

Agenda of Ordinary Meeting of Council - Monday, 9 May 2022

Olympia, Ibbott and Hawdon Rooms, Level 4, 1
Flintoff St, Greensborough



Banyule
City Council

Pursuant to section 66(1) of the Local Government Act 2020 (the Act) Council or delegated committee must keep a meeting open to the public unless the Council or delegated committee considers it necessary to close the meeting to the public because a circumstance specified in subsection (2) applies.

The circumstances detailed in section 66(2) of the Act are:

- a) the meeting is to consider confidential information; or
- b) security reasons; or
- c) it is necessary to do so to enable the meeting to proceed in an orderly manner.

Acknowledgement of the Traditional Custodians

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

Inclusive Banyule Statement

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

Apologies and Leave of Absence

Confirmation of Minutes

Ordinary Meeting of Council held 11 April 2022

Disclosure of Interests

1. *Urgent Business*

2. *Petitions*

- 2.1 Provide Itemised Tax Invoice to Owners 5
- 2.2 Installation of Safety Bollards at the Greville Road Shopping Precinct 7

REPORTS:

3. *Our Inclusive and Connected Community*

- 3.1 Inclusive Banyule draft 9
- 3.2 Audit & Risk Committee Meeting Minutes - 25 March 202215
- 3.3 Advisory Committees Report - Quarter Three, 2021/22.....17

4. *Our Sustainable Environment*

- 4.1 Elevating ESD Targets Project - Stage 2.....23
- 4.2 Draft Banyule Residential Parking Permit Policy29

5. *Our Well-Built City*

- 5.1 Amendment C165 - Proposed Heritage Overlay - Consideration of Submissions..35
- 5.2 2A Moola Close, Yallambie - Sports Pavilion Additions (P152/2022).....42
- 5.3 7 Dunstan Street, MACLEOD - Development of Three Dwellings (P762/2021)50

5.4	Translating the Banyule Planning Scheme into a New Framework.....	67
5.5	Bell Street Development - Public Submissions to Notice of Intention to Sell Land.	71
6.	<i>Our Valued Community Assets and Facilities</i>	
	Nil	
7.	<i>Our Thriving Local Economy</i>	
7.1	Notice of Intention to Declare a Special Charge - Watsonia Shopping Centre.....	77
7.2	Notice of Intention to Declare a Special Charge - Macleod Village Shopping Centre	83
7.3	Notice of Intention to declare Special Charge – Eaglemont Village	89
7.4	Notice of Intention to declare Special Rate and Charge – Greensborough Town Centre	95
8.	<i>Our Trusted and Responsive Leadership</i>	
8.1	Award of Contract No. MAV DO60125 - Provision of Park and Playground Equipment & Associated Products and Services	103
8.2	Record of Councillor Meetings	109
8.3	Quarterly Financial Management Report - March 2022	114
9.	<i>Sealing of Documents</i>	
	Nil	
10.	<i>Notices of Motion</i>	
	Nil	

11. *General Business*

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:

12. Confidential Matters

- 12.1 Purchase of Land for Council Spaces
- 12.2 Macleod Rec and Fitness Centre - YMCA request for operational support

Matters Discussed in Camera

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

Closure of Meeting

Live Streaming of Council Meeting

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

The livestream will be available on Council's Facebook and website www.banyule.vic.gov.au

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

2.1 **PROVIDE ITEMISED TAX INVOICE TO OWNERS**

Author: Nicholas Van - Council Business Officer, Executive

SUMMARY

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

We, the undersigned, petition and respectfully demand Banyule Council to:

Provide Itemised Tax Invoice to property owners ongoing for Council Rates.

The Itemised invoice/account must show:

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

RECOMMENDATION

That Council:

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

- A petition with 72 eligible signatories has been received.
- The petition preamble states:

PROVIDE ITEMISED TAX INVOICE TO OWNERS cont'd

Banyule Council ABN 16456814549 issue Rates and Valuation Notices as a tax invoice quarterly. Currently there are only value references to property value and Instalment amount.

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

The Itemised invoice/account must show:

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

Competition and Consumers Act section 101 states that Consumer may request an itemised bill within 20 days and the supplier must supply at no charge within 7 days, we request this practice to be made standard.

