

# Agenda of Ordinary Meeting of Council - Monday, 20 November 2023

commencing at 7pm

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



## Acknowledgement of the Traditional Custodians

“Banyule City Council is proud to acknowledge the Wurundjeri Woi-wurrung people as Traditional Custodians of the land and we pay respect to all Aboriginal and Torres Strait Islander Elders, past, present and emerging, who have resided in the area and have been an integral part of the region’s history.”

## Diversity Statement

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

## Apologies and Leave of Absence

## Confirmation of Minutes

*Ordinary Meeting of Council held 30 October 2023*

*Special Meeting of Council held 13 November 2023*

## Disclosure of Interests

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Public Question Time

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:

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.*

*The livestream will be available on Council's Facebook and website [www.banyule.vic.gov.au](http://www.banyule.vic.gov.au)*

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



## 2.1 **PETITION REGARDING NORTH EAST LINK DESIGNS**

Author: Shawn Neilsen - Manager Advocacy, Communications, Engagement & Performance, Executive

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### **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.

- The petition request is as follows:

*"The petitioners therefore request that the Legislative Council call on the Government to change its current design of the Northern Package of North East Link to put a cover on the Watsonia section".*

### **DISCUSSION**

- The North East Link (NEL) is being developed and constructed by the North East Link Project (NELP) in two sections (packages) by separate building consortia in Banyule. The Central Package runs from Bulleen (in tunnel under Banyule Flats and Lower Plenty Road) to just south of Watsonia. The Northern Package includes Watsonia and extends to the M80 Ring Road.
- The Minister for Planning approved a planning scheme amendment in December 2019 which applied the North East Link (NEL) Incorporated Document, December 2019 to the project area. This document requires that an Urban Design and

## PETITION REGARDING NORTH EAST LINK DESIGNS cont'd

Landscape Plan (UDLP) or plans are prepared and endorsed by the Minister of Planning for the project. These may be developed for the project in stages.

- Each UDLP must:
  - Detail the design of the project including site layout plans of proposed infrastructure (above ground), architectural plans with materials and finishes, and landscape plans with species selections.
  - Demonstrate how it is in accordance with the approved Urban Design Strategy (UDS), the Environment Performance Requirements (EPR's) in the approved Environmental Management Framework.
  - Include a plan which shows the extent of the UDLP area in relation to any publicly available or approved UDLP/s.
  - Include a plan which shows the boundary of the Project Land and location of areas to be used for construction compounds consistent with the approved Construction Compound Plan/s.
  - Be accompanied by a summary of the consultation carried out during the public exhibition period including all written comments received and responses to issues raised.
- In preparation for the release of the UDLP for the northern section of the project, Council prepared advocacy materials that included amongst other matters a proposal to increase the coverage of the NEL trench at Watsonia.
- The North East Link Project (NELP) released the Ring Road Completion UDLP for public exhibition on 9 October 2023 and submissions were due by 5pm, Sunday 29 October 2023. Council's submission to the UDLP is being considered as part of the 20 November Council meeting at Report "North East Link – Ring Road Completion Urban Design and Landscape Plan – Council submission". Council has been made aware of and asked to support a community petition being presented the Parliament of Victoria calling for design improvements to the North East Link.
- The background to the petition is as follows:

*"The petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council concerns about the current proposed design of the Northern Package of the North East Link through the Urban Design and Landscape Plan (UDLP). This current design proposes a trench for the North East Link in Watsonia, splitting the community into two. We support the concept of a cover for the Watsonia section of the North East Link.*

*A proposal for a cover has been put forward by Banyule City Council, which has worked with tunnelling, analytics and modelling experts to identify how the project can improve Banyule and create hectares of open space, facilitate investment, attract services and create jobs. Independent analysis commissioned by Banyule Council estimated \$190 million to \$340 million in potential additional value could be created from opportunities enabled by a covered road, with up to \$20 million in gross value injected into the local economy each year. Through effective community advocacy, 1.9 kilometers of tunnel has already been added through the Macleod portion of the North East Link, a neighbouring suburb of Watsonia. The Watsonia community is seeking a similar opportunity to connect our suburb".*
- The specific petition is as follows:

**PETITION REGARDING NORTH EAST LINK DESIGNS cont'd**

*“The petitioners therefore request that the Legislative Council call on the Government to change its current design of the Northern Package of North East Link to put a cover on the Watsonia section”.*

- Given the petition is in direct alignment with Council’s advocacy position for design improvements to the North East link, it is considered appropriate for Council to receive and note the petition.

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract who 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





### 3.1 RECORD OF COUNCILLOR MEETINGS

Author: Rachael Hudson - Council Business Officer., Executive

#### 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>	

**RECORD OF COUNCILLOR MEETINGS cont'd**

	<p>Mark Zuker - <i>Managing Director JWS Research.</i>                  Dan Evans – <i>Consultant ID Consulting</i>                  Ivan Motley– <i>Founder ID Consulting</i></p>
	<p><b>Conflict of Interest:</b> n/a</p>
<b>2</b>	<p><b>Date of Meeting:</b> 16 October 2023 6.39pm - 8.19pm  <b>Type of Meeting:</b> Councillor Briefing</p>
	<p><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</p>
	<p><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</p>
	<p><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></p>
	<p><b>Others Present:</b></p>
	<p><b>Conflict of Interest:</b> n/a</p>
<b>3</b>	<p><b>Date of Meeting:</b> 23 October 2023 6.38pm – 9.05pm  <b>Type of Meeting:</b> Councillor Briefing</p>
	<p><b>Matters Considered:</b>                  Digital Transformation Quarterly Update                  Banner, NFON Schedule                  Public Realm Strategy and design Guide</p>

**RECORD OF COUNCILLOR MEETINGS cont'd**

<p>North East Link – Ring Road Completion Urban Design Landscape Plan- Council Submission Support for Banyule Activity Centres – Update on Reforms</p>	
<p><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</p>	
<p><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></p>	
<p><b>Others Present:</b> n/a</p>	
<p><b>Conflict of Interest:</b></p>	<p>n/a</p>

<b>4</b>	<p><b>Date of Meeting:</b></p>	<p>30 October 2023</p>
	<p><b>Type of Meeting:</b></p>	<p>Councillor Pre-Briefing 5.34pm – 6.30pm</p>
	<p><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 &amp; 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</p>	

**RECORD OF COUNCILLOR MEETINGS cont'd**

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.

**ATTACHMENTS**

Nil

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

Author: Daniel Fantin - Strategic Properties and Projects Coordinator, City Development

Ward: Griffin

#### **Previous Items**

Council on 25 September 2023 (Item 6.2 - 78-80 Hawdon St, Heidelberg - Commencement of Notice of Intention to Sell Land)

Council on 29 May 2023 (Item 3.10 - Proposed Sale of 78-80 Hawdon Street, Heidelberg)

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#### **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.

<b>RECOMMENDATION</b>
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**78-80 HAWDON ST, HEIDELBERG - NOTICE OF INTENT TO SELL - HEARING OF SUBMISSIONS cont'd**

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.

**COUNCIL PLAN**

- This report is in line with Banyule's Council Plan strategy to "Provide responsible management of resources to ensure the financial sustainability of Banyule Council".

**BACKGROUND**

- Council owns the land and improvements known as Hawdon Hall, 78-80 Hawdon Street, Heidelberg (refer to **Figure 1**).



**Figure 1: 78-80 Hawdon Street, Heidelberg. Hawdon Hall shown shaded yellow.**

- The land is identified as Lot 1 on LP 38617 Vol 8664 Folio 477 and Lot TP 400507 Bol 8664 Folio 467.
- Hawdon Hall has been used as a community centre since its purchase by Council in 1967, accommodating many different user groups. The Hall was originally established as a senior citizens venue but is now used more broadly as a community hall.

**78-80 HAWDON ST, HEIDELBERG - NOTICE OF INTENT TO SELL - HEARING OF SUBMISSIONS cont'd**

- Following the completion of the Bellfield Community Hub, the Land is now considered surplus to Council requirements and is proposed for sale.

**KEY ISSUES**

- Six (6) submissions were received and are summarised below in order of date received. All submissions have been appended in full to this report.
- Council officers will provide a response to consistent themes raised within the submissions at the following Ordinary Meeting of Council, where Council will resolve on the sale of land proposal.
- **Submission 1:**
  - Very dismayed to hear that the Council plans to sell the hall, noting that it is used by a number of different groups. Does not understand why the council would sell it out from under the groups that use it.
  - Understands that the sale of the site would bring in funds but notes this is a short-term approach.
  - Notes that it should be deemed more important to provide facilities for Banyule citizens, and that more is put into sporting facilities than other types of facilities required by residents.
- **Submission 2:**
  - Notes that this is disappointing as Joseph Hawdon was one of the first settlers in Heidelberg. Notes that Hawdon Street was named after him, and subsequently Hawdon Hall. Would like something to be done to keep his memory regarding the Hall.
  - Notes that Heidelberg does not need more apartment buildings.
- **Submission 3:**
  - Notes that, if the Hall is sold, Heidelberg needs an up-to-date community magnet as it is an important addition to quality of life for residents. There is no community meeting place currently in Heidelberg.
  - Requests a community centre and Library for Heidelberg, like Watsonia.
  - Notes that Heidelberg is changing and growing rapidly, and therefore finds it difficult to believe, under these circumstances, that the only community facility, however inadequate and superannuated, would be sold and potentially replaced by another residential apartment block.
- **Submission 4:**
  - Strongly objects to the sale of the land. Notes that at least 11 groups have been displaced from the central facility, and that it is against Council policies including the Community Infrastructure Plan (which notes this as the only community infrastructure in the Heidelberg Activity Centre).
  - Notes deep concern with the wording in the prior report, stating that the author has used various premises to determine a conclusion that has resulted in the Councillors voting to commence a Notice of Intent to Sell:
    - *Hawdon Hall has been used as a community centre since its purchase by Council in 1967, accommodating several different user groups.*

**78-80 HAWDON ST, HEIDELBERG - NOTICE OF INTENT TO SELL - HEARING OF SUBMISSIONS cont'd**

- *While overall it's in good condition and has been well maintained, it's aging and doesn't offer contemporary facilities to support a wide range of uses. Although there are several different activities in the Hall, it's essentially a single purpose venue for hire so people only visit it for one reason.*
- Notes that word 'several' is misleading as, by definition, it refers to more than two or three, but not many, and that there are many groups currently using the Hall (9no, but potentially more), and it is not for a 'single purpose'.
- Notes that the Hawdon Hall site is significantly more amenable to the various required uses / plant societies, for reasons including:
  - Wooden floors at Hawdon Hall are significantly easier to clean up than carpet at Bellfield.
  - There is a kitchen at Hawdon Hall that opens on to the stage, unlike Bellfield which has no downstairs kitchen.
  - There is ample space at Hawdon Hall for tables, where Bellfield is crowded.
  - Hawdon Hall has a larger and more easily accessed car park than Bellfield.
  - Hawdon Hall has plentiful lockable storage, which Bellfield does not.
  - Bellfield does not have an adequately sized, and slow, lift, which makes access to the floor above extremely difficult, making transporting the trolley / hot water a potential safety issue.
- Notes that, despite the statement from the Director of Community Wellbeing, the Ivanhoe Garden Club is not enjoying their new facilities at Bellfield due to the non-achievement of the factors noted above.
- Notes that on two occasions the lights in the car park were completely off, and on another flashing, creating an unsafe situation.
- Notes that there are no similar community halls in Eaglemont, East Ivanhoe, Ivanhoe, and now Heidelberg. The distance to Bellfield and Warringal Shire Office is greater, and the unpleasant drive (to the Old Shire Office) has meant some older members are not attending as they are not willing to drive at night.
- **Submission 5:**
  - The submitter requested that their submission be included verbatim. The verbatim submission is appended to this report. A summary is provided below.
  - States that there was no proper public advertising of this potential sale.
  - Notes that Council evicted the groups from Hawdon Hall months prior to advertising for sale which has reduced opposition to the sale. Notes that this indicates that the decision was made at that point in time (May 2023).
  - Notes that Hawdon Hall is the only community infrastructure in the Heidelberg MAC, that Heidelberg should not be without community infrastructure, that it is well utilised by many groups, that the fast-growing



**78-80 HAWDON ST, HEIDELBERG - NOTICE OF INTENT TO SELL - HEARING OF SUBMISSIONS cont'd**

population of Heidelberg deserve better treatment, and that Council is promoting population growth but expecting the community to accept less infrastructure.

- Notes that community would support renewal of the site rather than acquisition of new property, and that the site should remain operational, with plans changed to upgrade this site. It is also noted that the Community Infrastructure Plan contains excerpts which contradict the sale of the property, and that sale of the Hawdon Hall not been included in the plan. This site is likely to have been the highest priority to provide infrastructure in the Heidelberg Activity Centre. Additionally, there is no plan for replacement in the next 10 years because Hawdon Hall was not identified for sale in this plan.
- Notes that, if there is a contradiction in the Community Infrastructure Plan by the Strategic Property Team plans, then this needs to be public knowledge and made transparent, and queries what the \$89m in funds held for the Strategic Property fund being used for.
- Notes that the alternatives are in incompatible areas which are not supportive to all user groups – e.g.:
  - Timber floor for dancing and storage for many groups.
  - The redirection to Bellfield Hub (and other areas) is unacceptable given it is 2.5kms away from Heidelberg Activity Centre.
  - The Old Shire offices are 1km out of the Heidelberg Activity Centre and should not be considered a viable alternative even if the space is renovated.
- Notes that any alternatives should be in place prior to change at this location.
- Notes there will be a negative economic impact to small businesses during a period of high economic stress.
- Evidence for the above points is then provided from:
  - Community Infrastructure Plan (CIP):
  - 25 May 2023 Ordinary Meeting of Council Minutes, and
  - 28 August 2023 Public Questions.
- These excerpts reiterate that:
  - Hawdon Street Community Hall is the only Council owned building in this 20-minute neighbourhood.
  - The population in this precinct is expected to grow rapidly, particularly in the 0-4years and 60+ years age demographics.
  - Council is proposing over the next 10 years to maximise the use of existing underutilised buildings and create multi-purpose spaces in existing building to improve liveability.
  - There are no actions to provide Heidelberg a new community centre over the next 10 years.

**78-80 HAWDON ST, HEIDELBERG - NOTICE OF INTENT TO SELL - HEARING OF SUBMISSIONS cont'd**

- **Submission 6:**
  - The submitter notes that this is the only Council building in the Heidelberg area, and therefore the sale will deprive the residents of a community facility. If it must be sold, an alternative facility should be provided prior to the sale.
  - Selling without the provision of an alternative facility contravenes the Community Infrastructure Plan's objective to improve liveability through the creation of 20-minute neighbourhoods as walkability is reduced.
  - The area is expected to see significant population growth over the next few years, and Council infrastructure will be an important part of the amenity of the area.
  - The Bellfield Hub is not a viable alternative, requiring car transport to access, and is inadequate for the needs of some community groups.
  - This has not been publicly advertised, so the wider community has not had an opportunity to comment.

**SUPPORTING REPORT DETAILS**

**Legal Consideration**

- Council is required to give public notice under Section 114 of the *Local Government Act 2020* of its intention to sell any Council land.
- Public notice is required to be given in accordance with Council Community Engagement Policy and Plans pursuant to section 55 of the *Local Government Act 2020*.
- Council, at its meeting on 25 September 2023, resolved to commence the statutory process giving notice of intention to sell the land at Hawdon Hall.
- Community engagement commenced 2 October 2023 through the following avenues:
  - Public notice was given on Council's website:  
<https://www.banyule.vic.gov.au/News-items/Notice-of-intent-to-sell-78-80-Hawdon-St-Heidelberg>
  - Signage was placed on site
  - A significant number of nearby property owners and occupiers were notified by direct mail.
- The submission period closed at 5pm on 30 October 2023.

**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.

**78-80 HAWDON ST, HEIDELBERG - NOTICE OF INTENT TO SELL - HEARING OF SUBMISSIONS cont'd**

**Gender Impact Assessment**

- Section 9 of the Gender Equality Act 2020 states Council, as a defined entity, must conduct a Gender Impact Assessment for policies, strategies, plans, programs, and services that are new or up for review and have a direct and significant impact on the public.
- A Gender Impact Assessment was not required for this Report because the Report did not result in the creation or review of a project, strategy or plan that had a direct and significant impact on the public.

**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.

**Officer Declaration of Conflict of Interest**

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract who 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**

<b>N</b>	<b>Title</b>	<b>Page</b>
o		
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1	Hawdon Hall - Final Submissions to Notice of Intent to Sell	
		

### **3.3 INSURANCE RENEWAL ANALYSIS 2023/24**

Author: Lara McNally - Senior People & Culture Business Partner, Corporate Services

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#### **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 were 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.

#### **COUNCIL PLAN**

- This report is in line with Banyule's Council Plan strategy to "Provide responsible management of resources to ensure the financial sustainability of Banyule Council".

#### **BACKGROUND**

- This report provides a high-level overview of Councils Insurance Renewal Package for the 2023/24 financial year obtained with Councils broker AON.
- This report only focuses on areas of material change to Council's insurances and conditions and not on minor variances.
- Overall Council's insurance Package totalled \$4,534,979 up 48.99% from the previous financial year. An increase of this proportion was anticipated, and the budget was approximately estimated for the 2023/24 year. The two main areas

**INSURANCE RENEWAL ANALYSIS 2023/24 cont'd**

of increase are attributed to the Industrial Special Risk (ISR) and WorkCover insurances. This report will provide insight into these Insurance classes and the contributing factors.

- The premium pricing and excess levels on the current insurance program is in line with the current market premium rates charged by insurers in respect of local

## **INSURANCE RENEWAL ANALYSIS 2023/24 cont'd**

government. Unfortunately, in respect of the Cyber Liability insurance, there remain to be limited insurers willing to offer terms.

- Whilst ransomware has been the dominating discussion within the cyber risk sector, there has also been several large data breaches which will continue to shape the cyber landscape.

