendations.

CONSIDERATION OF SUBMISSIONS RECEIVED - PROPOSED BUDGET 2021-2025 & PROPOSED REVENUE AND RATING PLAN 2021-2025 cont'd

- The recommended financial outcomes, based on the officer review and assessment of these submissions, for the proposed Budget 2021-2025 and the proposed Revenue and Rating Plan 2021-2025 are outlined below.

A. Submissions supported – changes to the proposed Budget 2021-2025 required:

Submission number and the nature of change to the proposed Budget 2021-2025		Financial implication <i>(Allocations are funded from operational surplus unless otherwise stated)</i>
1	Willinda Park Management Committee - request for the advice and direction on the upgrade of Willinda Park athletics complex	Capital works program – allocation of \$25,000 be provided in 2022/23 (Year 2) <i>Note: Funding (\$25,000) is to be retained in 2024/25 (Year 4) of the Capital works program.</i>
6	Request for provision of a portable building(s) as workshop facilities located at the "DVGC New Clubhouse" for lapidary	Capital works program – allocation of \$95,000 be provided in 2021/22 (Year 1)
10	Request for a development of a new high- quality multipurpose community facility and grant funding to Somali Voice Victoria for achieving multiple objectives	Initiatives program – allocation of \$63,800 in Year 1 (2021/22) <i>Note: Partially funded</i>
20	Request from Heidelberg Business Park West (HWBPA) to carry over of \$48,000 from 2020-21 and budget funding request of \$65,000 to support activities in 2021-22	Contributions program - allocation of \$17,000 in 2021/22 (Year 1) <i>Note: Partially funded. The request to carry forward \$48,000 has been approved within the parameters of the existing Service Level Agreement with the HWBPA.</i>
28	Request for a feasibility study (including concept drawings) for a Social enterprise Café incorporating expansion of Bike Hut facility at Malahang Reserve	Initiatives program - allocation of \$33,000 in 2022/23 (Year 2)
30	A request from North Heidelberg Sporting Club & Diamond Valley Superules Football Club to bring forward the construction of Oval lighting upgrade project from FY 2023 to FY 2022.	Capital works program – allocation of \$50,000 in 2022/23 (Year 2). <i>Note: Funding for \$25,000 Year 1 (2021/22) and \$300,000 in Year 2 (2022/23) for Capital works program will remain.</i>

CONSIDERATION OF SUBMISSIONS RECEIVED - PROPOSED BUDGET 2021-2025 & PROPOSED REVENUE AND RATING PLAN 2021-2025 cont'd

Submission number and the nature of change to the proposed Budget 2021-2025		Financial implication <i>(Allocations are funded from operational surplus unless otherwise stated)</i>
31	Request for funding from Bundoora baseball Club to have existing lights upgrade or new ones installed	Capital works program – allocation of \$10,000 be provided in 2021/22 (Year 1)
33	Request for funding from Greensborough Baseball Club to cover the Batting cage roof	Capital works program – allocation of \$30,000 be provided in 2022/23 (Year 2)
36	Request for funding from Footscape Inc. to recruit an individual with human resources skills	Initiative program – allocation of \$77,755 to be provided in 2021/22 (Year 1)
38 & 69	Request to increase funding for reserves impacted by the Hurstbridge line duplication project.	Initiative program – allocation of \$15,000 be provided in 2021/22 (Year 1) <i>Note: Partially funded</i>
40	Request for funding for Viewbank Tennis Club Inc of \$80,000 for LED lighting system in 2021/22 budget; \$75,000 for landscaping is allocated again in 2022/23; \$90,000 for upgrading courts 1,2,4,5 and 6 to LED.	Capital works program – allocation of \$80,000 be provided in 2021/22 (Year 1) and \$50,000 in 2022/23 (Year 2). <i>Note: Funding (\$195,000) planned for 2022/23 (Year 2) of the Capital works program and \$80,000 is to be brought forward to Year 1.</i>
52	Request from BANSIC to maintain the level of funding BANSIC received in 2020-2021 for the 2021-2022 financial year.	Operational budget – allocation of \$20,000 annually to be provided in from Year 1 (2021/22) to Year 4 (2024/25). <i>Note: Funding for \$71,949 annually from Year 1 (2021/22) to Year 4 (2024/25) from the Operating budget will remain.</i>
56 - 57	Request for funding to construct a speed hump and signage at Brassey Avenue Rosanna.	Capital works program – allocation of \$35,000 be provided in 2021/22 (Year 1)
58	Request for funding from BNLLLEN for resourcing 2 Staff members to develop a dynamic and innovative model on youth entrepreneurship.	Initiatives program - allocation of \$33,000 in 2022/23 (Year 2) <i>Note: Partially funded</i>
60	Request for funding of \$16,500 for the Somali Australian Lawyer Program	Operational budget – allocation of \$16,500 to be provided in 2021/22 (Year 1)