Consultation with the community in regards to the appropriate break down should be implemented. Examples may include, operation costs of council offices (Wages, outgoings, rent/loans), Community events, community venues such as library or swimming centres, rubbish and street upkeep, grounds or sporting venue outlays.

Consultation should include assessment to determining whether breakdown is listed as a currency value or percentage.

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

ATTACHMENTS

Nil

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

Author: Nicholas Van - Council Business Officer, Corporate Services

SUMMARY

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

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

RECOMMENDATION

That Council:

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

- A petition with 57 eligible signatories has been received
- The petition preamble states:

To Banyule City Council

We the undersigned are very concerned about the regular occurrence of accidental vehicle collision into the shops on Greville Road, Rosanna.

**INSTALLATION OF SAFETY BOLLARDS AT THE GREVILLE ROAD SHOPPING
PRECINCT cont'd**

There has been at least 4 such collisions in recent years. The last incident was on the 28th January 2022. Such incidents cause property damage and have the potential to cause serious injuries or loss of life to the pedestrians and shop occupants.

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

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

ATTACHMENTS

Nil

3.1 ***INCLUSIVE BANYULE DRAFT***

Author: Sherryn Prinzi - Community Programs Strategic Development Lead,
Community Wellbeing

SUMMARY

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

RECOMMENDATION

That Council:

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

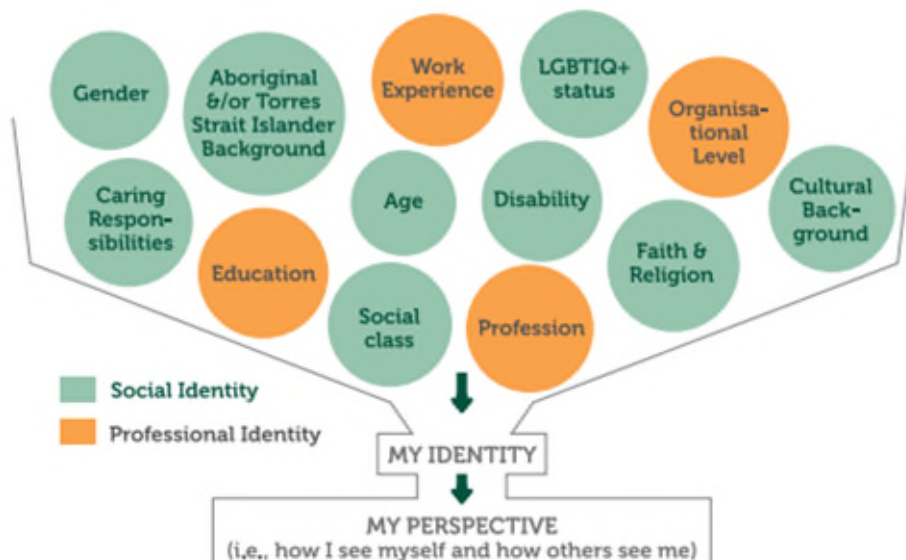
INCLUSIVE BANYULE DRAFT cont'd

COUNCIL PLAN

- This report is in line with Banyule's Council Plan strategy 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".

BACKGROUND

- The draft Inclusive Banyule plan (Inclusive Banyule) represents the next iteration of Banyule's Inclusion, Access, Equity Framework 2017-2021.
- Inclusive Banyule has been informed by practice reviews, an achievements report, **Attachment 1**, research and community consultation findings.
- A review of the Inclusion, Access, Equity Framework identified key recommendations to refresh the approach, including an integrated, intersectional method of addressing inclusion; embedding social justice principles; simplifying and defining purpose and benefit; and strengthening the relationship with the Council Plan and Municipal Public Health and Wellbeing priorities.
- The hallmark of Inclusive Banyule is taking an intersectional approach in order to identify, prioritise and address societal common issues and community development opportunities. In addition to working with the current population groups, an expanded focus on a broader range of identified populations is featured to embed this intersectional approach.
- Intersectionality refers to the ways in which different aspects of a person's identity can expose them to overlapping forms of discrimination and marginalisation. Individual characteristics that inform our social identity often intersect to create complex forms of inequities as a result of systems and structures that disadvantage certain population groups or people with specific characteristics. Intersectionality is considered a fundamental approach and is embedded in Council's approach to inclusion. The infographic below demonstrates the concept of intersectionality.