### **Industrial Special Risks (ISR) Insurance Changes**

- ISR insurance saw the single largest increase and the most movement from insurers. Berkshire previously have held 100% of Council's ISR coverage, this year AON were unable to negotiate the same.
- The increase to Councils ISR costs for this year are attributed to the following reasons:
  1. Council had a three-year Long-Term Agreement with Berkshire which has expired. This kept Council increases in previous years well below industry average, once this agreement ended our pricing was corrected.
  2. Councils claims history in previous years.
  3. General hardening of the market and natural catastrophic weather events.
- Conditions offered by Berkshire have also changed, ISR excesses have increased from \$10,000 up to \$25,000 (as in previous years higher excess and other conditions apply for certain items).
- Council has increased the excess to \$50,000, to help offset the increase costs, this saw a price reduction of approximately \$25,000 to the relevant premium.

### **Insurance Strategy**

- Council adopted an Insurance Strategy that sets out the purpose, principles, strategic objectives, and key outcomes for Council's insurance strategy for the triennial period.
- The strategy takes into consideration the current strategic and operational context of Council and seeks to:
  - Set a clear direction for Council's insurance programme, which aligns with Council's strategic direction.
  - Define the principles, objectives, and key outcomes for the next 3 years.
  - Streamline, simplify, and remove duplication from insurance-related processes, including renewal and claims management.

## **INSURANCE RENEWAL ANALYSIS 2023/24 cont'd**

- Ensure that Council has a fit-for-purpose, cost-effective and sustainable risk transfer to protect Council's assets, environment, and core service delivery.

### **Public/Professional and Products Liability Insurance**

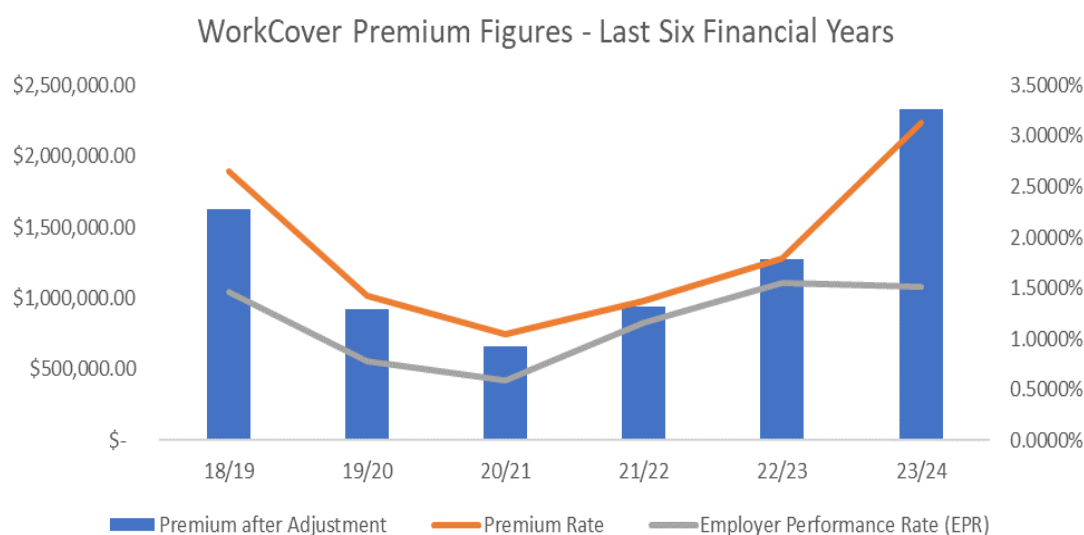
- This is the third year in which the new pricing model for the LMI scheme is being implemented. This year, the scheme has faced the following factors which have increased underlying costs:
  - A significant increase in claim numbers and costs
  - Ongoing market hardening
  - Adverse changes to the inflation rate.
- Public/Professional and Products Liability Insurance continued to see a hardened market with a price increase again this year. Of note, with regards to this product, is that only MAV/LMI provided quotes for coverage this year, AON were unable to obtain an Insurer willing to cover this product. This removed any options for Councils and is representative of the tightening this product has experienced in recent years.
- Significant increase to insurance costs can be seen for Fine Arts with the addition of new artworks added by June 2024 and social norms seeing an increase to Street Parties.

### **WorkCover Insurance**

- At the Audit & Risk Committee meeting held on 23 June 2023 a report was tabled which provided details relating to the WorkCover Scheme Report. A summary is provided below:
- Gallagher Bassett remain Council's current WorkCover Claim's Agent. Premium is determined and issued by the state regulator, the Victorian WorkCover Authority (VWA), commonly known as WorkSafe Victoria.
- Premium is calculated in accordance with both the *Workplace Injury Rehabilitation and Compensation Act 2013* (WIRC) and the yearly issued Victorian Government Gazette Premiums Order.
- The three factors used to calculate a premium each year are:
  - Remuneration (wages)

**INSURANCE RENEWAL ANALYSIS 2023/24 cont'd**

- Industry classification
- Claims costs/experience.
- The VWA sets the underlying industry classification rates used in the premium calculation formulas, this is used in conjunction with the employer’s declared remuneration, claims experience, and workplace classification/s, and other factors.
- Premiums are calculated initially on estimated remuneration for the coming year at the start of July (base premium). Each year actual remuneration figures must be provided by mid-October for the previous financial year when premiums are recalculated and finalised (Adjusted Premium). These adjustments can result in a credit or additional invoice.
- The Premium rates outlined in Table 2 below uses the Adjusted Premium rates where possible to give the actual cost to Council for the relevant year. The Base Premium has been used for 2023/24 as actual remuneration figures will be confirmed at the end of the financial year.



**Table 2** “WorkCover Premium Figures – Last Six Financial Years” chart totals are GST inclusive (Note 2023/24 is base premium rate and have not yet been adjusted. Premiums are also inclusive of the Early payment discount 5% where applicable).

- As announced by the Victorian Premier on 19 May 2023, changes were made to the premium calculation process. Of considerable note, was the increase to the premium percentage of remuneration from 1.2% to 1.8%. Premiums have not increased in more than 20 years.
- The change also saw the cessation of the temporary premium calculation method utilised during the COVID-19 pandemic. The calculation process resorted back to the usual method albeit with the increased percentage and cap removal.
- Changes to industry risk profiles and claims experiences means individual employers’ premiums will always vary. However, with the average target premium



## **INSURANCE RENEWAL ANALYSIS 2023/24 cont'd**

rate increasing across all industries, most employers can expect a rise in their premiums.

- Claim's costs for claims received in the 2020 calendar year will no longer affect future premium calculations.
- Through the active work undertaken by Council's Injury Management / Return to Work Advisor, Council is now seeing a reduction to Employer Performance Rates. Council anticipates this rate to continue to reduce providing further benefit within the premium calculation process.

## **OFFICER DECLARATION OF CONFLICT OF INTEREST**

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract who 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

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

Author: Tony Wu - Senior Accountant, Corporate Services

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#### **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:
  - Financial Performance - key income and expenditure actual operating results against budget; includes operating and initiatives projects (refer to the attachment 'Quarterly Financial Management Report').
  - Capital Works Expenditure – summary of actual spend, budget and forecast. Key projects per ward are provided in the Capital Works project delivery update (attached).
  - Investment activity – compliance against the current Investment Policy
  - 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.

<b>RECOMMENDATION</b>
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That Council note:
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**QUARTERLY FINANCIAL MANAGEMENT REPORT - SEPTEMBER 2023 cont'd**

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.

**COUNCIL PLAN**

- This report is in line with Banyule's Council Plan strategy to "Provide responsible management of resources to ensure the financial sustainability of Banyule Council".

**BACKGROUND**

- The 30 September 2023 Financial Management report comprises a review of the current performance against year-to-date budget, full year budget and full year forecast, and other key financial information.
- Material variances are explained in the attachment – refer notes (variances greater than \$0.500m are considered material).
- This report provides assessment of the following:
  - Key income and expenditure actual operating results against budget
  - Capital Works financial performance
  - Other key financial indicators

**KEY ISSUES**

**Financial Sustainability**

- The current assessment of the Financial Sustainability of the Organisation is measured against the VAGO indicators.

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September 2023	Net Results	Underlying Results	Liquidity	Internal Financing	Indebtedness	Capital Replacement	Renewal Gap
Forecast	8.51	-4.63%	2.57	123.50%	13.28%	2.70	2.56

- The Adjusted Underlying Results measures an entity's ability to generate surplus in the ordinary course of business.
- The current management focus is to improve the Adjusted Underlying Result ratio which is a high financial risk, and it indicates that there are insufficient surpluses generated to fund operations.

## **QUARTERLY FINANCIAL MANAGEMENT REPORT - SEPTEMBER 2023 cont'd**

- The underlying deficit is also impacted by carried forward initiatives expenditure into 2023/2024 from 2022/2023 and from unfavourable movements in the income forecast against budget, related specifically to user fees and charges.
- The financial performance is monitored by the Executive Management Team monthly.

### **SUPPORTING REPORT DETAILS**

- **Legal Consideration** Section 97 of the *Local Government Act 2020* requires a quarterly budget report to Council as soon as practical after the end of each quarter. A quarterly budget report must include a comparison of the actual and budgeted results to date, an explanation of any material variations, any other matters prescribed by the regulations.
- There are no direct legal implications arising from the recommendation contained in this report.

### **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 September forecast is projected to be a \$16.307m deficit compared to the adopted budget deficit of \$16.959m (a \$0.652m unfavourable movement).
- The 2023/2024 underlying operating deficit is forecast to be \$7.764m compared to a budgeted underlying deficit result of \$5.716m (a \$2.048m unfavourable movement).
- Our primary focus moving forward is to closely manage the underlying forecast variance through identifying cost savings across operational activities and initiatives and income opportunities.
- Key Forecast Variances are:
  - Total Income (\$191.716m) is projected to be \$0.719m favourable to budget mainly due to Capital Grant and Contributions income adjustments offset by transfer station closure revenue losses and revised supplementary rate revenue expectations.
  - Total expenses (\$175.409m) are forecast to be \$1.371m unfavourable to budget. This is mainly due to the carry forward program costs into 2023/24 and an increase in the work cover premium payable, partly offset by the reduced expenditure to accommodate for the transfer station closure.
- As of 30 September 2023 a total of \$7.354m has been spent on capital works.

**QUARTERLY FINANCIAL MANAGEMENT REPORT - SEPTEMBER 2023 cont'd**

- The capital works expenditure is forecast to be \$67.685m (the adopted capital budget is \$68.002m).

**Officer Declaration of Conflict of Interest**

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract who 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**

<b>N</b>	<b>Title</b>	<b>Page</b>
o	.	
1	Quarterly Financial Management Report - September 2023 	
2	Capital Works Project Delivery Update - September 2023 	

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

Author: Paul Wilson - Risk & Assurance Advisor, Corporate Services

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#### **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.

#### **COUNCIL PLAN**

- This report is in line with Banyule's Council Plan strategy to "Provide good governance, be accountable and make informed decisions based on sound evidence".

## **AUDIT & RISK COMMITTEE MINUTES 22 SEPTEMBER 2023 cont'd**

### **BACKGROUND**

#### **Audit & Risk Committee Meeting 22 September 2023**

- As part of Council's governance obligations to its community, Council has constituted an Audit & Risk Committee in accordance with the *Local Government Act 2020* to facilitate:
  - The enhancement of the credibility and objectivity of internal and external financial reporting.
  - Effective management of Council's strategic risks and protection and control of Council assets.
  - Monitoring of Council's Business Continuity Plans and processes.
  - The efficiency and effectiveness of significant Council programmes.
  - Compliance with laws and regulations as well as use of Best Practice Guidelines.
  - The effectiveness of the audit functions.
- The Committee meet at least four (4) times annually, with authority to convene additional meetings, as circumstances require.
- At the conclusion of the 22 September 2023 Committee meeting, the Committee resolved to appoint Professor Stuart Kells as Chairperson for a 12-month period commencing 1 October 2023 and concluding 30 September 2024.
- The motion was moved by outgoing Chairperson Dr Irene Irvine and seconded by Independent Representative Mr Greg Rimmer-Hollyman.
- Minutes will be prepared for all meetings and have been reviewed by Prof Kells and circulated amongst the Committee for feedback prior to being presented to Council as 'unconfirmed' minutes.
- These minutes will be submitted to the subsequent Committee meeting on 8 December 2023 for confirmation.

#### **22 September 2023 Committee Members Attendance**

<b>Name</b>	<b>22 September 2023</b>
Dr Irene Irvine (Chairperson)	Present
Prof Stuart Kells (Independent Representative)	Present
Mr Greg Rimmer-Hollyman (Independent Representative)	Present
Cr Peter Dimarelos (Committee Delegate)	Absent
Cr Elizabeth Nealy (Committee Delegate)	Present
Cr Rick Garotti (Substitute Committee Delegate)	Present*

\*Note: In the absence of Committee Delegate Cr Dimarelos, substitute member Cr Garotti was elevated to Committee Delegate throughout the meeting.

#### **Other Attendees**

<b>Name</b>	<b>22 September 2023</b>
Cr Peter Castaldo Mayor	Present
Allison Beckwith Chief Executive Officer	Present
Marc Giglio Director Corporate Services	Present

**AUDIT & RISK COMMITTEE MINUTES 22 SEPTEMBER 2023 cont'd**

Greg Gale	(Acting) Director Assets & City Services	Present
Karen Leeder	(Acting) Director City Development	Present
Jo Wilson	(Acting) Director Community Wellbeing	Present
Tania O'Reilly	Manager Finance & Procurement	Present
Toni Toaldo	Manager People & Culture	Present
Lara McNally	Senior Business Partner	Present
Paul Wilson	Risk & Assurance Advisor	Present
Marjorie Crompton	Senior Accountant	Present
Graham Noriskin	Pitcher Partners	Present
Richard Wilson	Pitcher Partners	Present
Nick Walker	HLB Mann Judd	(Remote)
Hui Ping Teoh	HLB Mann Judd	(Remote)

**KEY ISSUES**

During the September 2023 Committee meeting, the Chairperson commended Council Officers for the detailed and professional reports within the 404 page agenda. Notable reports included:

- **Annual Report - Year Ending 30 June 2023:** The Committee congratulated management on the report and its clean closing report with no audit adjustments, assuring a seamless review.
- **Variance Analysis - Comprehensive Income Statement:** The report highlighted the continuing impact of COVID on Council's expenditure and noted the challenges posed by inflation and ongoing COVID effects.
- **Asset Management - Internal Audit Report:** Pitcher Partners emphasised the need for new technology and systems to improve asset monitoring and maturity.
- **Internal Audit Scope - Cyber Security and Leisure Centre Operations:** The Committee approved the scope and suggested extending the review to examine Council's management of third-party contracts.
- **Safety & Wellbeing Report - 1 May 2023 to 30 August 2023:** The Committee expressed concern over the increase in Lost Time Injuries (LTIs) and urged Council to reassess its practices, particularly in areas such as Operations, Leisure, Childcare, and Parks & Natural Environment.
  - A 'deep dive' assessment of each area was requested and will be reported in future Committee meetings.

At the conclusion of the Committee agenda a Confidential report relating to Darebin Creek Management Committee was discussed. Confidential minutes from this discussion are attached.

**SUPPORTING REPORT DETAILS**

**Legal Consideration**

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



## **AUDIT & RISK COMMITTEE MINUTES 22 SEPTEMBER 2023 cont'd**

### **Human Rights Charter**

- It is considered that the subject matter does not raise any human rights issues.
- **Gender Impact Assessment**A Gender Impact Assessment was not required for this Report because the Report is a reflection of discussion held during the Committee meeting and any follow up action which may require any creation or review of a project, strategy or plan that had a direct and significant impact on the public will be individually assessed against the GIA prior to presenting to Council.

### **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.

### **Officer Declaration of Conflict of Interest**

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract who 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**

<b>N</b>	<b>Title</b>	<b>Page</b>
•	.	
1	Unconfirmed Minutes - Audit Risk Committee Meeting held 22 September 2023	
2	Item 5.1 - Unconfirmed Minutes - Audit & Risk Committee Minutes - 22 September 2023 - Confidential Matter - <b>CONFIDENTIAL</b>	

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

Author: Krysten Forte - Manager Governance & Integrity, CEO Office

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#### **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.

<b>RECOMMENDATION</b>
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That Council:
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**CEO EMPLOYMENT & REMUNERATION POLICY & CEO EMPLOYMENT MATTERS TERMS OF REFERENCE REVIEW cont'd**

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.

**COUNCIL PLAN**

- This report is in line with Banyule's Council Plan strategy to "Provide good governance, be accountable and make informed decisions based on sound evidence".

**BACKGROUND**

- Council have a CEO Employment Matters Committee which is comprised of all 9 elected Councillors and comprises of an Independent Committee Member who is the chairperson.
- The Committee operates to a CEO Employment and Remuneration Policy (The Policy) (required in accordance with s 45 of the Act) and a Terms of Reference (ToR) to guide the committee in discharging its duties.
- The Policy was adopted by Council on 6 December 2021 and has not since been reviewed.
- 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.
- 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.
- The Council ratified this decision at the Confidential Council meeting on the 30 October 2023.

**KEY ISSUES**

- Since the *Local Government 2020* came into force, all councils across Victoria prepared policies in a short period of time to meet the requirements of the Act's implementation.
- It is opportunistic that in the lead up to the 2024 a timetable for review of key policies is developed. The CEO Employment and Remuneration Policy and Terms of Reference has been ear marked as a Policy integral for review, and a range of recommendations to Council on those changes are detailed in **Attachment 2** of this Report.
- The Committee have acknowledged the need for this review and recommended this to Council accordingly at its Meeting on 30 October 2023.
- **Attachment 2** details the key changes to the Policy and rationale for each.

**CEO EMPLOYMENT & REMUNERATION POLICY & CEO EMPLOYMENT MATTERS TERMS OF REFERENCE REVIEW cont'd**

- Due to the changes to layout, structure and insertion of clauses, a track change version of the Revised Policy from the current Policy was not possible. However for transparency purposes:
  - **Attachment 3** includes the current Policy with comments made relating to what has been carried over into the Revised Policy & what has been disbanded and why.
  - **Attachment 4** includes the current Terms of Reference with comments made relating to what has carried over into the Annexure A – Terms of Reference and what has been disbanded and why.

**SUPPORTING REPORT DETAILS**

- **Legal Consideration** Council are required to prepare a CEO Employment and Remuneration Policy in accordance with s 45 of the *Local Government Act 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.