CONSIDERATION OF SUBMISSIONS RECEIVED - PROPOSED BUDGET 2021-2025 & PROPOSED REVENUE AND RATING PLAN 2021-2025 cont'd

Submission number and the nature of change to the proposed Budget 2021-2025		Financial implication <i>(Allocations are funded from operational surplus unless otherwise stated)</i>
62	Request from Sport for All social enterprise seeking support to replicate the Sport for All Social Enterprise with the Banyule-based current facility as the central processing and distribution centre.	Initiative program – allocation of \$77,755 to be provided in 2021/22 (Year 1)
63	Request for funding for new equipment cage at Banyule flats Reserve and also Catch nets at Yallambie park reserve.	Capital works program – allocation of \$30,000 be provided in 2022/23 (Year 2)
70	Request for funding for upgrade sports field floodlights at Montmorency Park, North Oval	Capital works program – allocation of \$10,000 be provided in 2021/22 (Year 1) <i>Note: Partially funded. Review of audit, design and costing to be undertaken.</i>

B. Submissions Supported – No changes required:

- No. 21 – Funded in Year 1 of capital works program.
- No. 37 – Funded in the Operational budget each year from 2021-2025.

C. Submissions requiring further investigation:

- No. 2 – Request for a playground and outdoor exercise area at College Views Reserve: Review the need for an additional play-space in the area in future years.
- No. 5 - Greensborough Bowling Club - request for renewal of two Greens and upgrade to LED lights: Consider undertaking an audit of the lighting and bowling greens to access conditions, costs and priorities for improvement and explore funding strategies.
- No. 7 - Altona Street and Monash Street in Heidelberg Heights - request for Council to fund installation of splitter islands at the intersection: Listed for consideration in Year 5 (2025/2026) of the program.
- No. 9 - Advocate for resources for the Banyule Somali-Australia Community: The group to meet with Council Officers to further discuss.
- No. 11 - 14 – Request for a footpath on the north side boundary of Concord Primary School Watsonia (no through road): Once the design of the NEL is known further pathway and access options can be considered in this area in consultation with the school.

CONSIDERATION OF SUBMISSIONS RECEIVED - PROPOSED BUDGET 2021-2025 & PROPOSED REVENUE AND RATING PLAN 2021-2025 cont'd

- No. 15 - Request council funding to refurbish the Greensborough Historical Social Resource Centre: To be further considered after the outcomes of the community facility audits to determine facility priorities and budgets.
- No. 18 & 19 - Request for urban planning and conservation heritage guidelines for the Elliston Estate in Rosanna.

Further review pending outcomes of Banyule's Heritage Strategy planned to be undertaken in Year 2 (2022/23).

D. Submissions Noted - for comments, suggestions, concerns, or in support of proposed plans

- No. 27, 46, 54 - in support.
- No. 34, 67 – comments, suggestions, and or concerns.