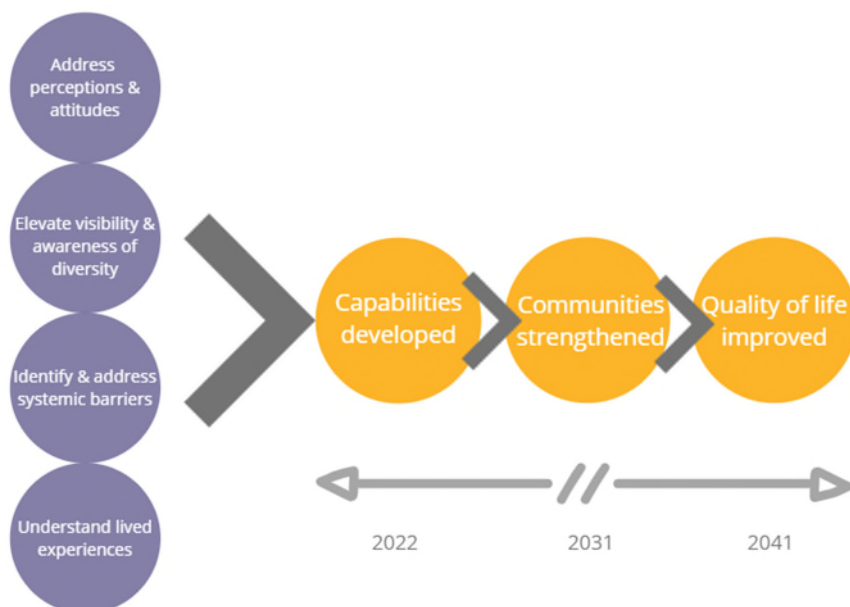


- Taking an intersectional approach, analysis suggests Council's resources are best placed to address common inequity issues that impact our communities and focus efforts to address systemic barriers to improve outcomes.

INCLUSIVE BANYULE DRAFT cont'd

- The priority inequity issues identified in Inclusive Banyule align with the Community Vision 2041 consultation findings and Advisory Committee's consultation activities and include:
 - Gender equity and family violence
 - Accessible and diverse housing and infrastructure
 - Connected communities and liveability
 - Employment pathways and workplace conditions
 - Social and mental health supports
 - Environmental sustainability
- Inclusive Banyule will work towards realising the Community Vision 2041 by addressing these issues with the goals of creating an equitable and inclusive workplace and workforce; delivering equitable and inclusive services, places and spaces; and recognising and strengthening diverse communities and neighbourhoods.
- Over the course of a year, advisory and population committees have been involved in developing this renewed approach. The Inclusive Banyule Advisory Committee, and population committees including the LGBTIQ+, Multicultural and Interfaith, and Disability committees were invited to provide comment on this draft of Inclusive Banyule. Responses indicate that the Inclusive Banyule plan is supported, with opportunities to strengthen the measures of success and specifically state what Banyule is being inclusive of. This feedback has been incorporated into the attached draft Inclusive Banyule.
- Inclusive Banyule acknowledges the value of understanding lived experience and collaborative responses to issues and opportunities with communities. Population advisory committees will continue to be engaged to share lived experiences and provide advice on key community issues and advocacy throughout the life of this plan.
- There is a strong social and economic narrative to support this approach to inclusion. Deloitte Access Economics (2019) modelling and analysis indicates that a more inclusive society increases the Australian economic dividend by \$12.7 billion annually. Vic Health (2005) states that inclusion has a 'powerful and protective effect on public health'.
- Inclusion benefits everyone. Inclusive Banyule links Council's efforts to outcomes, and the following illustration provides a simple articulation of progressive benefit over time.