**Gender Impact Assessment**

- Section 9 of the *Gender Equality Act 2020* states Council, as a defined entity, must conduct a Gender Impact Assessment for policies, strategies, plans, programs, and services that are new or up for review and have a direct and significant impact on the public.
- For further information, including the Gender Impact Assessment Toolkit please refer to the Commission for Gender Equality in the Public Sector, Gender Impact Assessment Hub.
- In developing this report, the subject matter has been considered in accordance with the requirements of the Section 9 of the *Gender Equality Act 2020*.
- The CEO Employment and Remuneration Policy impacts the current and prospective CEO's of Banyule City Council and therefore has direct impacts on the way the recruitment of members of the public may be considered for employment.
- As a result of the Gender Impact Assessment, the following recommendations have been made where applicable were made to reduce gender inequality and promote gender equality:
  - Recommendation to Council's People and Culture Department responsible for the review of the Recruitment Policy to ensure that the definition of *merit based recruitment* is to be defined when the Recruitment Policy is revised to understand any gender impacts and barriers as a result of this definition and requirement.
  - Insertion of Clause 1.2.1 (c) of the Revised Policy whereby the recruitment and appointment of the CEO has regard to gender equality, diversity and inclusiveness.

**CEO EMPLOYMENT & REMUNERATION POLICY & CEO EMPLOYMENT MATTERS TERMS OF REFERENCE REVIEW cont'd**

- Ensure that remuneration reviews of the CEO of the day is in line with benchmarked data assessed against Victorian local government agencies to better understand and assess competitiveness and identification of any gender pay gaps through the remuneration reviews. This has been incorporated into the policy at Clause 10.3 of the Revised Policy.
- Ensure that the preparation of the CEO Remuneration Package has regard to benchmarking data across the Local Government sector and gender equality which is incorporated into the policy at Clause 10.1.3.
- Some of the research, comments and feedback received throughout the Gender Impact Assessment included:
  - While more than half of the administrative workforce in the local government sector is female, less than half of the directors and managers are women.
  - Further, statistics do demonstrate that as of August 2020, there were 54 male CEOs (68.4%) and 25 female CEOs (31.6%) across local government sector in Victoria.
  - The number of female CEOs of Victorian local councils has almost doubled in the past 3 years, increasing from 13 female CEOs (16.5%) in August 2017.
  - It could be said that more male CEO's would access this Policy more than females, however an organisation only employs one CEO at a time, so this is difficult to confirm.
  - 2 out of the 3 CEO's appointed at Banyule City Council have been male.
- Data sources:
  - [https://victorianwomenshealthatlas.net.au/#!/atlas/Socioeconomics/SE/CEOs%20Of%20Local%20Councils/SE\\_10/2020%20Gender%20of%20CEO/283/F/state/all/false](https://victorianwomenshealthatlas.net.au/#!/atlas/Socioeconomics/SE/CEOs%20Of%20Local%20Councils/SE_10/2020%20Gender%20of%20CEO/283/F/state/all/false)
  - <https://www.wgea.gov.au/data-statistics/data-explorer>

**Financial Implications**

- There are no financial implications arising out of the decision before Council to adopt this Policy.
- The updated Policy has been informed by best practice and advice commissioned by Maddocks Lawyers to support compliance and best practice industry standard.

**Community Engagement**

- Community engagement is not required under the *Local Government Act 2020* in the development or review for the CEO Employment and Remuneration Policy therefore did not occur.

**Key Considerations**

- The following key considerations were referenced when preparing the Revised Policy:

**CEO EMPLOYMENT & REMUNERATION POLICY & CEO EMPLOYMENT MATTERS TERMS OF REFERENCE REVIEW cont'd**





- Learnings and opportunities from the Policy implementation over the past 2 years since it's development under the Act.
- Legislation, VAGO recommendations and industry standards
- Readability and ease of reference to include clauses and reference numbers
- Strengthened the distinction of Councillor members & Independent Committee member and officers in Policy
- CEOs contract of Employment
- CEO Performance monitoring review process
- The appointment of an Acting CEO
- Scope of the Revised Terms of Reference & extent of authority of the Committee
- Reference and consistency with Council's separate Recruitment Policy
- The window of time for the reappointment of a CEO from "*must be made six months prior to the expiry of their contract*" to "*No more than 12 months and no less than 6 months prior tot the expiry of the current CEO's Contract of Employment, the Committee will provide a recommendation to Council on...*" this provides for greater flexibility with respect to a reappointment and appointment of a CEO and removes potential practical difficulties for reappointing the CEO
- Remuneration and expenses – review process to change from the Mayor of the day to the Director Corporate Services in accordance with VAGO best practice recommendations from their Fraud and Corruption Control – Local Government Report June 2019
- The role, appointment and selection process for the Independent Chairperson
- Committee meeting procedures to provide further clarity and guidance to the Committee regarding its procedures and is in keeping with best practice across the sector
- Incorporation of Terms of Reference & Policy into one comprehensive document
- Simplified Terms of Reference to remove and reiterate Councillor obligations
- Inclusion of recommended meeting procedure and availability of hybrid or virtual meetings as required.

**Officer Declaration of Conflict of Interest**

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract who 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.

**CEO EMPLOYMENT & REMUNERATION POLICY & CEO EMPLOYMENT  
MATTERS TERMS OF REFERENCE REVIEW cont'd**

**ATTACHMENTS**

<b>N</b>	<b>Title</b>	<b>Page</b>
o	.	
1	CEO Employment & Remuneration Policy - Revised November 2023 	
2	Summary of Key Changes 	
3	Current Policy Inc. comments on changes 	
4	Current Terms of Reference Inc. comments on changes 	





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

Author: Jo Graham - Executive Assistant to the Director Community Wellbeing,  
Community Wellbeing

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### **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

**ADVISORY AND POPULATION COMMITTEES REPORT - JULY - OCTOBER 2023  
cont'd**

- 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).
  - 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.

**ADVISORY AND POPULATION COMMITTEES REPORT - JULY - OCTOBER 2023  
cont'd**

- 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 LGBTIQ+ 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 LGBTIQ+ 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.
- 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.

**COUNCIL PLAN**

- This report is in line with Banyule's Council Plan key direction to "Promote community awareness and support a diverse, connected, and inclusive community that respects and celebrates different cultures, beliefs, abilities, bodies, ages, sexualities, genders and identities".

**ADVISORY AND POPULATION COMMITTEES REPORT - JULY - OCTOBER 2023  
cont'd**

- **BACKGROUND** Advisory and Population Committees are made up of Councillors and community members. They each have terms of reference 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.
- Advisory and Population Committees provide important linkages between Council, community, state agencies and interest groups. Following a committee meeting, a quarterly report is submitted to Council to note the minutes and consider any issue raised.

**KEY ISSUES**

<b>1.</b>	<b>Report/Committee Name: Inclusive Banyule Advisory Committee</b>
	<p>The aim of the Inclusive Banyule Advisory Committee is to deliver on Council's ongoing and embedded commitment to social justice and inclusion. The Committee brings together policy, practice and lived experience to work cooperatively on social inclusion issues. The Committee identifies issues for advocacy and works with Council to identify future policy issues and addresses the ongoing impacts of COVID-19 on social inclusion and considers social justice and equity in the community.</p> <p><b>2 August 2023 Meeting:</b> The Inclusive Banyule Advisory Committee met on 2 August 2023 at Shop 48, Bell St Mall, Heidelberg West. The minutes from this meeting can be read at <b>Attachment 1</b>.</p> <p>The meeting was chaired by Cr Peter Castaldo and a total of 9 committee members were in attendance.</p> <p><b>Discussion Points:</b></p> <ul style="list-style-type: none"> <li>• Banyule Housing Strategy</li> <li>• Mental health supports in schools</li> <li>• Mental Health First Aid training</li> <li>• Updates on the progress of:             <ul style="list-style-type: none"> <li>○ Inclusive Banyule Actions Plan</li> <li>○ Referendum on Voice</li> <li>○ Advocacy</li> <li>○ Banyule Community Bus</li> <li>○ NDIS</li> </ul> </li> </ul> <p><b>Actions/ Recommendations:</b> There were no recommendations to Council arising from this meeting.</p>
<b>2.</b>	<b>Report/Committee Name: Reconciliation Action Plan Advisory Committee</b>

ADVISORY AND POPULATION COMMITTEES REPORT - JULY - OCTOBER 2023  
cont'd

	<p>The aim of the Reconciliation Action Plan (RAP) Advisory Committee is to provide Council with advice and information on inclusion, access and equity issues facing Aboriginal and Torres Strait Islander communities.</p> <p><b>13 September 2023 Meeting:</b> The Reconciliation Action Plan Advisory Committee met on 13 September 2023 at Barrbunin Beek Aboriginal Gathering Place. The minutes from this meeting can be read at <b>Attachment 2</b>.</p> <p>The Meeting was chaired by Committee member Shelley Ware and attended by Cr Peter Castaldo and Cr Elizabeth Nealy. A total of 10 committee members were in attendance.</p> <p><b>Discussion Points:</b></p> <ul style="list-style-type: none"><li>• Presentation regarding Creative Banyule 2023 and acquisition of art.</li><li>• Heritage Strategy Consultation</li><li>• Presentation regarding Banyule Housing Discussion Paper</li><li>• Establishment of a formal relationship with Reconciliation Victoria</li><li>• Self-care during the lead up to the Referendum</li><li>• Potential change of committee name to Banyule Aboriginal and Torres Strait Islander Advisory Committee (BATSIAIC)</li></ul> <p><b>Actions/ Recommendations:</b> The RAP Advisory Committee recommends that Council invests in an MOU with Aboriginal Housing Victoria (AHV).</p> <p><b>Officer Comment:</b> Officers will submit a report regarding Council investment in an MOU with Aboriginal Housing Victoria (AHV) for Council consideration.</p>
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<b>3.</b>	<p><b>Report/Committee Name: Banyule Arts and Culture Advisory Committee</b></p> <p>The aim of the Arts and Culture Advisory Committee is to provide a formal mechanism for Council to consult with key stakeholders, seek specialist advice and enable community participation in the strategic development of arts, culture and heritage planning, policy and development.</p> <p><b>3 August 2023 Meeting:</b> The Banyule Arts and Culture Advisory Committee met in person on 3 August 2023 at the Ivanhoe Library and Cultural Hub. The meeting minutes can be read at <b>Attachment 3</b>.</p> <p>Cr Elizabeth Nealy chaired the meeting and a total of 9 committee members were in attendance.</p> <p><b>Discussion Points:</b></p> <ul style="list-style-type: none"><li>• Advisory committees term extension</li><li>• Creative Banyule 2030</li><li>• Banyule Heritage Study</li><li>• What's on in Banyule</li></ul> <p><b>Actions/ Recommendations:</b></p>
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**ADVISORY AND POPULATION COMMITTEES REPORT - JULY - OCTOBER 2023  
cont'd**

	<p>That Council note the unanimous Banyule Arts and Culture Advisory Committee recommendation to endorse the Creative Banyule: draft Arts and Culture Strategy 2023-2031 for public exhibition.</p> <p><b>Officer Comment:</b></p> <p>A report regarding the Creative Banyule: Draft Arts and Culture Strategy 2023-2031 was submitted to Council at the 28 August 2023 Council Meeting requesting approval of the Strategy for public exhibition.</p>
<p><b>4.</b></p>	<p><b>Report/Committee Name: Banyule Environment and Climate Action Committee</b></p>
	<p>The aim of the Banyule Environment &amp; Climate Action Advisory Committee is to provide feedback and advice to Council to support its work in developing and implementing long term environmental policy, goals strategies, and in commenting on the achievement of these.</p> <p><b>14 September 2023 Meeting:</b></p> <p>The Banyule Environment and Climate Action Committee met in person and online (hybrid meeting) at Banyule Council offices in Greensborough on 14 September 2023. The meeting minutes from this meeting can be read at <b>Attachment 4</b>.</p> <p>The meeting was chaired by Cr Peter Castaldo and attended by 9 committee members.</p> <p><b>Discussion Points:</b></p> <ul style="list-style-type: none"> <li>• Presentation regarding the Housing Discussion Paper and Housing Discussion Paper survey.</li> <li>• Discussion regarding extension of Committee term, committee recruitment process and terms of reference.</li> <li>• Review of State of Environment report indicators.</li> <li>• Update on Corporate Emissions Reduction Plan refresh, Biodiversity Plan, Adaptation Plan, Community Batteries, Urban Food, and North East Link Project (NELP).</li> </ul> <p><b>Actions/ Recommendations:</b></p> <p>There were no recommendations to Council arising from this meeting.</p>
<p><b>5.</b></p>	<p><b>Report/Committee Name: Multicultural Committee</b></p>
	<p>The aim of the Multicultural Committee is to provide Council with advice and information on the evolving context of multiculturalism, and on inclusion, access, equity and human rights issues, barriers and challenges facing, the opportunities available to, and the aspirations of, multicultural communities in Banyule.</p> <p><b>16 August 2023 Meeting:</b></p> <p>The Multicultural Committee met on 16 August 2023 in person at Ivanhoe Library and Cultural Hub. The meeting minutes can be read at <b>Attachment 5</b>.</p> <p>Cr Fiona Mitsinikos chaired the meeting. There were 9 Committee members in attendance.</p> <p><b>Discussion Points:</b></p> <ul style="list-style-type: none"> <li>• Housing discussion paper</li> <li>• 2023/24 Inclusive Banyule Action Plan</li> <li>• Days of significance events 2023/24</li> <li>• Racism project</li> </ul>

**ADVISORY AND POPULATION COMMITTEES REPORT - JULY - OCTOBER 2023  
cont'd**

	<ul style="list-style-type: none"> <li>• Extension of Committee term</li> <li>• Honourariums</li> </ul> <p><b>Actions/ Recommendations:</b> The were no recommendations arising from this meeting.</p> <p><b>18 October 2023 Meeting:</b> The Multicultural Committee met on 18 October 2023 in person at Ivanhoe Library and Cultural Hub. The meeting minutes can be read at <b>Attachment 6</b>.</p> <p>Cr Fiona Mitsinikos chaired the meeting and there were 8 Committee members in attendance. A quorum was not reached at this meeting due to attendance. Recruitment to the committee is currently in process.</p> <p><b>Discussion Points:</b></p> <ul style="list-style-type: none"> <li>• Harmony Exhibition and Harmony Day Event 2024</li> <li>• Consultation regarding the Gambling Policy</li> <li>• Consultation regarding Resilient and Safe Banyule Policy</li> <li>• Invitation for the Committee to provide feedback on the Older Adults Framework and Volunteer Policy</li> <li>• Update regarding the Racism project in partnership with Victoria University.</li> <li>• Update regarding the adoption of the Urban Food Strategy and Urban Forest Strategy</li> </ul> <p><b>Actions/ Recommendations:</b> The were no recommendations arising from this meeting.</p>
<p><b>6.</b></p>	<p><b>Report/Committee Name: Banyule Disability and Inclusion Committee</b></p> <p>The aim of the Disability and Inclusion Committee is to provide Council with disability, inclusion, access, equity and human rights advice and information on the evolving context of disability, and on the issues, barriers and challenges facing, the opportunities available to, and the aspirations of, people with disabilities in Banyule.</p> <p><b>23 August 2023 Meeting:</b> The Disability and Inclusion Committee met on 23 August 2023 in person. A summary of the meeting can be read at <b>Attachment 7</b>.</p> <p>Cr Peter Castaldo chaired the meeting and a total of 5 committee members were in attendance.</p> <p>A quorum was not reached at this meeting due to attendance.</p> <p><b>Discussion Points:</b></p> <ul style="list-style-type: none"> <li>• Housing Strategy consultation</li> <li>• Banyule events access and inclusion</li> <li>• Update regarding the NDIS</li> <li>• Website updates</li> </ul>

**ADVISORY AND POPULATION COMMITTEES REPORT - JULY - OCTOBER 2023  
cont'd**

	<ul style="list-style-type: none"><li>• Accessible Communications Guide</li><li>• Updates regarding:<ul style="list-style-type: none"><li>○ the Year 2 Inclusive Banyule Action Plan</li><li>○ Days of Significance Events 2023-24</li><li>○ extension of committee terms</li><li>○ honourariums</li></ul></li></ul> <p><b>Actions/ Recommendations:</b> There were no recommendations arising from this meeting.</p> <p><b>25 October 2023 Meeting:</b> The Disability and Inclusion Committee met on 25 October 2023 in person. The meeting minutes from this meeting can be read at <b>Attachment 8</b>.</p> <p>Cr Peter Castaldo chaired the meeting and a total of 8 committee members were in attendance.</p> <p><b>Discussion Points:</b></p> <ul style="list-style-type: none"><li>• Banyule Gambling Policy review consultation</li><li>• Resilient and Safe Banyule Framework consultation</li><li>• Banyule Volunteer Policy consultation</li><li>• Inclusive Business Guides</li><li>• Events and celebrations</li><li>• Accessible Community Buildings</li><li>• Belgravia Leisure inclusion initiatives</li><li>• Brotherhood St Laurence update</li></ul> <p><b>Actions/ Recommendations:</b> Council 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 EGM's and other gambling activities in Banyule.</p> <p><b>Officer Comment:</b> 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.</p> <p>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.</p>
<b>8.</b>	<b>Report/Committee Name: LGBTIQA+ Advisory Committee</b>



**ADVISORY AND POPULATION COMMITTEES REPORT - JULY - OCTOBER 2023  
cont'd**

The aim of the LGBTIQA+ Committee is to provide Council with advice and information on inclusion, access and equity issues facing the LGBTIQ+ community, and on the implementation and review of Council's LGBTIQ+ Plan.

**10 August 2023 Meeting:**

The LGBTIQA+ Committee met on 10 August 2023 in person at Ivanhoe Library and Cultural Hub. The meeting minutes can be read at **Attachment 9**.

Cr Peter Castaldo chaired the meeting and there was a total of 9 committee members in attendance.

**Discussion Points:**

- Banyule Housing Strategy consultation
- Technology based creative arts project
- LGBTIQA+ inclusion in sport
- Updates on the progress of:
  - Year 2 Inclusive Banyule Action Plan
  - Days of Significance events 2023-24
  - Extension of committee term and honourariums

**Actions/ Recommendations:**

There were no recommendations arising from this meeting.

**5 October 2023 Meeting:**

The LGBTIQA+ Committee met on 5 October 2023 at Ivanhoe Library and Cultural Hub and online (hybrid).

Meeting minutes from this meeting can be read at **Attachment 10**.

Cr Peter Castaldo chaired the meeting and Cr Allison Champion was in attendance. There was a total of 10 committee members in attendance.