E. Consider pursuing alternative solutions for these Submissions

- No. 3, 4, 29, 41 - Request for funding for an urban food strategy: Apply for an Environmental grant in the first instance to develop a feasibility study.
- No. 17 - Bridge linking Glenauburn Park (Research/Lower Plenty baseball club) to Yallambie Park (Banyule City Soccer Club): The proposed bridge link can be considered as part the investigation and design of the East-West Transmission Line Trail which is funded as part of the 4-year Capital Works budget.
- No. 32 - Request for funding from Yarra Valley Hockey Club for development of a second pitch: Continue to advocate for with the State or Federal government to achieve delivery in the future.

F. Unsupported Submissions

- No. 8 - Mountain View Parade and Invermay Grove in Rosanna - request for Council to fund installation of a roundabout at the intersection: A roundabout will not accommodate the movements of larger vehicles and reduce sight lines.
- No. 16 - Parent's Domain - request for funding to deliver group programs for the children in local community in 2021: This is a private for-profit business generating income from both counselling services and resource/material sales.
- No. 65 - Request for funding for Yallambie - for the park (under the power lines) near the milk bar (on Yallambie Road) that needs attention and funds: It is currently listed for renewal in 2025/2026. It has been recently inspected, and no safety issues need to be addressed.
- No. 68 - Request from Merri Outreach Support Service Ltd to apply for a waiver of rent: Shop 48 The Harmony Centre in 2021/2022 is planned to be fully operational for all tenants and community.
- No. 22 - 26, 35, 42 - 45, 50 - 51, 55, & 61 - Request for \$15 Million for a standalone Rosanna Library / community centre over the next 2 years: The partnership project with Woolworths is currently in community engagement

CONSIDERATION OF SUBMISSIONS RECEIVED - PROPOSED BUDGET 2021-2025 & PROPOSED REVENUE AND RATING PLAN 2021-2025 cont'd

phase. The results of the community engagement will be reported back to Council in July where Council will consider proceeding to the next phase.

- No. 39, 47 - 49, 53, 59, 64, 66 - Request for funding to support for the Montmorency Community Hub: There is no identified strategic opportunity as a Council led redevelopment or evidence-based support for a Council operated community facility.

Key Considerations

Timelines

- Council held a Council Meeting on Wednesday, 26 May 2021 to hear the public submissions.
- Consideration of these submissions at the Council Meeting on Monday, 7 June 2021 where the outcomes will be endorsed.
- Consideration to adopt the proposed Budget 2021-2025 and the proposed Revenue and Rating Plan 2021-2025 with or without amendment will be held at a Council Meeting on Monday, 28 June 2021.

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council has followed the legislative requirements in accordance with the *Local Government Act 2020*.

Conflict of Interest requirements

- Section 130 of the Act requires:
 - A relevant person who has a conflict of interest in respect of a matter must—
 - a) disclose the conflict of interest in the manner required by the Council's Governance Rules; and
 - b) exclude themselves from the decision-making process in relation to that matter, including any discussion or vote on the matter at any Council meeting or delegated committee, and any action in relation to the matter.
- A Councillor with a conflict of interest in a matter contained in the proposed Budget or Revenue and Rating Plan must disclose that interest, and the matter will need to be considered separate and prior to the consideration of adoption of the Budget and Revenue and Rating Plan.
- To allow any Councillor who may have a conflict of interest in any submission that has been made the opportunity to declare that interest, a separate report 'Budget Submissions Declaration' (Item No: 7.5) will precede the consideration of submissions at the Council meeting of 7 June 2021.
- The report will allow a councillor/s to declare the matter in which they have a conflict of interest, and for the matter to be considered separately (without the

CONSIDERATION OF SUBMISSIONS RECEIVED - PROPOSED BUDGET 2021-2025 & PROPOSED REVENUE AND RATING PLAN 2021-2025 cont'd

councillor/s present), thereby allowing the councillor/s the opportunity to participate in the consideration of all other submissions.

- Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENTS

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1	Submission 1 -70	
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