INCLUSIVE BANYULE DRAFT cont'd



- It is proposed that Inclusive Banyule is operationalised by an annual Inclusive Banyule Implementation Plan, that will represent actions for a range of identified community groups including, but not limited to:

First Nations people	Multicultural communities	Women and girls
Children in out-of-home care	Young people aged 12 to 25	Older adults
Faith communities	LGBTIQA+ communities	People with disability
People working in the sex industry	People experiencing homelessness	Victim survivors
People experiencing mental health issues	Refugees and people seeking asylum	People experiencing poverty

- The value of population committees is retained and amplified by creating opportunities for collaborative responses across population groups to common issues, building richer understanding of lived experiences and utilising committees to help measure the success of Council’s actions.
- Council’s actions will remain targeted and intentional and will feature a blend of planned and deliberately emergent activities that create multiple and sustainable community benefits and mitigate disbenefit.
- An integrated planning approach will eliminate the need for specific population group action plans without compromising our legislative requirements. The proposed integrated planning approach identifies that legislation is mutually reinforcing and underpins the need to consider inclusion through intersectionality. To achieve this, Individual Population Plans (Disability Action Plan, Multicultural Action Plan and LGBTIQA+ Action Plan) will be superseded for an integrated Inclusive Banyule Implementation Plan that takes into account broad level systemic priorities that act as barriers to social equity across disadvantaged communities. The plan will also include identified population level actions that can be pulled out and reported on separately. The needs of specific population groups will continue to be captured within the context of an integrated planning approach, and separate reports for identified populations can be generated.
- Inclusive Banyule positions Council to consider inclusion as a journey rather than a destination and acknowledges that work will continue through generations in response to emergent environmental and social imperatives.

INCLUSIVE BANYULE DRAFT cont'd

KEY ISSUES

- Focus on driving better outcomes of our diverse communities can be achieved through an intersectional, integrated approach.
- Inclusive Banyule, **Attachment 2**, proposed that Council can influence improved population outcomes by addressing perceptions and attitudes; elevating visibility and awareness of diversity; valuing the lived experiences of people experiencing inequities; and identifying and addressing systemic barriers.
- Integrated population planning is the proposed method of creating better integration and coordinating responses to common issues and community development opportunities.

SUPPORTING REPORT DETAILS

Legal Consideration

- *Disability Act 2006* - requires Council to reduce barriers to accessing goods, services and facilities; and obtaining and maintaining employment. Promote inclusion and participation in the community and achieve tangible change in attitudes and practices that discriminate.
- *Gender Equality Act 2020* - requires Council to consider and promote gender equality; and take necessary and proportionate action towards achieving gender equality.
- *Public Health and Wellbeing Act 2008* - requires Council to create an environment which supports the health of community members and strengthen the capacity of people to achieve better health.
- *Child Wellbeing and Safety Act 2005* - requires Council to support all children to reach their full potential and participate in society irrespective of their family circumstances and background.
- *Local Government Act 2020* - requires Council to achieve the best outcomes for the community and future generations.
- *Charter of Human Rights and Responsibilities Act 2006* - imposes an obligation on Council to act in a way that is compatible with human rights.
- *Multicultural Victoria Act 2011*- in alignment with this Act, all Banyule residents are equally entitled to access opportunities and participate in and contribute to the social, cultural, economic and political life.
- *Racial and Religious Tolerance Act 2001* - in alignment with this Act, Council promotes the full and equal participation of every person in a society that values freedom of expression and is an open and multicultural democracy.

Human Rights Charter

- It is considered that the subject matter upholds the Victorian Charter of Human Rights and Responsibilities. Specifically, Inclusive Banyule uplifts rights under section 14- right to freedom of thought, conscience, religion and belief; Section 15- right to freedom of expression; Section 19- Cultural rights. The impact created by the adoption of Inclusive Banyule means the interests of all people is balanced by addressing inequities experienced by identified communities within the municipality.

Sustainable Procurement Outcomes

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

INCLUSIVE BANYULE DRAFT cont'd

Financial Implications

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

Innovation and Continuous Improvement

- Inclusive Banyule represents an iterated approach which will support Council to amplify community benefit through specific and targeted actions. It will support the organisation to uplift integrated planning and form collaborative, collective responses to key issues.

Community Engagement

- Over the course of a year, advisory and population committees have been involved in developing this renewed approach. The Inclusive Banyule Advisory Committee, and population committees including the LGBTIQ+, Multicultural and Interfaith, and Disability committees were invited to provide comment on this draft of Inclusive Banyule. Responses indicate that the Inclusive Banyule plan is supported, with opportunities to strengthen the measures of success and specifically state what Banyule is being inclusive of. This feedback has been incorporated into the attached draft Inclusive Banyule.