**Discussion Points:**

- LGBTIQA+ Inclusion in Local Sport
- Events and celebrations
- Memorial in the North
- LGBTIQA+ safe spaces to meet in Banyule
- Pilot of an LGBTIQA+ older adults social connection group
- Rainbow Tick accreditation for Older Adults support programs
- Research of issues of family violence, gender equity and mental health
- Advocacy for accurate data collection to address local data gap
- How to support gender questioning children and the role of local government in facilitating community conversations
- Consultation regarding Resilient and Safe Banyule Framework, Banyule Gambling Policy Review, Banyule Volunteer Policy

**Actions/ Recommendations:**

**ADVISORY AND POPULATION COMMITTEES REPORT - JULY - OCTOBER 2023  
cont'd**

	<p>Council reads the Fuelling Hate Report, receives a summary of key points and recommendations on how to address local abuse, harassment, vilification and violence issues for Councillors consideration.</p> <p><b>Officer Comment:</b> Officers will summarise the Fuelling Hate Report and update Councillors for their consideration via a Councillor Briefing Paper.</p> <p><b>13 April 2023:</b> An administration error was made and a recommendation from the 13 April 2023 LGBTIQA+ minutes were omitted from the 7 August 2023 Council report. A report from this meeting is in <b>Attachment 11</b>.</p> <p><b>Actions/ Recommendations:</b> Council raise and fly 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.</p> <p><b>Officer Comment:</b> Officers will submit a report regarding Council flag raising on specific days of significance to a future Council meeting for adoption.</p>
<b>9.</b>	<p><b>Report/Committee Name: Age Friendly Committee</b></p> <p>The aim of the Age-Friendly Committee is to provide Council with advice on older adult issues and ageing well in Banyule. The Age-friendly Committee oversees the relevant strategic plan and Council's involvement in the World Health Organisation's Global Network of Age-friendly Cities.</p> <p><b>17 August 2023 Meeting:</b> The Age-Friendly Committee met on 17 August 2023 in person. Meeting minutes can be read at <b>Attachment 12</b>.</p> <p>Cr Elizabeth Nealy chaired the meeting. Seven Committee members were in attendance.</p> <p><b>Discussion Points:</b></p> <ul style="list-style-type: none"> <li>• Updates regarding Banyule Youth Summit, Mayflower Development, Montmorency Hub at 7 Wellington Street Montmorency.</li> <li>• Updates about the Coffee Connect program, Social Lunches and Seniors Exercise Park.</li> <li>• Update regarding the Inclusive Banyule Advisory Committee.</li> <li>• Update regarding the Older Adults Major Event Working Group and planning for the Banyule Seniors Festival.</li> <li>• Consultation about the Housing and Neighbourhood Charter Strategies Review</li> <li>• Discussion regarding Population and Advisory Committee notification of changes including extension of Committee term and introduction of a small thank you gift to acknowledge the work of Committee members.</li> <li>• Discussion about the Older Adults Framework Development and update from the Working Group.</li> </ul> <p><b>Actions/ Recommendations:</b></p>

**ADVISORY AND POPULATION COMMITTEES REPORT - JULY - OCTOBER 2023  
cont'd**

The Committee would like to note the importance of residential age care facilities existing in local communities to allow people to age in place.

**Officer Comment:**

Noted. Having residential age care services available in the local community/ municipality enables residents to age in place. Older people want to remain living in their local community, if they are no longer able to live independently at home.

**Actions/ Recommendations:**

The Committee would like to thank Council for the honorarium gift.

**Officer Comment:**

Noted.

**28 September 2023:**

The Age-Friendly Committee met on 28 September 2023 in person.

Meeting minutes can be read at **Attachment 13**.

Cr Elizabeth Nealy chaired the meeting, and six Committee members were in attendance.

**Discussion Points:**

- Updates from Council about the Urban Food Strategy, Draft Volunteer Policy, and the Inclusive Employment Program
- Community updates from committee members
- Community Connections Program Update
- Older adults' major events working group
- Presentation and consultation regarding the Draft Public Toilet Plan Update
- Presentation regarding the Banyule Resilient and Safe Strategy Consultation
- Update about the Banyule Gambling Policy
- Draft Older Adults Framework Development feedback.

**Actions/ Recommendations:**

The Committee would like to recommend that Council delivers a series of workshops of 'What If' scenarios to support the implementation and promotion of the Banyule Resilient and Safe Strategy.

**Officer Comment:**

Noted. This work will be undertaken under officer delegation as part of the implementation process once the Resilient and Safe Banyule Framework has been adopted and there is therefore no need for a formal recommendation to Council for these series of workshops.

**ADVISORY AND POPULATION COMMITTEES REPORT - JULY - OCTOBER 2023  
cont'd**

**SUPPORTING REPORT DETAILS**

- **Legal Consideration** There are no direct legal implications arising from the recommendation contained in this report.
- **Human Rights Charter** The Advisory Committees Report and the Committees themselves directly address the *Victorian Charter of Human Rights and Responsibilities 2008*. The Committees provide important linkages between Council, Community, State agencies and interest groups and their existence ensures equalities and inclusion are at the heart of everything that Council does, from daily operations through to collaborative relationships.
- This report relates to the following human rights and responsibilities:
  - Section 8 - The right to recognition and equality before the law.
  - Section 10 - The right to protection from torture and cruel, inhuman or degrading treatment.
  - Section 14 - The right to freedom of thought, conscience, religion and belief.
  - Section 19 - Cultural rights, including Aboriginal cultural rights.
- 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*.

**Sustainable Procurement Outcomes**

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



**Financial Implications**

- There are no direct financial implications arising from the recommendations 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.

**ATTACHMENTS**

<b>N</b>	<b>Title</b>	<b>Page</b>
○		
-		
1	Minutes- Inclusive Banyule Advisory Committee 2 August 2023 	
2	Minutes - RAP Advisory Committee 13 September 	

**ADVISORY AND POPULATION COMMITTEES REPORT - JULY - OCTOBER 2023  
cont'd**

3 Minutes - Banyule Arts and Cultural Advisory Committee 3 August 2023



4 Minutes - Banyule Environment and Climate Action Advisory Committee  
14 September 2023



5 Minutes - Multicultural Committee 16 August 2023



6 Minutes - Multicultural Committee 18 October 2023



7 Minutes- Disability Inclusion Committee 23 August 2023



8 Minutes - Disability & Inclusion Committee 25 October 2023



9 Minutes- LGBTIQ+ Committee 10 August 2023



1 Minutes- LGBTIQ+ Committee 5 October 2023



0



1 Minutes - LGBTIQ+ Committee 13 April 2023



1 Minutes - Age Friendly Committee Meeting 17 August 2023



2



1 Minutes - Age Friendly Committee Meeting 28 September 2023



3



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

Author: Hannes Berger - Arts & Culture Coordinator, Community Wellbeing

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### **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.

**CREATIVE BANYULE: PROPOSED ARTS AND CULTURE STRATEGY 2023 - 2031 cont'd**

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.

**COUNCIL PLAN**

- This report is in line with Banyule’s Council Plan strategy to "Provide and promote arts and cultural experiences to enhance community connectedness, engagement and a sense of wellbeing".

**BACKGROUND**

- Creative Banyule: Arts and Culture Strategy 2023 – 2031 (**Attachment 1**) has been in development since late 2022.
- Following sector research, a literature review and comprehensive consultation, a working draft was endorsed by Council on 28 August 2023.
- The community were invited to comment on the draft during public exhibition on Shaping Banyule throughout September. 89% of respondents either fully or partially supported the draft Strategy.
- Creative Banyule will supersede the now expired Banyule Arts and Culture Strategic Plan 2017 – 2021.

**KEY ISSUES**

**Strategy Objectives**

- Creative Banyule sets out a vision and strategic framework for supporting and growing arts and cultural activity in Banyule into the next decade. It will expire in 2031, the mid-point of the Banyule Community Vision, and to which it will play a key role in realising.
- The Strategy aims to put structure around the growth in output and value arts and culture has enjoyed in Banyule in recent years and to direct Council’s approach to facilitate continued growth.
- In addition to focusing on social cohesion, wellbeing and inclusion, Creative Banyule acknowledges the contribution creative industries make to the local economy. It recognises a growing interest in public art in Banyule, and importantly, supports initiatives within Council to incorporate creative and cultural outcomes into a place-based approach to planning.

**Strategy Overview**

- Creative Banyule acknowledges the existing assets, programs, outputs, and resources that support arts and cultural outcomes in Banyule – such as Ivanhoe Library and Community Hub, Festivals programming, Grants, Public Art, and the Banyule Art Collection.

**CREATIVE BANYULE: PROPOSED ARTS AND CULTURE STRATEGY 2023 - 2031 cont'd**

- It provides a focus for this continued activity as well as a structure for further investment and growth by prioritising five 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
- Key objectives of each focus area are stated, as well as several key commitments to deliver on them across the life of the Strategy.
- An annual action plan will be developed, evaluated, and adapted accordingly, to maximise effectiveness and leverage opportunities throughout the life of the strategy (**Attachment 2 - Year 1 Action Plan**).
- The Year 1 Action Plan will be delivered within existing resources. Further investment (both internal and external) to support growth areas such as commissioning and maintenance of public art works, will be explored during the life of the Plan. (See Financial Implications section of this report).

**SUPPORTING REPORT DETAILS**

**Legal Consideration**

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

**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*.
- The UNESCO Charter of Human Rights Article 27 states that "Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts". It also states, "Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author".
- The objective of the Creative Banyule: Arts and Culture Strategy 2023 – 2031 is to enhance these rights for our community. Its five focus areas have been established to identify and support opportunities for greater inclusion in and appreciation of the cultural life of the city.

**Gender Impact Assessment-**

- In developing this report, the subject matter has been considered in accordance with the requirements of the Section 9 of the *Gender Equality Act 2020*.
- A Gender Impact Assessment has been undertaken with findings aligning with the Year 1 Action Plan actions to complete additional research to better understand who is participating in arts and cultural events to ensure gender inclusion and diversity.



**CREATIVE BANYULE: PROPOSED ARTS AND CULTURE STRATEGY 2023 - 2031 cont'd**

- This will be re-assessed throughout any future review and incorporated into annual progress reporting related to the strategy.

**Sustainable Procurement Outcomes**

- All procurement activities undertaken for this Program will be in accordance with Council's Sustainable Procurement Policy and where possible products and services will be procured from local or social benefit suppliers.

**Financial Implications**

- The Strategy indicates further investment in and continued growth of arts and culture as an intended outcome. Further investment – whether by Council, other levels of government, and non-government sources – will be explored during the life of the plan and reflected in annual action plans as required.
- External resourcing will be sought through grants and strategic partnerships – including further potential for private investment and sponsorship.
- The Year 1 Action Plan will be delivered within existing resources.
- Management and maintenance of our increasing public art assets will require consideration of increased resources across the life of the Plan.

**Community Engagement**



- During February and March 2023, community members were asked to provide feedback on the draft vision, focus areas and potential actions through a Shaping Banyule survey and a number of focus groups with internal and external stakeholders, including a dedicated workshop for artists and creatives.
- During this period, 141 community members participated in these activities, with 54 completing the online survey and 87 attending focus groups.
- Specific consultation was sought from members of the Banyule Reconciliation Action Plan Advisory Committee, and members of all other Advisory Committees were invited to contribute feedback.
- During the public exhibition phase, campaigns reached 7,470 people via Facebook promotions, 2,342 Arts & Culture E-News subscribers and 733 Shaping Banyule followers. This converted to 18 community members completing the online survey, with 89% of respondents either fully or partially supporting the draft Strategy.
- The Banyule Arts and Culture Advisory Committee has been heavily involved in every stage of the development of the Strategy and voted unanimously on 2 November 2023 to recommend that Council adopt Creative Banyule: Arts and Culture Strategy 2023 – 2031.

**Officer Declaration of Conflict of Interest**

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract who 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.

**CREATIVE BANYULE: PROPOSED ARTS AND CULTURE STRATEGY 2023 - 2031 cont'd**

**ATTACHMENTS**

<b>N</b>	<b>Title</b>	<b>Page</b>
o	.	
1	Creative Banyule: Arts and Culture Strategy 2021 - 2031 	
2	Creative Banyule - Year 1 Action Plan 	

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

Author: Nicole Maslin - Manager Healthy & Active Communities, Community Wellbeing

Ward: Olympia

### **Previous Items**

Council on 6 February 2023 (Item 7.1 - Olympic Leisure Centre - Community Vision Report)

Council on 26 June 2023 (Item 7.2 - Adoption of Banyule Aquatic Strategy)

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### **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.

<b>RECOMMENDATION</b>
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**OLYMPIC LEISURE CENTRE - REPORT ON PROGRAMMING, VISITATION AND COMMUNITY ENGAGEMENT cont'd**

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.

**COUNCIL PLAN**

- This report is in line with Banyule's Council Plan strategy to "Promote active and connected living through a range of accessible and inclusive opportunities for all people of all ages through sport and recreation".

**BACKGROUND**

- In October 2021 Council adopted a set of project principles to guide the Olympic Village Leisure Centre (OLC) re-imagining project. These included the desire for the OLC to be sustainable and connected, flexible, transformational, predictive, proactive, and collaborative for the entire Banyule community.
- This approach was initiated in response to a draft Aquatics Strategy that proposed an aquatic hierarchy for Banyule that did not include Olympic Leisure Centre. The draft also recommended undertaking a detailed feasibility and planning study with the local community for the purpose of determining a future role, use and priorities for OLC.
- On 12 May 2022, the Community Co-Design team presented the project outcome to a Council briefing. The Co-design team advocated on the need for OLC to retain an aquatic space to meet the unique and diverse needs of the Heidelberg West Community.
- On 10 October 2022, OLC reopened following an 18-month closure for extensive emergency rectification works. Approximately \$1.5 million has been spent on upgrading the pool concourse, stadium, walkways, and flooring which has resulted in a considerable uplift and improvements to the programmable spaces within OLC, including aquatics, gym, and stadium areas.
- Following OLC's re-opening Banyule Leisure has been collaborating with key community partners in Heidelberg West to trial and test new programming and service opportunities to better understand the evolving needs of the community to grow participation at the centre.

**OLYMPIC LEISURE CENTRE - REPORT ON PROGRAMMING, VISITATION AND COMMUNITY ENGAGEMENT cont'd**

- On 26 June 2023 Council adopted Banyule's Aquatic Strategy (2023 to 2026). The Strategy includes seven (7) recommendations, two of which specifically relate to OLC; recommendation one consolidates OLC as a local facility within Banyule's Aquatic Facility Hierarchy. Recommendation two provides guidance on how Banyule Leisure will collaborate with community groups within Heidelberg West with the aim of growing and monitoring participation at the Centre.
- In the 12-months since OLC re-opened memberships at the centre have steadily rebounded to be sitting at 204 memberships, 16 members behind the previous high of 220 members achieved pre-covid - October 2019.
- Banyule Leisure has been working collaboratively with Council's Community Partnership team and community partners to facilitate access for organisations and individuals to OLC. Since OLC re-opened Council has supported subsidised access and participation at the Centre to the value of \$26,585.62. A summary of the support provided by Council is provided in the below table.

<b>GROUP / INDIVIDUAL BEING SUPPORTED</b>	<b>COLLABORATING COMMUNITY ORGANISATION</b>	<b>PROGRAM / SERVICE BEING ACCESSED</b>	<b>VALUE OF SUPPORT PROVIDED</b>
Carers living in Banyule	Banyule Council	General access to OLC via multi visit passes	\$9,773
Indigenous and First Nation peoples	Banyule Community Health	Access to Olympic Leisure Centre via multi-visit passes that case workers can provide clients at their discretion.	\$1,750
Banyule resident (individual)	Banyule Community Health	Access to Olympic Leisure Centre via multi-visit pass.	\$369.75
Indigenous and First Nation peoples	Barrbunin Beek	Access to Olympic Leisure Centre via multi-visit pass. Families and individuals are referred by Barrbunin Beek to use the programs and services at Olympic Leisure Centre.	\$1,479
Banyule resident (individual)	Banyule Community Health	Access to Olympic Leisure Centre via multi-visit pass.	\$147.90
Women's Only Senior Strength & Stretch Group	Himilo	No-cost weekly strength and stretch group fitness classes	\$4,600

**OLYMPIC LEISURE CENTRE - REPORT ON PROGRAMMING, VISITATION AND COMMUNITY ENGAGEMENT cont'd**

Fitness Class for New and Emerging Communities.		designed specifically for female older adults from new and emerging communities.	
Friday Night Women's Only Session for New and Emerging Communities.	Himilo Somali Voice Victoria	Weekly 2-hour women's only access to OLC, including, aquatics, health and fitness and stadium programming.	\$11,466

- These programs support and respond to the generational, social and health inequalities that many people in this community experience. These opportunities for removing barriers and creating access and inclusion to active sport and working with community and service partners will continue to be a focus over the next 12 months.

**Next Steps**

- Continue to work to activate OLC through trialling and testing programming and service options identified in partnership with community groups and organisations.
- Monitor and analyse community participation and engagement at OLC.
- Identify and cultivate partnerships with key community service organisations to empower underserved communities in the Heidelberg West area.
- Work across Council to identify and engage new and emerging residents in the Heidelberg West area to plan programs appropriate to their needs.
- Continue collaboration with key community groups and stakeholders around the broader activation and future development of OLC, including the use of passive spaces, such as office and administration areas.
- Undertake further review and analysis of the Community Vision, its components and feasibility and allow time for investigation into how this might be reasonably progressed in the longer term.
- Report back to Council in late 2024 on the above including operational performance and use of Centre.

**KEY ISSUES**

- Whilst the Centre has re-opened positively with a refresh and some new targeted partnerships have been developed the Centre is still experiencing relatively low use.
- Programming and service options will continue to be trialled and tested to activate more of the Centre, including passive spaces, with the aim of growing participation and engagement further at OLC from the local community for a range of activities.
- Collaborating with community groups to subsidise the cost of access and participation to support key cohorts is a key component to building engagement and activation in this community.

**OLYMPIC LEISURE CENTRE - REPORT ON PROGRAMMING, VISITATION AND COMMUNITY ENGAGEMENT cont'd**

- Opportunity to explore potential redesign option of the decommissioned 12 meter learn to swim pool for the purpose of delivering learn to swim and aquatic safety programming.
- Council has a current budget commitment to the redevelopment of Ivanhoe Aquatic Centre and any future redevelopment of Aquatics at OLC will need to consider role and purpose as well as local community need to support a complimentary approach.

**SUPPORTING REPORT DETAILS**

**Legal Consideration**

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

**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*.
- OLC operates within the framework of the Australian Human Rights Commission by providing local communities with a safe space to engage, combat social isolation and to strengthen community spirit, and connection. OLC is an accessible and inclusive space that welcomes a diverse range of people regardless of age, gender, ability, or economic status.
- **Gender Impact Assessment** In developing this report, the subject matter has been considered in accordance with the requirements of the Section 9 of the *Gender Equality Act 2020*.
- OLC adheres to Council's established policies and procedures which address equal opportunity and other measures to protect the rights of women, people with disability, people of colour and all others who may be discriminated against on the basis of their race, religion, ability, sexuality and gender.
- The facility ensures all Disability Discrimination Act requirements are met so that the facility is fully accessible.
- Programming for OLC is developed to support people experiencing social isolation, family violence, and issues with mental health. The Centre promotes community connectivity, diversity and inclusion, and disability awareness.
- Considerations for intersectionality to ensure no one is treated unfairly and that the facility is accessible for the whole of community.

**Sustainable Procurement Outcomes**

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

**OLYMPIC LEISURE CENTRE - REPORT ON PROGRAMMING, VISITATION AND COMMUNITY ENGAGEMENT cont'd**

**Financial Implications**

- There is a \$50,000 budget allocation in 2023/24 for OLC Vision investigation and analysis.
- Community Vision Concept presents an initial cost plan of \$30 million for redevelopment, with no future budget allocation at this stage.
- OLC's 25-meter pool is likely to reach end of life in the next 5 – 10 years. Due to the age of the asset, there are integrity concerns regarding the pool's shell. In FY21 significant rectification works, costing \$1.5 million, were carried out to repair the pool's shell, as well as the extensive damaged caused by the resulting water egress.

**Cost to operate OLC (ongoing)**

- OLC is forecasted to cost Council \$1,072,584 to operate in FY24. With an annualised increase expected of between 5 - 7%.
- OLC currently averages 3,602 visitations per month and is forecasted to have 43,227 visitations across FY24. By comparison Ivanhoe Aquatic averages 42,142 visitations per month and is predicted to see 505,704 visitations across FY24.
- Based on these numbers OLC's cost per visit for FY24 will be \$24.78 per visit. In comparison Ivanhoe Aquatic cost per visit for FY24 will be \$4.05 per visit for the same period.
- Community Leisure Centres generally are a subsidies service provided by Council's to support community health and wellbeing. For OLC to operate at a breakeven net position, the centre would need a membership base of more than 1,150, which would require OLC to increase memberships by 82% (944 members) from its current operating position of 206 members.

**Innovation and Continuous Improvement**

- The changing demographic of Heidelberg West provides the opportunity to offer new programs that meet community need and works to re-engage community at the site and increase patronage.

**Officer Declaration of Conflict of Interest**

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract who 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



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

Author: Melinda Ramsay - Sport, Recreation and Community Infrastructure  
Coordinator, Community Wellbeing

Ward: Bakewell

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### **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.

### **COUNCIL PLAN**

- This report is in line with Banyule's Council Plan strategy to "Promote active and connected living through a range of accessible and inclusive opportunities for all people of all ages through sport and recreation".

**GREENSBOROUGH BASEBALL CLUB BATTING CAGE - ADDITIONAL FUNDING REQUEST cont'd**

**BACKGROUND**

- The Greensborough Baseball Club has been advocating for a new batting cage and roof for over four years as it enables training through all seasons and can support their membership growth and increased participation.
- Elder Reserve is home to the Greensborough Baseball Club through the winter seasons and comprises of seven (7) teams – six (6) men's teams and one (1) women's team. There is also one (1) junior boys' team and mixed T Ball. In summer this ground is also used by the Research Lower Plenty Baseball Club which has ten (10) teams and they use Elder Street as a home ground for their seconds team.
- In 2021/22 a budget allocation of \$30,000 was approved by Council to install a roof over the existing cage. Quotes were requested from two companies for the roof, however, it was deemed that it was not safe to construct a solid roof on-top of the existing structure and a new cage would need to be considered.
- The Greensborough Baseball Club provided feedback to Council through the 2022/23 budget process to request an additional \$120,000 to enable a new enclosed batting cage with a roof. This cost estimate was drawn from a similar batting cage constructed at Glenauburn Reserve and quotes the Club had received.
- With a revised project budget of \$150,000 for 2022/23, a new design was developed to meet sporting association standards, including minor civil works, drainage improvements, and relocating a light pole.
- Unfortunately, with the current rise in construction costs and the additional civil and drainage works needed to support this new structure the 2022/23 budget of \$150,000 is insufficient and there is a budget shortfall of \$173,000.
- **KEY ISSUES**The Club's capacity to attract members is limited by the lack of a batting cage that meets standards and can be used in all weather.
- Batting cages fall under the responsibility of the Council in the Sports Facility Capital Works Policy.
- The \$173,000 shortfall is largely due to the project scope evolving from construction of a roof only on the old existing structure to a brand-new batting cage being required, as the existing batting cage cannot support a new roof structure and no longer meets standards.

**SUPPORTING REPORT DETAILS**

**Legal Consideration**

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

**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.

**GREENSBOROUGH BASEBALL CLUB BATTING CAGE - ADDITIONAL FUNDING REQUEST cont'd**

**Gender Impact Assessment**

- A Gender Impact Assessment was not required for this Report because the Report did not result in the creation or review of a project, strategy or plan that had a direct and significant impact on the public.

**Sustainable Procurement Outcomes**

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

**Financial Implications**

- There is a budget shortfall of \$173,000 required to complete this project that would need to be sourced from anticipated savings within the 2023/24 capital program.
- **Confidential Attachment 1** details project costs, budget allocation and shortfall.

**Key Considerations**

- Officers have explored options to reduce this cost including comparing current batting cage construction costs with other councils and industry experts. There are no options to reduce scope and costs.
- Officers have also investigated the suitability of this project to the North East Link Community Grants of \$75,000 to support costs, however this project would not be a priority with current criteria.
- The club is unable to contribute to this project, having recently spent \$20,000 to upgrade their sports field lighting.

**Officer Declaration of Conflict of Interest**

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract who 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**

<b>N</b>	<b>Title</b>	<b>Page</b>
o		
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1	<b>CONFIDENTIAL - Greensborough Batting Cage Project Costs - CONFIDENTIAL</b>	



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

Author: Kathleen Petras - Transport Planning and Projects Coordinator, City Development

Ward: Bakewell and Grimshaw

### **Previous Items**

Council on 17 April 2023 (Item 6.3 - North East Link - Central Package - Urban Design and Landscape Plan - Minister Endorsement)

Council on 27 June 2022 (Item 5.2 - North East Link Urban Design Landscape Plan)

Council on 06 Dec 2021 7.00pm (Item 5.2 - Major Transport Projects Update)

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### **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 Ibbottson 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.

## NORTH EAST LINK - RING ROAD COMPLETION URBAN DESIGN AND LANDSCAPE PLAN - COUNCIL SUBMISSION cont'd

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.

### COUNCIL PLAN

- This report is in line with Banyule's Council Plan strategy to "Lead on the use of sustainable modes of transport, and encourage walking, cycling and use of public transport".
- **BACKGROUND**The North East Link (NEL) is being developed and constructed by the North East Link Project (NELP) in two sections (packages) by separate building consortia in Banyule. The Central Package runs from Bulleen (in tunnel under Banyule Flats and Lower Plenty Road) to just south of Watsonia. The Northern Package includes Watsonia and extends to the M80 Ring Road.
- The Minister for Planning approved a planning scheme amendment in December 2019 which applied the North East Link (NEL) Incorporated Document, December 2019 to the project area. This document requires that an Urban Design and Landscape Plan (UDLP) or plans are prepared and endorsed by the Minister of Planning for the project. These may be developed for the project in stages.
- Each UDLP must:
  - Detail the design of the project including site layout plans of proposed infrastructure (above ground), architectural plans with materials and finishes, and landscape plans with species selections.
  - Demonstrate how it is in accordance with the approved Urban Design Strategy (UDS), the Environment Performance Requirements (EPR's) in the approved Environmental Management Framework.
  - Include a plan which shows the extent of the UDLP area in relation to any publicly available or approved UDLP/s.

**NORTH EAST LINK - RING ROAD COMPLETION URBAN DESIGN AND LANDSCAPE PLAN - COUNCIL SUBMISSION cont'd**

- Include a plan which shows the boundary of the Project Land and location of areas to be used for construction compounds consistent with the approved Construction Compound Plan/s.
- Be accompanied by a summary of the consultation carried out during the public exhibition period including all written comments received and responses to issues raised.
- A UDLP for the central works south of Watsonia was endorsed by the Minister of Planning in February 2023.
- In October 2022, the Victorian Government and North East Link Program (NELP) announced that the AMA consortium had been selected as the preferred bidder to complete the M80 Ring Road and Northern section of the project. The work was to include new lanes, smart technology, a traffic interchange with North East Link and Greensborough Bypass, a new multi-level car park at Watsonia Station, and walking and cycling connections.

**DISCUSSION**

**Urban Design Strategy**

- The UDS for the project was approved by the Minister for Planning in March 2020. It set out 8 urban design principles and 27 high level objectives for the project.
- A number of objectives have been met for this UDLP, but a number fall short including:
  - Objective 1.3 Landscape & visual amenity Sensitively enhance landscape and visual outcomes and reduce physical and visual impacts associated with the project.
  - Objective 1.5 Architectural contribution Make a positive architectural contribution to infrastructure including bridges, noise walls and other structures.
  - Objective 2.1 Connectivity Improve people's ability to move through the immediate and wider area with ample, efficient, and quality links across and along the corridor for all transport modes, including pedestrians and cyclists.
  - Objective 2.2 Transport integration Maximise the benefits of the project by facilitating seamless access to a variety of public transport, walking, and cycling choices as part of a connected intermodal network.
  - Objective 2.3 Legibility & wayfinding Provide a coordinated design that promotes visual connections and wayfinding, reduces reliance on signage and minimises visual clutter and obstructions to key views.
  - Objective 3.1 Integration with context Avoid, minimise, and mitigate any severance of communities. Provide a well-integrated corridor environment that enhances the street network and takes advantage of opportunities to connect and integrate with the broader commercial, residential, and open space functions and environment.
  - Objective 3.3 Strategic alignment Provide an integrated transport infrastructure and land use solution that responds to strategic transport

**NORTH EAST LINK - RING ROAD COMPLETION URBAN DESIGN AND LANDSCAPE PLAN - COUNCIL SUBMISSION cont'd**

- and land use planning for the broader precinct in consultation with local government and authorities.
- Objective 6.1 Putting people first Provide places that are comfortable, inclusive, and pleasant for the local community, support active and healthy lifestyles, and encourage diverse social interaction within public spaces.
  - Objective 6.2 Places for people Improve local neighbourhoods where there are opportunities to create inviting, people-friendly streets and public places.
  - Objective 7.2 Road safety Prioritise safety for all users including motorists, cyclists, pedestrians, and public transport users, and avoid unnecessary distractions.
  - Objective 8.2 Twenty-minute neighbourhoods Support and enhance 20-minute neighbourhoods for convenient and desirable access to everyday services and facilities (within a 20-minute walk from their home, or faster by bicycle or local public transport).
  - Objective 8.3 Active transport Encourage walking and cycling for transport and recreation with an integrated active transport infrastructure that meets future growth in demand and connects seamlessly with surrounding networks and with proposed infrastructure being delivered by others.
- This part of the project has failed to:
    - Reduce physical and visual impacts of the project (O1.3) and avoid the severance of communities (O3.1) and put people first (O6.1) as significant trenched sections or road have been provided and a number of off road pedestrian connections not provided.
    - Make a positive architectural contribution (O1.5) as only simple design features have been provided.
    - Improve connectivity across the corridor (O2.1), support and enhance access to everyday services and facilities (O8.2) and encourage walking



**NORTH EAST LINK - RING ROAD COMPLETION URBAN DESIGN AND LANDSCAPE PLAN - COUNCIL SUBMISSION cont'd**

- and cycling (O8.3) with ample and improved links not being provided especially in Watsonia.
  - Facilitate seamless access to public transport (O2.2) with the Watsonia station excluded from the project and no bus interchange provided.
  - Promote visual connections and wayfinding (O2.3) with no direct connection provided in Watsonia.
  - Provide an integrated transport and land use solution (O3.3) which limit opportunities provided to integrate the project with land uses especially in Watsonia.
  - Create inviting public places for people (O6.2) with additional opportunities not included in Watsonia by not covering the trench.
  - Prioritise safety for all users including cyclist and pedestrian (O7.2) as off-road connections have not been included and sections of paths have been made shared zones.
- These concerns have been further discussed below and in the attachments.

**Council land occupation**

- NELP have temporarily acquired three land parcels in Watsonia to facilitate the Ring Road Completion construction works. These include:
  - Frensham Reserve for construction of a carpark to provide offset commuter carparking for Watsonia Station during construction – from January 2023 to 3 October 2028.
  - Garbonia Reserve and AK Lines Reserve to accommodate construction compounds and carparking for construction workers – from 1 September 2023 to 3 October 2028.
- Sporting clubs that previously used these reserves have been relocated in anticipation of this occupation to new facilities delivered with NELP funding at Binnak Park, Greensborough Secondary College, and Ford Park in Bellfield.

**Ring Road Completion UDLP**

- The North East Link Project (NELP) released the Ring Road Completion UDLP for public exhibition on 9 October 2023 and submissions were due by 5pm, Sunday 29 October 2023. 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 difficult by quarantining important aspects of the design.

Council sought (and were granted) an extension of the submission date to 21 November 2023 to allow for due consideration at its next available Council meeting.

<b>Date</b>	<b>Ring Road Completion UDLP</b>
9 - 29 October 2023	21 day UDLP Public exhibition period
30 October 2023	Draft Council submission provided to NELP
21 November 2023	Final Council submission (this report) to be provided to NELP

## NORTH EAST LINK - RING ROAD COMPLETION URBAN DESIGN AND LANDSCAPE PLAN - COUNCIL SUBMISSION cont'd

Early 2024	UDLP Minister Endorsement expected to allow construction to commence
Late 2023 - Mid 2025	Design refinement process for construction

- Council has a NEL advocacy projects list that was developed in the early stages of the NEL planning process in 2018 and has been updated as the NEL program has progressed through the Environmental Effects Statement (EES) Process.
- The list has been reviewed to considered progression from the EES Reference design to the Ring Road Completion UDLP. The updated list is included in this report at Attachment 1. Items of relevance include:
  - 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.
  - The removal of the dangerous roundabout at Greensborough Bypass, Civic Drive, and Diamond Creek Road has not been included in the project scope.
  - Gateway treatments into Greensborough and Watsonia need to be improved.
- Council officers across the disciplines of transport planning, transport engineering, urban design, open space planning, water management, biodiversity, and community impact have reviewed the Ring Road Completion UDLP, compared it to the design intent provided in the NEL Urban Design Strategy and made recommendations as set out in full in Attachment 2 – Project wide comments and Attachment 3 – Location specific comments. A summary of key issues is provided in the section below.
- It is acknowledged that significant effort has been put into the design of the northern section of the UDLP by the AMA consortium. 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.

### KEY ISSUES

- The following are key project wide considerations:
  - It is of concern that NELP do not intent 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.
  - Further detail on tree removal and landscaping should be included to assist in understanding the impacts to Banyule.
  - Fauna support to navigate barriers introduced by the NEL should be incorporated at all overpass and underpass opportunity.
  - Improvements to noise wall appearance and location are suggested.

**NORTH EAST LINK - RING ROAD COMPLETION URBAN DESIGN AND LANDSCAPE PLAN - COUNCIL SUBMISSION cont'd**

- Improvements are evident in the inclusion of water sensitive urban design elements from the EES reference design.
- The following are key location specific considerations:
  - **Watsonia**
    - It is considered that the UDLP has not fully met the requirements of the Urban Design Strategy (UDS):
    - Principle 6 - Vibrancy - Objective 6.2 - Places for people - *Improve local neighbourhoods, where there are opportunities to create inviting, people-friendly streets and public spaces.*
    - Or Key Design Requirements (KDR) including KDR 2R - *Connect neighbourhoods, reduce fragmentation, and facilitate the continued integration of the diverse community in this area, and*
    - KDR 5R - *Maximise opportunities for land use integration at Watsonia Neighbourhood Centre.*
    - It is considered that the opportunity has not been taken to meaningfully cover the NEL trench resulting in less connectivity and amenity and further dividing the community.
    - The replacement of the required cycling connection along Hurstbridge Rail Line with an on-road cycling connection along Ibbotson Street is considered unacceptable and it recommended that further work to develop an off road connection is undertaken.
  - **Nell Street Bridge**
    - Creative improvements to the architectural design of the overpass are considered necessary to support its gateway and amenity functions.
    - A shared zone (vehicles, pedestrians, and cyclists) as proposed to link Nell Street to Temby Street is not considered acceptable as a proxy for a shared user path that must meet the specifications of a strategic cycling corridor.
    - Overlooking of residential properties must be adequately addressed.
  - **Grimshaw Street Interchange**
    - Water harvesting opportunity at AK lines reserve should be further considered.
    - Permanent incorporation of an intersection at Grimshaw Street and Frye Street should be considered to alleviate traffic congestion (as currently installed temporarily to service the AK Lines NEL construction compound).
    - Inclusion of a raised pedestrian crossing at the slip lane turn north onto Greensborough Hwy/ Bypass to improve safety is recommended.
  - **Yando Street underpass**
    - Direct shared use path (SUP) connections to the Greensborough to Eltham SUP (under construction) and the Plenty River Trail should be considered for inclusion.
  - **M80 Interchange**
    - The replacement of the required cycling connection behind Sellars Street Hurstbridge Rail Line with an on-road cycling connection along Sellars

## NORTH EAST LINK - RING ROAD COMPLETION URBAN DESIGN AND LANDSCAPE PLAN - COUNCIL SUBMISSION cont'd

Street is considered unacceptable and it recommended that further work to develop an off road connection is undertaken.