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

No.	Title	Page
1	Draft IAE Framework Achievements Report 2017-2021	
2	Draft Inclusive Banyule 2022-2026	

3.2 AUDIT & RISK COMMITTEE MEETING MINUTES - 25 MARCH 2022

Author: Paul Wilson - Audit Support Officer, Corporate Services

SUMMARY

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

RECOMMENDATION

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

COUNCIL PLAN

- This report is in line with Banyule's Council Plan strategy to "Empower and educate the community and businesses to take actions to achieve positive environmental and climate change outcomes".

BACKGROUND

- As part of Council's governance obligations to its community, Council has constituted an Audit & Risk Committee 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 will meet at least four times annually, with authority to convene additional meetings, as circumstances require.

AUDIT & RISK COMMITTEE MEETING MINUTES - 25 MARCH 2022 cont'd

- Minutes will be prepared for all meetings and will be provided to the Chair prior to being presented to Council as unconfirmed minutes and then submitted to the subsequent Committee meeting for confirmation.

Legal Consideration

- There are no direct legal implications arising from the recommendation contained in this report. The function of the Audit and Risk Committee and the administrative support provided to the Committee are in line with s 66 of the *Local Government Act 2020*.

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 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

No.	Title	Page
1	Unconfirmed Minutes Audit & Risk Committee - 25 March 2022	

3.3 ADVISORY COMMITTEES REPORT - QUARTER THREE, 2021/22

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

SUMMARY

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

RECOMMENDATION

That Council:

1. Notes the following meeting minutes and reports:
 - a) Inclusive Banyule Advisory Committee – 11 February 2022
 - b) Reconciliation Action Plan (RAP) Advisory Committee – 13 April 2022
 - c) Arts and Culture Advisory Committee – 3 February 2022
 - d) Banyule Environment and Climate Action Committee – 10 March 2022
 - e) Multicultural Committee – 8 December 2021 & 16 February 2022
 - f) Banyule Disability and Inclusion Committee – 23 February 2022

ADVISORY COMMITTEES REPORT - QUARTER THREE, 2021/22 cont'd

- g) LGBTIQ+ Committee – 17 February 2022
- h) Age Friendly Committee – 10 February 2022

COUNCIL PLAN

- This report is in line with Banyule’s Council Plan key direction to “Support a connected, inclusive and involved community”.

BACKGROUND

- Advisory committees are made up of councillors and community members. They have terms of references and meet to discuss issues, advise Council, and oversee the implementation of Council’s strategic plan for their respective focus.
- Advisory committees provide important linkages between Council, community and state agencies and interest groups. Following an advisory committee meeting, a report is submitted to Council to note the minutes and consider any issue raised.

KEY ISSUES

1.	<p>Report/Committee Name: Inclusive Banyule Advisory Committee</p> <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>11 February 2022 Meeting: The Inclusive Banyule Advisory Committee met on 11 February 2022 online. The minutes from this meeting are in Attachment 1.</p> <p>The meeting was chaired by Cr Elizabeth Nealy and Cr Tom Melican attended. Twelve committee members were in attendance.</p> <p>The Committee received a presentation regarding Inclusive Banyule and Population Advisory Committee updates from the Multicultural and Age-Friendly committees. The Committee discussed the Inclusive Banyule Framework, Inclusive Banyule Grants Program and Inclusive Banyule Advocacy.</p> <p>Actions/ Recommendations: There were no recommendations to Council arising from this meeting.</p>
2.	<p>Report/Committee Name: Reconciliation Action Plan Advisory Committee</p> <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 and to oversee the development of Council’s <i>Innovate</i> RAP between September 2020 and September 2022.</p> <p>13 April 2022 Meeting: The Reconciliation Action Plan Advisory Committee met on 13 April 2022 online. A report of this meeting is in Attachment 2.</p> <p>The Meeting was chaired by Maddie Miller, Cr Peter Dimarelos and Peter Castaldo were in attendance and 13 committee members attended.</p>