- Ensure no reduction of service to on-road cyclists traveling north along Greensborough Road and connecting to the Greensborough Bypass Southbound On-Ramp than in current road arrangement. Note that this is a popular cyclist training route.
- Improvements in sense of arrival and public art inclusions are considered necessary including to the architectural design of the Macorna Street SUP bridge and the lookout / gathering space.
- It is recommended to increase tree canopy and understorey planting surrounding the WSUD area to soften and naturalise the area.
- Improved connections from the M80 shared user path should be provided to Plenty Road, Coyle Walk, Chappell Drive and Killarney Ridge.

### SUPPORTING REPORT DETAILS

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

#### 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.




#### Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract who 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
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**NORTH EAST LINK - RING ROAD COMPLETION URBAN DESIGN AND LANDSCAPE PLAN - COUNCIL SUBMISSION cont'd**

- 1 NEL - Document - BCC - North East Link - Advocacy Project List (20  
 November 2023)
- 2 Ring Road Completion UDLP - BCC Project Wide comments  

- 3 Ring Road Completion UDLP - BBC Location Specific Comments  


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

Author: Adrian Mariniello - Development Planner, City Development

Ward: Olympia

### **Previous Items**

Council on 30 May 2022 (Item 5.2 - 230-232 Banksia Street & 96-100 Oriel Road, Bellfield - Bellfield Redevelopment Precinct (P1616/2021))

Council on 28 August 2023 (Item 6.2 - Bellfield Redevelopment Precinct - Proposed Amended Development Plan (P1654/2021 pt2))

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### **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:

**230-232 BANKSIA STREET AND 96 ORIEL ROAD BELLFIELD - BELLFIELD REDEVELOPMENT PRECINCT AMENDMENT (P1616/2021 PT2) cont'd**

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.

**230-232 BANKSIA STREET AND 96 ORIEL ROAD BELLFIELD - BELLFIELD REDEVELOPMENT PRECINCT AMENDMENT (P1616/2021 PT2) cont'd**

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



**230-232 BANKSIA STREET AND 96 ORIEL ROAD BELLFIELD - BELLFIELD REDEVELOPMENT PRECINCT AMENDMENT (P1616/2021 PT2) cont'd**

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.

**PROPOSAL**

<b>Planning Application:</b>	P1616/2021 pt2
<b>Development Planner:</b>	Adrian Mariniello
<b>Address:</b>	96 Oriel Road BELLFIELD & 230-232 Banksia Street BELLFIELD
<b>Proposal:</b>	Amendment to the approved permit under P1616/2021 including: <ul style="list-style-type: none"><li>• A maximum of 385 dwellings</li><li>• Increased building heights to six storeys (Building 1B) and five (5) storeys (Buildings 1A and 1C)</li><li>• Deletion of the four (4) storey loft apartment building and replacement with three (3) four (4) storey townhouses</li><li>• Deletion of the central linear park</li><li>• Removal of tree #55 <i>Eucalyptus scoparia</i></li><li>• Alteration to vehicle access arrangements</li><li>• 29 space parking reduction</li></ul>
<b>Existing Use/Development:</b>	Vacant
<b>Applicant:</b>	Urbis Pty Ltd
<b>Zoning:</b>	Residential Growth Zone (Schedule 2)
<b>Overlays:</b>	Development Plan Overlay (Schedule 8) Partial Vegetation Protection Overlay (Schedule 5) Partial Special Building Overlay (Schedule 1)

**230-232 BANKSIA STREET AND 96 ORIEL ROAD BELLFIELD - BELLFIELD REDEVELOPMENT PRECINCT AMENDMENT (P1616/2021 PT2) cont'd**

	Development Contributions Plan Overlay (Schedule 1)
<b>Notification (Advertising):</b>	Exempt
<b>Objections Received:</b>	N/A
<b>Ward:</b>	Olympia

- Planning permit P1616/2021 was originally approved on 1 June 2022 and allowed 'Buildings and works for a staged mixed-use development incorporating the construction of up to 340 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'
- An amendment to the Development Plan approved under P1654/2021 was sought and approved at the 28 August 2023 Council meeting. The amendment to the corresponding planning permit has been submitted to accord with conditions placed on the amended Development Plan, including the reduction in the height of Building 1B to six storeys and retention of Tree #18. A minor variation to the approved Development Plan is sought through the extension of the Building 1A footprint to the south east to maintain dwelling yield resulting from the height reduction to Building 1B.
- This proposal seeks to amend the permit with the following changes:
  - 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
- While the approved amended Development Plan allows for up to 400 dwellings, 385 dwellings are proposed, to be set out as follows:

<b>Stage 1</b>	<b>Dwellings</b>
Building 1A	72
Building 1B	100
Building 1C	98
<b>Total:</b>	270

<b>Stage 2 and 3</b>	<b>Dwellings</b>
Stage 2 townhouses	53
Stage 3 townhouses	62
<b>Total:</b>	115

**230-232 BANKSIA STREET AND 96 ORIEL ROAD BELLFIELD - BELLFIELD REDEVELOPMENT PRECINCT AMENDMENT (P1616/2021 PT2) cont'd**

Preamble

- The proposed amendment will require the current permit preamble to be updated to the following text:

*'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'.*

Conditions

- Deletion of the following conditions:
  - Conditions 1(a)
  - Condition 10 'Public Open Space Plan'
  - Conditions 25 and 26 'Public Open Space'
- Amendments to the following conditions:
  - Conditions 2(d), 9 and 16 to remove reference to Tree #55
  - Existing condition 24 renumbered to 25 and renumbering of subsequent conditions.
  - Amended Condition 23 'Civil Works Plan' to read:

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.
- Addition of the following conditions:
  - New Condition 1 requirements, to commence from Condition 1(w):
    - 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.
    - Splaying of the pedestrian link footpath at Daphne Crescent.

**230-232 BANKSIA STREET AND 96 ORIEL ROAD BELLFIELD - BELLFIELD REDEVELOPMENT PRECINCT AMENDMENT (P1616/2021 PT2) cont'd**

- Width of the pedestrian link footpath increased to 3m.
- Provision for and details of a sculpture or landscape feature the mark the entrance to the pedestrian link footpath at Daphne Crescent.
- Enhanced wayfinding and pedestrian connectivity to central banks of townhouses in Stages 2 and 3 through variations in pavement treatment and/or signage.
- 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.
- Extended use of brick material to external ground floor walls of Stage 2 and 3 townhouses
- Alterations to fenestration of Stage 2 and 3 townhouses to avoid excessive repetition of window placement and shrouding.
- o New Condition 11 requirements, to commence from condition 11(g):
  - Planting to pergolas to Stage 2 and 3 townhouses facing Banksia Street and Perkins Avenue.
  - Details of planting between garages to Stage 2 and 3 townhouses, to incorporate a mix of species.
  - Details of understorey planting around Tree #18 and its reserve.
- o New Condition 19 requirements, to commence from condition 19(c):
  - The owner acknowledge that the two (2) share care spaces must always function as share car spaces to the satisfaction of the Responsible Authority
- o New Condition 24 to read:
  - 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.

Plans

- Plans submitted on 1 November 2023 (Rothelowman, TP00.00 – TP04.03, Revision E) to be endorsed subject to conditions.

**BACKGROUND**

- The site was rezoned in 2018 to Residential Growth Zone (Schedule 2), with the Development Plan Overlay (Schedule 8) also added to the site through the approval of Planning Scheme Amendment C153. It is noted this amendment went through significant community consultation. Urban Design Guidelines and a Master Plan for the site have also been adopted.
- The site previously functioned as the Banksia La Trobe Secondary College. It is currently vacant and remains under the ownership of Banyule City Council.

**230-232 BANKSIA STREET AND 96 ORIEL ROAD BELLFIELD - BELLFIELD REDEVELOPMENT PRECINCT AMENDMENT (P1616/2021 PT2) cont'd**

- This amendment application follows the approval of the amended Development Plan, which was considered and determined at the 28 August 2023 ordinary Council meeting.
- Details of previous Development Plan applications for this site are as follows:

Application Reference	Date Authorised	Authorises:
P1654/2021	13 April 2022	Development plan approval pursuant to Schedule 8 of Clause 43.04 of the Banyule Planning Scheme 'Bellfield Precinct Redevelopment Site' for a mixed use development including: <ul style="list-style-type: none"> <li>• Buildings ranging in height from three (3) to six (6) storeys</li> <li>• A maximum of 390 dwellings comprised of a mix of apartments, lofts and townhouses</li> <li>• A maximum of two (2) retail premises</li> </ul>
P1654/2021 pt2	8 November 2023	Amendment to the approved Development Plan pursuant to Schedule 8 of Clause 43.04 of the Banyule Planning Scheme 'Bellfield Precinct Redevelopment Site' for a mixed-use development including: <ul style="list-style-type: none"> <li>• A maximum of 400 dwellings</li> <li>• Increased building heights to seven storeys (Building 1B) and five (5) storeys (Buildings 1A and 1C)</li> <li>• Deletion of the four (4) storey loft apartment building and replacement with three (3) four (4) storey townhouses</li> <li>• Deletion of the central linear park</li> <li>• Removal of trees #18 <i>Angophora costata</i> and #55 <i>Eucalyptus scoparia</i></li> <li>• Alteration to vehicle access arrangements</li> <li>• Further parking reductions to one-bedroom apartments</li> </ul>

- Details of previous Planning Permit applications for this site are as follows:

Application Reference	Date Issued	Allows
P1616/2021	1 June 2022	Buildings and works for a staged mixed-use development incorporating the construction of up to 340 dwellings and alterations of access to a Transport Zone 2, use of the land for a shop or food & drink

**230-232 BANKSIA STREET AND 96 ORIEL ROAD BELLFIELD - BELLFIELD REDEVELOPMENT PRECINCT AMENDMENT (P1616/2021 PT2) cont'd**

		premises, and the reduction of car parking requirements
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- The below table provides a comparison of building heights against the requirements of the Development Plan Overlay (Schedule 8):

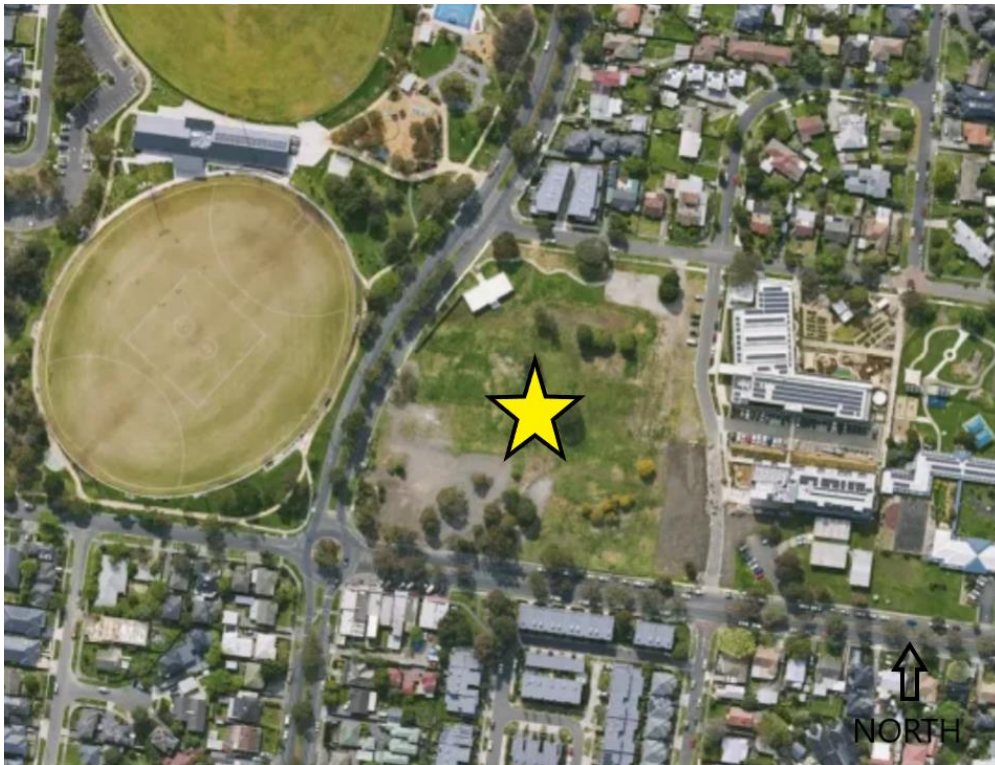
	<b>Development Plan Overlay (DPO8) preferred maximum heights</b>	<b>Original Development Plan and Permit Height (P1654/2021 &amp; P1616/2021)</b>	<b>Amended Development Plan Height (P1654/2021 pt2)</b>	<b>Proposed Amended Permit Height (P1616/2021 pt2)</b>
<b>Building 1A</b>	Four storeys	Four storeys	Five storeys	Five storeys
<b>Building 1B</b>	Five storeys	Six storeys	Six storeys	Six storeys
<b>Building 1C</b>	Four storeys	Four storeys	Five storeys	Five storeys
<b>Townhouses</b>	Four storeys	Three to four Storeys	Three to four Storeys	Three to four storeys

**SUBJECT SITE AND SURROUNDING AREA**

<b>Site area</b>	35,985m <sup>2</sup> approx.
<b>Topography</b>	Generally Flat
<b>Existing and Neighbouring Vegetation</b>	The subject site contains a number of scattered canopy trees, particularly in the south western portion of the site along Banksia Street.
<b>Existing Buildings</b>	The subject site is largely vacant with the exception of a sales office in the north western corner.
<b>Site Context</b>	<p>The subject site is located north of Banksia Street, east of Oriel Road and south of Perkins Avenue. It is generally rectangular with a curved western edge. The site was previously occupied by the Banksia LaTrobe Secondary College.</p> <p>The subject site is in proximity to a number of community facilities including Ford Park, the Bellfield Community Hub, the Waratah Special Development School and Heidelberg Repatriation Hospital.</p>
<b>Easements</b>	Nil

**Locality Plan**

**230-232 BANKSIA STREET AND 96 ORIEL ROAD BELLFIELD - BELLFIELD REDEVELOPMENT PRECINCT AMENDMENT (P1616/2021 PT2) cont'd**



*Subject site denoted by yellow star. Source – Metromap (13/09/2023)*

**PUBLIC NOTIFICATION**

- The proposal is exempt from public notification under Clause 67.02-2 of the Banyule Planning Scheme as the site does not adjoin any land owned by third parties.
- Further, the proposal is considered to be generally in accordance with the approved Development Plan under P1654/2021.

**230-232 BANKSIA STREET AND 96 ORIEL ROAD BELLFIELD - BELLFIELD REDEVELOPMENT PRECINCT AMENDMENT (P1616/2021 PT2) cont'd**

**CONSULTATION**

- Solutions to address the 29-space parking shortfall have been discussed with the permit applicant and the following arrangement will be secured by condition:
  - Provision of eight (8) additional basement car spaces including two (2) share car spaces and six (6) spaces to be allocated to individual apartments.
  - Financial contribution for four (4) indented spaces to Daphne Crescent.
  - Financial contribution for one wombat pedestrian crossing to Daphne Crescent to link with the central pedestrian footpath.
  - Amended Section 173 Condition to secure the two share car spaces within the basement.
- The provision of additional parking both within the site and along Daphne Crescent will assist to reduce pressure on the local parking capacity as a result of the shortfall sought by the applicant.
- The requirement for a wombat crossing is considered to adhere to the Bellfield Master Plan which seeks to promote active transport and pedestrian links between the Bellfield Community Hub, the development site and Ford Park.

**REFERRAL COMMENTS**

- External

Department	Objection?	Comments
Head, Transport for Victoria	N/A	No response received at the time of writing this report.  The Department of Transport have previously indicated no objection to the proposal.

- Internal

Department	Comments
Development Planning Arborist	Council's Development Planning Arborist has reviewed the Arborist Report and Tree Management Plan and advised that Tree #55 <i>Eucalyptus scoparia</i> can be supported for removal as the tree is of moderate retention value and is not protected under any Vegetation Protection Overlay.
Traffic & Transport	Council's Traffic & Transport Section has advised that the 29-space parking reduction to one (1) bedroom apartments can be supported through the provision of indented parking along



**230-232 BANKSIA STREET AND 96 ORIEL ROAD BELLFIELD - BELLFIELD REDEVELOPMENT PRECINCT AMENDMENT (P1616/2021 PT2) cont'd**

	<p>Daphne Crescent, at the cost of the developer, along with additional basement share car spaces and contribution for the construction of an additional pedestrian crossing along Daphne Crescent.</p> <p>No concerns have been raised regarding alteration to vehicle access arrangements.</p>
Public Open Space	Council's Open Space Planning and Design Section has advised that the linear pedestrian connection between precincts 2 and 3 cannot be accepted as public open space to be managed by Council given its size and function.
Landscape Consultant	Council's Landscape Consultant has advised that the Landscape Master Plan is generally acceptable. Landscape plan details will be addressed through condition.
Urban Design	Council's Urban Designer has advised that the proposed Development Plan layout and building heights are generally acceptable. Further changes to the design detailing of townhouses will be addressed through conditions.
ESD Adviser	The ESD Adviser related conditions in the existing permit are to be retained as they have not yet been satisfied.
Developments and Drainage	The drainage conditions in the existing permit are to be retained as they have not yet been satisfied.
Waste Management	The waste management conditions in the existing permit are to be retained as they have not yet been satisfied.

**PLANNING CONTROLS**

- The planning controls applicable to the site are outlined in Table 1 below:

Table 1: Applicable Planning Controls

Control	Clause	Permit Triggered?
Residential Growth Zone (RGZ2)	32.07	Yes
Vegetation Protection Overlay (VPO5)	42.02	No
Development Plan Overlay (DPO8)	43.04	No
Special Building Overlay (SBO1)	44.05	No
Development Contribution Plan Overlay (DCPO1)	45.06	Applies
Car Parking	52.06	Yes
Native Vegetation	52.17	No
Land Adjacent to a Transport Zone	52.29	Yes

**230-232 BANKSIA STREET AND 96 ORIEL ROAD BELLFIELD - BELLFIELD REDEVELOPMENT PRECINCT AMENDMENT (P1616/2021 PT2) cont'd**

**POLICIES CONSIDERED**

Table 2: Relevant Planning Scheme Policy

<b>Policy</b>	<b>Clause</b>
<b>Local Planning Policy Framework (LPPF)</b>	
Natural Environment	02.03-2
Settlement	11
Environmental and Landscape Values	12
Built Environment and Heritage	15
Housing and Land Use	16
ResCode	55
Better Apartment Design Standards	58

**TECHNICAL CONSIDERATION**

**Compliance With Development Plan**

- The proposal is considered to be generally in accordance with the approved amended Development Plan in terms of its layout. The Development Plan gives approval for up to 400 dwellings with 385 dwellings proposed.
- There is a variation sought to the Development Plan with regard to the building footprint of Building 1A, which has been extended to the south east to provide for additional apartments. This variation is considered to be acceptable as the maximum height of the building is not altered and the proposal continues to meet deep soil planting requirements specified in the Development Plan Overlay (Schedule 8).