ADVISORY COMMITTEES REPORT - QUARTER THREE, 2021/22 cont'd

	<p>The Committee discussed the Victorian Aboriginal and Local Government Strategy 2021-226, RAP priority actions, renewal of Banyule Council's Statement of Commitment to First Nations' Peoples and received a Barrbunin Beek and RAP Annual Report updates.</p> <p>Actions/ Recommendations: There were no recommendations to Council arising from this meeting.</p>
<p>3.</p>	<p>Report/Committee Name: Arts and Culture Advisory Committee</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>3 February 2022 Meeting: The Arts and Culture Advisory Committee met on 3 February 2022 online. A report of this meeting is in Attachment 3.</p> <p>Cr Elizabeth Nealy chaired the meeting and Cr Peter Dimarelos also attended. Fourteen committee members were in attendance.</p> <p>The Committee discussed the Works on Paper Exhibition, new art acquisitions, Public Art Framework, future events scheduled and endorsed the following Council resolution from the 28 February 2022 Council Meeting:</p> <p><i>to acquire the eleven (11) art works listed in this report, at a total cost of \$30,150, to further develop the significance of the Banyule Art Collection.</i></p> <p>Actions/ Recommendations: The Arts and Culture Advisory Committee endorsed that Council use its allocated capital expenditure budget to acquire the 11 artworks listed in the 2022 Art Acquisition Report, into the Banyule Art Collection.</p> <p>Officer Comment: A Council report including the Arts & Culture Committee recommendation from the 3 February 2022 committee meeting was submitted and endorsed by Council at the 28 February 2022 Council Meeting.</p>
<p>4.</p>	<p>Report/Committee Name: Banyule Environment and Climate Action Advisory Committee</p> <p>The aim of the Banyule Environment & 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>10 March 2022 Meeting: The Banyule Environment & Climate Action Advisory Committee met online 10 March 2022. A report of this meeting is in Attachment 4.</p> <p>Cr Alida McKern chaired the meeting and Cr Peter Castaldo and Cr Tom Melican were in attendance. Eighteen committee members attended.</p> <p>The Committee discussed the Community Energy Service, Environmentally Sustainable Development, Sustainable Building Guidelines and Olympic Leisure Centre Redevelopment, Food Organics Garden Organics (FOGO). The Committee received a member update regarding the Montmorency Sugar Glider Project, the North East Link Project (NELP), and Council reports.</p> <p>Actions/ Recommendations: The were no recommendations to Council arising from this meeting.</p>
<p>5.</p>	<p>Report/Committee Name: Multicultural Committee</p>

ADVISORY COMMITTEES REPORT - QUARTER THREE, 2021/22 cont'd

	<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>8 December 2021 Meeting: The Multicultural Committee met on 8 December 2021 online. A report of this meeting is in Attachment 5.</p> <p>Cr Fiona Mitsinikos chaired the meeting and thirteen committee members attended.</p> <p>The Committee discussed the Multicultural Plan 2017-2021 achievements and issues identified, racism and discrimination, advocacy opportunities, the Inclusive Banyule Advisory Committee, and Christmas day gathering for isolated or underprivileged people. A consultation update was received from the Banyule City Council Communications Team.</p> <p>Actions/ Recommendations: It is noted that a recommendation from the Committee was made as follows: In cases of racism or discrimination experienced in the community, the Committee feels that a response from the Mayor/Council denouncing racism and discrimination and offering support to the victim would be welcomed by the multicultural community.</p> <p>Officer Comment: The Committee recommendation has been noted and will be considered as part of the development of the Inclusive Banyule Implementation Plan.</p>
6.	Report/Committee Name: Multicultural Committee
	<p>16 February 2022 Meeting: The Multicultural Committee met on 16 February 2022 online. A report of this meeting is in Attachment 6.</p> <p>Cr Fiona Mitsinikos chaired the meeting and eight committee members attended.</p> <p>The Committee discussed the Multicultural Plan, calendar of religious and cultural days of significance, Harmony Week, advocacy, and grants.</p> <p>Actions/ Recommendations: There were no recommendations arising from this meeting.</p>
7.	Report/Committee Name: Banyule Disability and Inclusion Committee
	<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>23 February 2022 Meeting: The Banyule Disability and Inclusion Committee met on 23 February 2022 online. A report of this meeting is in Attachment 7.</p> <p>Cr Rick Garotti chaired the meeting and thirteen committee members attended.</p> <p>The Committee discussed feedback from focus groups, the disability data report, community consultation questions, AAA funding grant, Inclusive Banyule grants, Disability Jobs Forum, and WaterMarc new inclusion programs.</p> <p>Actions/ Recommendations: There were no recommendations to Council arising from this meeting.</p>