**Compliance With Residential Growth Zone**

- The preferred maximum residential building height in the Residential Growth Zone is 13.5m and this is not varied in Schedule 2 to the Zone. This is a preferred height control and is not mandatory. It is noted that the Development Plan Overlay anticipates a preferred maximum building height of five storeys, which exceeds the 13.5m specified in the Zone. A maximum building height of six storeys was approved at the 28 August 2023 Council meeting in consideration of the amended Development Plan.

**Car Parking and Access**

- The proposed amendment seeks a reduction of 29 car spaces, primarily to one-bedroom apartments in Stage 1 of the development and the retail premises.
- The parking reduction is considered to be acceptable subject to conditions as detailed in the 'Consultation' section of this report.
- There are no concerns with alterations to vehicle access arrangements to and from the site.

**230-232 BANKSIA STREET AND 96 ORIEL ROAD BELLFIELD - BELLFIELD REDEVELOPMENT PRECINCT AMENDMENT (P1616/2021 PT2) cont'd**

**Urban Design**

- Urban design to the Stage 1 apartments is generally well resolved with the architectural expression of the buildings reflective of the previously approved permit and amended Development Plan. The extended footprint of Building 1A is located internally to the south east of the original building footprint and is not considered to generate any new urban design concerns.
  
- Conditions will require increased width and splaying of the pedestrian walkthrough to Daphne Crescent to enhance the function of the path as a public thoroughfare between the Bellfield Community Hub and Ford Park.
  
- Conditions will require improved wayfinding and connectivity to the central bank of townhouses in Stages 2 and 3 through variations in pavement treatment and/or signage.
  
- There are concerns regarding the architectural expression of the townhouses in Stages 2 and 3, which are considered to lack variation in materials, articulation, and fenestration with excessive usage of shrouding. This concern can be alleviated with conditions requiring the following:
  - Extended use of brickwork at ground floors to reflect materials of surrounding residential dwellings and to improve articulation.
  - Variation to materials, colours and/or architectural features to exposed side elevations in Stage 2 and 3 to enhance visual interest from the public realm.
  - Greater variation to window fenestration to avoid repetition and overuse of shrouding to provide articulation.

**Vegetation Removal**

- The proposal seeks the retention of Tree #18, for which the retention has required the deletion of two townhouses within Stage 3 of the development.
  
- The removal of Tree #55 is in accordance with the approved amended Development Plan.
  
- Tree protection conditions from the original permit will largely be retained with minor amendments to remove reference to Tree #55.

**Public Open Space**

- The proposal seeks to remove provision of public open space from the centre of the site instead seeking to pay 5% public open space contribution. This condition will need to be included on any future subdivision permit. Pedestrian connectivity will remain through the site and will continue to be secured by condition requiring the creation of a footway easement.

**230-232 BANKSIA STREET AND 96 ORIEL ROAD BELLFIELD - BELLFIELD REDEVELOPMENT PRECINCT AMENDMENT (P1616/2021 PT2) cont'd**

- Conditions 10, 25 and 26 relating to public open space provision will be deleted from the permit.
- The layout continues to accord with the approved amended Development Plan, with further details of footpath width and landscaping to be confirmed by condition.

**Landscaping**

- The proposed amendments enable additional deep soil planting beyond the requirements of the Development Plan Overlay (Schedule 8) throughout the site. This is aided by the retention of Tree #18 and its surrounding reserve.
- Proposed species and planting locations throughout the site remain generally in accordance with the approved Development Plan and are acceptable.
- Landscaping conditions will seek details of proposed plantings between Stage 2 and 3 townhouse garages along with details of planting a landscape feature or sculpture to the pedestrian walkthrough.
- A condition will seek planting to Stage 2 and 3 townhouse pergola structures that face Banksia Street and Perkins Avenue.

**Environmentally Sustainable Development**

- The ESD conditions on the existing permit will be retained as part of this amendment.

**ResCode/Better Apartment Design Standards**

- The proposal remains generally in accordance with the objectives and standards of Clauses 55 and 58.

**SUPPORTING REPORT DETAILS**

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

**Officer Declaration of Conflict of Interest**

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



**230-232 BANKSIA STREET AND 96 ORIEL ROAD BELLFIELD - BELLFIELD REDEVELOPMENT PRECINCT AMENDMENT (P1616/2021 PT2) cont'd**

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

**CONCLUSION**

- The proposed amendments are considered to accord with the approved amended Development Plan and retains strong ESD, landscaping and urban design outcomes while meeting relevant ResCode objectives. As such, it is recommended an amended permit issue subject to conditions.

**ATTACHMENTS**

<b>N</b>	<b>Title</b>	<b>Page</b>
0	.	
1	Amendment Plans ( <i>Under Separate Cover</i> )	
		
2	Original Permit (P1616/2021)	
		

## 6.3 **IVANHOE GRAMMAR SCHOOL DEVELOPMENT PLAN**

Author: Emma Butterworth - Senior Strategic Planner, City Development

Ward: Chelsworth Ward

### **Previous Items**

Council on 24 May 2021 7.00pm (Item 5.2 - Ivanhoe Grammar School - Fence and Development Plan)

Council on 25 Jun 2018 7.00pm (Item 5.1 - Ivanhoe Grammar School - Amendments to Approved Development Plan (D777/1999))

Council on 09 Jun 2015 7.45 pm (Item 4.2 - Ivanhoe Grammar School Development Plan 2015-2021)

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### **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.

## **IVANHOE GRAMMAR SCHOOL DEVELOPMENT PLAN cont'd**

### **COUNCIL PLAN**

- This report is in line with Banyule's Council Plan strategy to "Develop and maintain best practice integrated strategic plans that impact positively on the quality and design of our places and built environment".

### **BACKGROUND**

- Ivanhoe Grammar School, 41 The Ridgeway, is subject to Development Plan Overlay Schedule 4 (DPO4). The purpose of the DPO4 is to plan for private educational establishments.
- A Development Plan can set out specific requirements for future land use and development. Any future planning permit application must be generally in accordance with an approved development plan.
- There is an existing Ivanhoe Grammar School Development Plan (the Development Plan), last adopted by Council at its meeting on 9 June 2015. To ensure the Development Plan remains up to date, it has a 5-year review period (with possibility of 2-year extension).
- Each review of the Development Plan should provide planning direction about how the school is expected to change during the following 5 to 10 years.
- The first Ivanhoe Grammar School Development Plan was approved on 1 February 2000.
- In 2015 the Ivanhoe Grammar School Development Plan was updated to incorporate the following changes:
  - Increased student numbers to 1690 and staff numbers to 175 full time, 85 part time and 8 contract staff.
  - Construction of the Sports Centre and basement carpark
  - Construction of the Senior Years Centre
  - Alterations to other buildings including Year 9 centre, Dodemaide Hall, Year 2 art rooms, Chapel and Buckley Hall.
- The current version of the Development Plan was endorsed on 12 October 2018 following approval of an amendment at the Council meeting of 25 June 2018. The plan was amended in 2018 to allow alterations to the sports centre building envelope and setting hours of operation for school and community use of the rooftop courts of the sports centre.
- A Planning Permit (P2018/850) was issued on 6 December 2018 to allow for construction of a sports centre, generally in accordance with the development plan.
- In 2021, the school applied for a planning permit (P1468/2020) and a subsequent amendment to the Development Plan to construct fencing within the school's property to restrict pedestrian access through the site.
- While Council resolved to refuse this amendment at the 24 May 2021 Council meeting, this was the subject of a VCAT hearing which determined that the proposed fencing works were consistent with the Development Plan. A planning permit for the fence was thus issued by consent.

## IVANHOE GRAMMAR SCHOOL DEVELOPMENT PLAN cont'd

- A new Development Plan (the proposed Development Plan) for 41 The Ridgeway, Ivanhoe was submitted to Council on 1 March 2023. This is provided as **Attachment 1**.

### KEY ISSUES

- The proposed Development Plan does not seek to change staff or student numbers, or public access through the school grounds.
- The proposed Development Plan seeks to make the following changes to the current Development Plan:
  - Updated to reflect completed projects.
  - Increase the overall height of the Senior Years Centre – It is proposed to increase the height of the Senior Years Centre by 5.4 metres resulting in an overall building height of 21.9 metres.
  - Construct an extension to the Locksley House building – a single storey extension to the north of the existing building to provide storage for the drama department (based within Lockley House). Extension is sited over existing concreted area and will not extend beyond the northernmost point of the existing building.
  - Show trees which are required to be removed for works or safety requirements. Details about tree removal are discussed in more detail later in the report.
  - Change the operating hours of the Sports Centre and rooftop courts as per **Attachment 2**.
  - Change the vehicle access hours along Russell Street, Fairy Street and Elphin Street as per **Attachment 2**.
  - Year 2 art rooms extension – an extension to the west of the existing Year 2 classrooms, located within the junior school. Whilst class sizes have not altered the current facilities do not meet the requirements for a quality teaching space. The extension will not encroach into the existing playground.
  - Redevelopment of Dodemaide Hall – Dodemaide Hall is to the rear of the Pizzey Music room, located within the junior school. Involves the demolition of the existing building and replacement with a new facility that comprises practice rooms and a hall for dance and drama. The additional floor space will also provide for an indoor play space for physical education classes during poor weather.
  - Redevelopment of the Knorr building into a Learning Hub – Learning Hub provides a new building containing multi-purpose classrooms / teaching spaces. Knorr building will be demolished.
  - Extension to the eastern side of the Chapel for use as group worship.
- Public consultation ran from 4 July 2023 to 11 August 2023 and included a public information session. 24 submissions were received, with 23 of these objecting to the proposed Development Plan.
- **Attachment 3** provides a summary and Officer response. The issues most commonly raised against were:



## **IVANHOE GRAMMAR SCHOOL DEVELOPMENT PLAN cont'd**

- Access hours for car parks and sports/pool facilities and the impact on surrounding streets on traffic, parking and safety of students walking to school.
- Height of the proposed Senior Years Centre. Concerns are related to overlooking and overshadowing.
- Excessive operating hours of sports centre and indoor pool.
- Use of school facilities for community uses with concerns about the school benefiting commercially from school facilities.
- There was one submission in support of the proposed Development Plan from Ivanhoe Knights Basketball Club.

## **SUPPORTING REPORT DETAILS**

### **Legal Consideration**

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

### **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.

### **Gender Impact Assessment**

- Section 9 of the Gender Equality Act 2020 states Council, as a defined entity, must conduct a Gender Impact Assessment for policies, strategies, plans, programs, and services that are new or up for review and have a direct and significant impact on the public.
- A Gender Impact Assessment was not required for this Report because the Report did not result in the creation or review of a project, strategy or plan that had a direct and significant impact on the public.

### **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.

### **Community Engagement**

- Public consultation period 4 July 2023 11 August 2023, including a two-week extension.
- Notice was given in the form of letters to approximately 600 owners and occupiers of nearby properties and installation of four A1 signs on the subject site.

## IVANHOE GRAMMAR SCHOOL DEVELOPMENT PLAN cont'd

- A public information drop-in session was held at Buckley Hall at the School on 13 July 2023.
- A consultation meeting was held on 14 September 2023. All submitters were invited to an open forum with the proponent about key issues raised in submissions.
- Following the consultation meeting, additional clarifying information was shared with submitters and on Council's website, including building massing diagrams for the propose Senior Years Centre.

### Key Considerations

- Council must consider relevant matters raised in submissions received to the Development Plan. Relevant matters that can be considered by Council in submissions are confined to land use planning matters.
- Officer assessment of the Development Plan finds that the proposed Development Plan meets the conditions of the DPO4 and is in general a suitable planning response for the site and context. DPO4 is used for private educational establishments in Banyule. It requires that a development plan must relate to the use and development of the land for the next five years. The development plan must include numbers of staff and students, show existing buildings, the heights, staging and timing, of proposed development, use of all parts of the land, including landscaping, measures to address heritage, environment and access at the site, and interface treatments with adjoining land.
- Other planning controls which apply to the land are:
  - The Neighbourhood Residential Zone (NRZ) applies to the entire site of the Development Plan. The purpose of the zone is to manage housing growth so that it is respectful of the area's characteristics, and to allow educational, religious, community, and a limited range of other non-residential uses which serve the community's needs.
  - Vegetation Protection Overlay (VPO) to protect, retain and encourage regeneration of significant vegetation.
  - Environmental Significance Overlay (ESO) identifies areas where there may be environmental constraints and requires development to be compatible with those constraints.
  - Heritage Overlay (HO) protects Sherwood House and landscaping as a good example of 1840's "gentleman farmer" residence.
  - Significant Landscape Overlay (SLO) covers half of the site on the south side. The overlay is in place to protect, conserve and enhance significant landscapes, in this case, the Yarra (Birrarung) River corridor environs.
- However, in response to submissions and officer assessment, Officers recommend a number of changes to the proposed Development Plan, as per **Table 1**.

***Table 1: Suggested changes to the Development Plan***

Topic	Suggested Change	Discussion
Fairy and Elphin Street	Private vehicle access via Fairy and Elphin Streets to be limited to 7am to 6pm on weekdays.	Vehicle traffic should be directed to Russell Street where possible.

**IVANHOE GRAMMAR SCHOOL DEVELOPMENT PLAN cont'd**

carpark access	Ancillary functions of the school (e.g. school mini buses and kayak trailers) to be exempt from vehicle access restrictions.  Exemptions to private vehicle times for special events at Lockley House up to four times a year.	
Russell Street carpark access	Russell Street vehicle access to be limited to 5.15am to 10.30pm, in line with swimming pool hours.	Suggested change allows carpark access which aligns with suggested swimming pool hours of operation.
Swimming Pool Operating Hours	DP should be amended to 5.30am swimming pool open time, not 5.00am as requested.	5.30am start to operating hours of the swimming pool aligns with other swimming pool operating hours in the area.
Senior Years Centre building height	Include Russell Street massing diagrams within the Development Plan.	Massing diagrams provide an indication of where the building will be located. Detailed design will be provided to Council for consideration at planning permit stage.
"Community uses"	Reinsert a definition of "community uses" in the Development Plan. Wording should be as per the current Development Plan:  "Community use includes use of school facilities, by individuals or groups, for the purpose of education, recreation, cultural activities for students, the local community (i.e. within Banyule) or young persons. Users do not need to have an affiliation with the school. This may include the hire of facilities by such groups."	Clear definitions provide clarity and transparency.
Excessive trees shown for removal	Remove reference to the removal of any trees where there is no stated need to remove them due to development.  Add a clause for to clarify that the Development Plan does not seek to override other exemptions for ad hoc removal of trees in cases where there is immediate safety concerns or other hazard risk.	The Tree Population Audit and Landscape Plan shows additional trees to be removed which are not linked to proposed developments. All trees on site were assessed and those which have low or nil retention value have been shown as potential for removal and that this is to ensure removal in the event of safety risk or irreversible tree disease is in accordance with the proposed Development Plan.  Including a clause for ad hoc removal is considered a more measured approach.
Landscape plans incorrect	Development Plan to show correct fence labelling.	Officers agree that the landscape plan causes confusion about existing or proposed fencing.

**IVANHOE GRAMMAR SCHOOL DEVELOPMENT PLAN cont'd**




Complicated hours of operation tables	Remove the existing hours of operation from the existing conditions section.	While it is helpful for review and community consultation purposes, it is not needed in an adopted version of the Development Plan.
Review stage	At review stage of the Development Plan, a tracked change version or similar must be provided, unless otherwise agreed to by the Responsible Authority.	Clear communication about what changes are being made to the Development Plan will provide transparency to Council and the community.

- Officers are satisfied with the need for extra hours of the Sports Centre as the extra hours on weekends will allow for additional community use of sports facilities in Banyule and is considered to provide a net community benefit. One submission in support of the proposed Development Plan from the Ivanhoe Knights Basketball Club states that the extended hours will benefit the club (run by community volunteers) allowing more children in Banyule to play basketball.
- Officers agree that vehicle traffic should be directed to the Russell Street carpark and drop off area where possible. Council officers will discuss ways to encourage use of Russell Street rather than Fairy Street or Elphin Street.

**Officer Declaration of Conflict of Interest**

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract who 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
0	.	
1	Proposed Ivanhoe Grammar School Development Plan 	
2	Proposed Sport and Pool Hours of Operation and Vehicle Access Hours 	
3	Submissions and Officer Response 	

## 6.4 **DRAFT BANYULE PUBLIC REALM STRATEGY**

Author: Fae Ballingall - Strategic Planning & Urban Design Coordinator, City Development

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### **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.

### **COUNCIL PLAN**

- This report is in line with the Banyule Council Plan Strategy to "Deliver well designed places and spaces that enable stronger connections and liveability to meet the diverse needs of our current and future community".

## **DRAFT BANYULE PUBLIC REALM STRATEGY cont'd**

### **BACKGROUND**

- Banyule's public realm encompasses all external spaces that are publicly managed and publicly accessible, such as parks, reserves, sporting fields, streetscapes, pedestrian links, forecourts to civic buildings, plazas and so on.
- The development of a Banyule Public Realm Strategy (the Strategy) is in direct response to the critical need for a resource that provides strong strategic direction and embeds design excellence and industry best practice.
- This document identifies all public areas and spaces that are fundamental to the character and significance of Banyule and takes a considered approach to the planning, design, construction, and management of the public realm for improved social, economic and environmental outcomes.
- Consultants were appointed to prepare the document and have been guided by a cross-organisational Project Working Group (PWG), with representatives from all teams involved in planning, design, delivery and maintenance of Banyule's public realm.
- A draft has now been prepared (**Attachment 1**) for community and stakeholder engagement.

### **KEY ISSUES**

- The Strategy will serve as an aspirational document, aiming to foster innovative and contemporary public realm outcomes while enhancing the value for money in Council investments.
- It provides the overarching strategic plan that establishes the 10-year vision, objectives, guiding and design principles and design elements, across four broadly defined public realm areas: Urban Space, Open Space, Transport and Links. Under these categories are listed the sub-typologies, each with their own section.
- The focus of engagement will be to ensure that the direction, vision and principles reflect the community's values and aspirations for their public spaces.
- Collaboration with Banyule's Traditional Owners, the Wurundjeri Woi-wurrung, has been critical to the drafting of the Strategy and will continue to be so, both in the finalisation of the document, and also its implementation, especially in the context of Council's commitment towards Aboriginal self-determination.

### **SUPPORTING REPORT DETAILS**

#### **Legal Consideration**

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

#### **Gender Impact Assessment**

- In developing this report, the subject matter has been considered in accordance with the requirements of the Section 9 of the *Gender Equality Act 2020*.
- The gender impact and associated implications of this project were assessed based on how traditional gender roles can impact how individuals experience public spaces and to build capabilities in gender sensitive design, including through the strategy's design principles and elements.

## **DRAFT BANYULE PUBLIC REALM STRATEGY cont'd**

- As a result of the Gender Impact Assessment, 'Gender and Inclusion' is one of the six Drivers of the Strategy ensuring deliberate regard is had to diverse gender needs in designing public realm outcomes.

### **Community Consultation**

- Community consultation will include an online and face-to-face information session, targeted stakeholder engagement, including sessions with Banyule's population advisory groups.
- There will be an online survey on Shaping Banyule, and promotion materials include postcards at libraries and service centres, an article in the December 2023 Banyule Banner, and a social media campaign.

### **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.


### **Financial Implications**

- There are no financial implication 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 who 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**

<b>N</b>	<b>Title</b>	<b>Page</b>
o	.	
1	 231108_Banyule_PRS-Final Draft-Community Consultation ( <i>Under Separate Cover</i> )	





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

Author: Ellen Kessler - Community Partnerships Coordinator, Community Wellbeing

Ward: Sherbourne

### **Previous Items**

Council on 7 August 2023 (Item 4.6 - 7 Wellington Street Montmorency - Community Hub Expression of Interest Process)

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### **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.

**7 WELLINGTON STREET MONTMORENCY COMMUNITY HUB EXPRESSION OF INTEREST OUTCOME cont'd**

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.

**COUNCIL PLAN**

- This report is in line with Banyule's Council Plan strategy to "Actively seek partnerships and collaborate with other organisations to build and utilise community infrastructure".

**BACKGROUND**

- At the 20 March 2023 Confidential Council meeting, Council resolved to acquire the land parcel known as 7 Wellington Street Montmorency.
- This site was acquired in April 2023.
- At the 7 August 2023 Council meeting, Council resolved to endorse the use of the site at 7 Wellington Street Montmorency as a Community Hub and to advertise an Expression of Interest process for a not-for-profit provider to operate a Community Hub at the site.
- At the 7 August 2023 Council meeting, Council noted that a report will be presented to Council upon the finalisation of the Expression of Interest process, seeking Council endorsement of the successful provider, the signing of the Lease Agreement and Funding Agreement, future capital improvements needed to activate the space for community use and any other associated documents in line with all current Neighbourhood House Lease Agreements until 30 June 2026.
- On 18 September 2023, Council published an EOI with a closing date of 16 October 2023.
- The notice was published on the Vendor Panel portal with notification issued to registered parties, including Banyule community service organisations.
- Only one (1) EOI submission was received and assessed by the Panel.

**KEY ISSUES**

- The Panel consisted of senior Council Officers – Acting Director Community Wellbeing, Community Partnerships Coordinator and Community Connections Coordinator. The Panel reviewed and assessed the submission against previously determined criteria, and after interview, the panel selected Greenhills Neighbourhood House as the preferred supplier.

## **7 WELLINGTON STREET MONTMORENCY COMMUNITY HUB EXPRESSION OF INTEREST OUTCOME cont'd**

- Greenhills Neighbourhood House provided evidence of their ability to manage a community centre/hub that will serve the Montmorency community effectively and prudently.
- Key elements of the successful submission included:
  - An experienced, committed and professional team of staff and committee of management
  - A strong governance structure
  - All relevant policies and procedures, insurance and a commitment to social and environmental sustainability
  - Provision of a model overview which includes plans for use of both indoor and outdoor spaces
  - A strong vision for the community hub to be based at 7 Wellington Street with the founding core functions of:
    - Neighbourhood Garden to engage local community and support sustainability
    - Community centre to provide workshops, programs and free community events
    - Financial sustainability via income generation for room hire and a social enterprise 'op' shop
  - An engagement plan for community engagement of the community in and around Montmorency and an example of proposed programming
- A request for quote has been advertised for an architect to provide scoping and design that will ensure the compliance and suitability of the property as a community centre.

### **SUPPORTING REPORT DETAILS**

#### **Legal Consideration**

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

#### **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*.
- Neighbourhood Houses and Community Hubs operate within the framework of the Australian Human Rights Commission by providing local communities with a safe space to engage, combat social isolation and to strengthen community spirit, pride and connection. These Hubs are accessible and inclusive spaces that welcome a diverse range of people regardless of age, gender, ability, or economic status.

#### **Gender Impact Assessment**

- In developing this report, the subject matter has been considered in accordance with the requirements of the Section 9 of the *Gender Equality Act 2020*.

## **7 WELLINGTON STREET MONTMORENCY COMMUNITY HUB EXPRESSION OF INTEREST OUTCOME cont'd**

- The successful provider will manage the community centre with established policies and procedures which address equal opportunity and other measures to protect the rights of women, people with a disability, people of diverse cultures and all others who may be discriminated against on the basis of their race, religion, ability, sexuality and gender.
- Physical repairs will be made to the facility to ensure all Disability Discrimination Act (DDA) requirements are met so that the facility is fully accessible.
- Programming for the community centre will be developed to support people experiencing social isolation, family violence, issues with mental health. The selected provider will ensure that the centre promotes community connectivity, diversity and inclusion, and disability awareness.
- Considerations for intersectionality will be made to ensure no one is treated unfairly and that the facility is accessible for the whole of community.
- A full gender impact assessment will be undertaken in partnership with the successful provider to guide the establishment and operationalising of the community hub.

### **Sustainable Procurement Outcomes**

- The use of this site as a community hub will provide a significant social investment to the Montmorency community.

### **Financial Implications**

- It is proposed that the successful provider receives operational funding in line with the Neighbourhood House Coordination Program funding – \$36,470 (pro rata for 2023/24 plus annual CPI).
- Currently it is expected that operations can commence at the site from March 2024 with the pro rata funding required for 2023/24 being approximately \$12,157. This will be found within the existing operational budget for this financial year.
- The subsequent financial years 2024/25 and 2025/26 will require an additional budget allocation of \$36,470 plus the CPI increase for each financial year.
- A scoping exercise is being undertaken by an architect in partnership with the successful provider to ascertain the modifications and improvements required at the site to ensure it is accessible and compliant as a community centre. This will be presented to Council in a future report.

### **Community Engagement**

- Communications with the surrounding neighbours will be undertaken post Council resolution regarding the proposed future purpose of the site.
- Once appointed and the lease is signed, Greenhills Neighbourhood House will undergo significant community consultation with the wider community regarding the purpose of the community centre/hub.

**7 WELLINGTON STREET MONTMORENCY COMMUNITY HUB EXPRESSION OF INTEREST OUTCOME cont'd**

**Officer Declaration of Conflict of Interest**

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract who 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

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

Author: Niki Efstratiou - Community Infrastructure Planner, Community Wellbeing

### **Previous Items**

Council on 25 September 2023 (Item 9.2 - Community Infrastructure Opportunities at Public Schools)

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### **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.

**RESPONSE TO COMMUNITY INFRASTRUCTURE OPPORTUNITIES AT PUBLIC SCHOOLS NOTICE OF MOTION cont'd**

- 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.

**RESPONSE TO COMMUNITY INFRASTRUCTURE OPPORTUNITIES AT PUBLIC SCHOOLS NOTICE OF MOTION cont'd**

- c. Identification of any other funding opportunities that may support realisation of the future infrastructure opportunities with public schools.

**COUNCIL PLAN**

- This report is in line with Banyule's Council Plan strategy to "Actively seek partnerships and collaborate with other organisations to build and utilise community infrastructure".

**BACKGROUND**

- There are many examples of schools and councils sharing and developing facilities to support schools and broader community and these are often facilitated by Community Joint Use agreements (CJUAs).
- A CJUA are a formal written agreement between the Education Department, a school council and a council regarding the construction and the ongoing management of shared facilities that are located on school land or land owned or managed by the council. CJUAs can also apply to existing facilities that are being upgraded.
- Banyule Council has existing CJUAs or JUAs (joint user agreements) which are all different and have been developed from varying of levels of Council investment on school land. All have been in response to identified community needs and demonstrate the value and community benefit that these partnerships can produce. These are as follows:

**Macleod College – Nets Stadium indoor and outdoor netball courts:**

- A \$6 million investment by Council over two stages (2003 and 2021).
- Four Indoor and 3 outdoor courts constructed at Macleod College.
- Need – Respond to shortage of dedicated netball facilities to support growth in netball participation.
- A Joint Use Agreement (JUA) with Macleod College facilitates school use of courts 3 and 4 during the school term until 3.30pm, while community groups use these courts at all other times. The facility is managed by Banyule Leisure. A further 2 outdoor courts were constructed in 2019 by Council.

**Greensborough College – sports fields and pavilion:**

- A \$12 million investment by Northeast link to support displacement of existing Banyule sporting clubs during the North East link construction.
- Soccer pitch, football oval, and pavilion.
- Need – Constructed for displaced sporting clubs acquired for North East Link project.
- A Joint Use Agreement (JUA) with Greensborough Secondary College for sports club use outside school hours - weeknights and weekends.

**Latrobe University – Court Access for Banyule netball and basketball Clubs:**

- A \$5 million Council investment in the La Trobe Sports Precinct – Darebin.
- Indoor stadium with six multi-purpose courts.



**RESPONSE TO COMMUNITY INFRASTRUCTURE OPPORTUNITIES AT PUBLIC SCHOOLS NOTICE OF MOTION cont'd**

- Need – 2017 Sub-Regional Indoor Sports Needs Analysis Report” to investigate the shortage of multi-court indoor sport facilities in Melbourne’s northern region.
- Joint Use Agreement that secures 160 hours per week of court access for Banyule netball and basketball clubs.

Council has developed other community infrastructure partnerships with public schools to support school needs and these include:

- Concord Bundoora to provide access to Loyola Reserve Pavilion once a week for school activities.
- Officers are currently in discussions with St Helena Secondary College in relation to their Football Academy utilising Anthony Beale Reserve pavilion one morning a week.

**New and emerging Community Infrastructure Opportunities**

- Council’s recently adopted Community Infrastructure Plan uses a placed-based approach to community infrastructure planning to understand and respond to community needs both now and into the future.
- The Plan has a focus on maximising use, accessibility and performance of existing infrastructure but also using evidence-based data to strategically develop partnerships to plan, build and renew community buildings and spaces.
- The Community Infrastructure Planning process has prioritised two potential strategic partnerships with public schools that can address community needs.

**Revitalisation of Viewbank College Banyule Theatre complex**

- The Community Infrastructure Plan identified that an arts and culture facility is needed by 2041 to meet future population needs. Arts and culture activities can potentially be delivered in multi-purpose facilities or a dedicated arts facility.
- Exploring the use and partnership opportunities of the Banyule Theatre with the Department of Education is a key action in the Community Infrastructure Plan. The theatre is currently not fit for people, place or purpose and is not available for community use. Council and Viewbank College have received ongoing enquiries and requests from a variety of different small to medium amateur theatre groups and dance companies wanting to use the space.
- A condition assessment was undertaken in 2022 by Council which identified critical works such as repairs to the roof that are required in the short term at a cost of approximately \$1.25 million. A total investment of \$2.5 million is required to bring the facility up to standard and fit for purpose for use by the community and school.
- Council Officers have had some preliminary discussions with the Department of Education about intentions and different options to revive the theatre for community use. The Department of Education is currently reviewing long-term plans for the site and investment options.
- Council has identified this as an advocacy project to advocate to State Government for an investment to revitalise Banyule Theatre for community use. If this progresses a Community Joint Use Agreement would enable Council to make the facility available to community groups who deliver arts and culture activities. Options for management and Council funding have not been identified at this stage.

**RESPONSE TO COMMUNITY INFRASTRUCTURE OPPORTUNITIES AT PUBLIC SCHOOLS NOTICE OF MOTION cont'd**

- Community benefits of activation of this theatre include:
  - Community participation in affordable and accessible arts and cultural events that promote creativity and cultural appreciation
  - Multi-purpose meeting space provision for a range of events and activities
  - Opportunity for social enterprise or income generation to invest in maintenance of the building in the longer-term.

**Viewbank College competition grade gymnasium with two multi-use courts**

- Viewbank College has indicated that their priority infrastructure project is to secure funding for construction of a new competition grade gymnasium with two multi use courts. This would replace their original gym hall of 50 years and support the school to have whole of school assemblies as well as facilitate all of their sports programs.
- Junior basketball has witnessed a positive surge in participation since the post-COVID era, with several local Banyule clubs actively seeking additional court space. Both St Helena Secondary College in Eltham North and Montmorency Secondary College have reported that their sports hall facilities are currently operating at full capacity and are fully booked during non-school hours, accommodating various community sports activities.
- Banyule Hawks is one of the largest youth clubs whose membership is drawn largely from the Viewbank College school zone and is one of these clubs that has identified a shortage of court access in Banyule. Should Viewbank develop their sports hall they would be keen to negotiate some shared use to support a home training venue and weekend games. This would also provide supplementary income to school via court hire.
- At this time there is no funding for this project estimated to be in excess of \$10 million. The school is advocating to State Government for funds and Council could support this advocacy and demonstrate the community needs that would be fulfilled if a facility is constructed and use could be shared.

**Other Opportunities to be investigated as part of future report**

- Redevelopment of Macleod College sports field oval and change amenities that could provide additional sports field space for school and local cricket and football clubs.
- Upgrade of Charles La Trobe College Prep to 12 sports field to enable community competition.
- Opportunities for community groups to gain use and access of the redeveloped facilities and spaces at Bundoora Secondary College over the next couple of years.
- Greenhills Primary School are currently constructing a competition grade gymnasium with multi-use courts that will be completed in early 2024 and there maybe opportunity for community use of facilities outside of school hours that Council can facilitate.
- The above mentioned opportunities need to be explored fully including stakeholder engagement with the school and education department and will be presented to Council in a future report.

**RESPONSE TO COMMUNITY INFRASTRUCTURE OPPORTUNITIES AT PUBLIC SCHOOLS NOTICE OF MOTION cont'd**

**KEY ISSUES**

- It is important that Council continue to connect with schools and the Department of Education and advocate for community use of facilities after hours. There are school facilities that are not being used to their potential and could be fulfilling some unmet community needs, particularly in relation to indoor sports halls and fields of play.
- Council will also be collaborating with the Department of Education over the next two years to strategically determine the opportunities for placement of new kindergartens within primary school premises. This initiative is a crucial component of the broader kindergarten reforms and infrastructure enhancements to address the evolving early years needs of our community.
- Every school maintains its unique list of projects that they are proposing and submitting to the School Building Authority fund. Engaging in discussions with each school is essential to understand the specifics of their proposals and identify potential areas where Banyule Council can offer support or establish partnerships. Given that the School Building Authority cannot furnish the Council with a comprehensive long-term program of works, it is imperative to maintain continuous and ongoing conversations with all stakeholders involved.

Once Council gains a more comprehensive understanding of the infrastructure priorities and requirements within our public schools, it can then align this knowledge with our community infrastructure planning and the needs of our residents. By doing so, the Council can effectively pinpoint opportunities and devise strategies for supporting the realisation of these projects in the future through advocacy efforts. **SUPPORTING REPORT DETAILS**

**Legal Consideration**

- The *Disability Act 2006 (Vic)* requires Council to promote inclusion and participation in the community, with specific requirements to make community infrastructure accessible to people with different abilities.
- The *Multicultural Act 2011 (Vic)* requires Council to facilitate opportunities for all residents to equally participate in and contribute to social, cultural, economic and political life, this includes an implied obligation to ensure community infrastructure is culturally inclusive.
- The *Local Government Act 2020 (Vic)* requires Council to achieve best outcomes for the community and future generations, and this has implied implications for the development of a Community Infrastructure Plan.
- The *Gender Equality Act 2020* requires Council to develop Gender Impact Assessments for all new policies, programs and services, and those up for review, which directly impact on the local community.

**RESPONSE TO COMMUNITY INFRASTRUCTURE OPPORTUNITIES AT PUBLIC SCHOOLS NOTICE OF MOTION 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*.
- This framework promotes a balanced approach to community infrastructure investment, aimed at promoting and extending the rights of all people, promoting access to affordable and useable services and uplifting opportunities to participate in culturally safe and inclusive facilities and services. These measures create greater levels of equity across Banyule.
- **Gender Impact Assessment**A Gender Impact Assessment was not required for this Report because the Report did not result in the creation or review of a project, strategy or plan that had a direct and significant impact on the public.

**Sustainable Procurement Outcomes**

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

**Financial Implications**

**Innovation and Continuous Improvement**

- In order to successfully implement the Community Infrastructure Plan, Council needs to shift from conventional approaches to community infrastructure delivery and seize more innovative opportunities. The approaches outlined in this report serve as a good example of exploring innovative methods for delivering community infrastructure. This approach necessitates that the Council:
  - Make better use of existing infrastructure to deliver broader services and community benefits.
  - Enhance cross-agency collaboration to the delivery of community infrastructure through strategies such as joint funding, co-location, shared use or coordinated delivery.
  - Adopt a placed based approach to community infrastructure across the municipality to drive better urban design, planning and development decisions.
  - Use new infrastructure investment as an opportunity to deliver more integrated outcomes for liveable, sustainable communities.
  - Use technology and innovation to deliver better community infrastructure.

**Officer Declaration of Conflict of Interest**

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract who 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.

**RESPONSE TO COMMUNITY INFRASTRUCTURE OPPORTUNITIES AT PUBLIC  
SCHOOLS NOTICE OF MOTION cont'd**

**ATTACHMENTS**

Nil