ADVISORY COMMITTEES REPORT - QUARTER THREE, 2021/22 cont'd

6.	<p>Report/Committee Name: LGBTIQ+ Committee</p> <p>The aim of the LGBTIQ+ 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.</p> <p>17 February 2022 Meeting: The LGBTIQ+ Committee met on 17 February 2022 online. A report of this meeting is in Attachment 8.</p> <p>Cr Peter Castaldo chaired the meeting and Cr Alison Champion was in attendance. Eight committee members attended.</p> <p>The Committee participated in a community action planning session, and each committee member provided an update.</p> <p>Actions/ Recommendations: There were no recommendations to Council arising from this meeting.</p>
7.	<p>Report/Committee Name: Age Friendly Committee</p> <p>The aim of the Age-Friendly City Committee is to provide Council with advice on older adult issues and ageing well in Banyule. The Age-friendly Committee will oversee the relevant strategic plan and Council's involvement in the World Health Organisation's Global Network of Age-friendly Cities.</p> <p>10 February 2022 Meeting: The Age-Friendly City Committee met on 10 February 2022 online. A report of this meeting is in Attachment 9.</p> <p>Officer Ria Thompson was acting chair of the meeting and ten committee members attended.</p> <p>The Committee were provided with an update regarding the Community Wellbeing Directorate structure, age-friendly actions, and the Inclusive Banyule Advisory Committee.</p> <p>Actions/ Recommendations: The following recommendation was made by the Committee: Installation of a shade sail at the Ivanhoe Park Seniors Exercise Park, Lower Heidelberg Road Ivanhoe.</p> <p>Officer Comment: Officers are investigating the possible installation of a shade sail at the Ivanhoe Seniors Park.</p>

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.

In particular this report relates to the following human rights and responsibilities:

ADVISORY COMMITTEES REPORT - QUARTER THREE, 2021/22 cont'd

- 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

No.	Title	Page
1	Inclusive Banyule Advisory Committee - Minutes - February 11 2022	
2	Minutes - RAP Advisory Committee Meeting - 13 April 2022	
3	Banyule Arts and Cultural Advisory Committee - BACAC - Minutes - 3 Feb 2022	
4	BECAAC Meeting minutes March 2022	
5	Multicultural Committee - Minutes - 8 December 2021	
6	Multicultural Committee - Minutes- 16 February 2022	
7	BDIAC - Meeting Minutes - 23 February 2022	
8	FINAL LGBTIQA+ Committee Minutes 17.02.22	
9	Age Friendly Advisory Committee Meeting 10 February 2022.docx	

4.1 ELEVATING ESD TARGETS PROJECT - STAGE 2

Author: Daniela Tartaglia - Environmentally Sustainable Development (ESD) Adviser, City Development

Previous Items

Council on 24 May 2021 7.00pm (Item 5.3 - Elevating Environmentally Sustainable Development Targets - Project Opportunity)

SUMMARY

1. Banyule City Council is a member of the Council Alliance for a Sustainable Built Environment (CASBE) and has been collaborating with the CASBE in partnership with a group of 31 Councils across Victoria in Stage 1 of the Elevating Targets Planning Project.
2. The Elevating Targets project sets out to improve existing local ESD policy including the introduction of mandatory minimum standards to work to achieve net zero carbon emissions for energy use in new buildings where a planning permit is required.
3. Council participating in this project is consistent with the direction and commitment articulated in Banyule's Community Climate Action Plan and the project has the potential to lift ESD in planning outcomes and furthers Banyule's advocacy position on climate action.
4. Concurrently, the Department of Environment, Land, Water and Planning (DELWP) have released a Roadmap outlining the State Government's agenda for supporting ESD through Victoria's planning system.
5. Stage 1 of a two-stage process of the project has now been completed which developed the evidence base through a set of three Technical Reports to support improved environmental performance within the Banyule City Council Planning Scheme, in conjunction with CASBE and a group of 31 Victorian Councils.
6. CASBE is inviting all participating Victorian Councils in the Project to express interest in participating in Stage 2. Council will need to enter into a Memorandum of Understanding (MoU) for the Elevating ESD Targets Stage 2 by the end of May 2022.
7. Stage 2 of the project involves the Planning Scheme Amendment Process and is estimated to commence from June 2022. Key standards the project is proposing to improve include:
 - Zero carbon operating requirements
 - Increased landscaping and green infrastructure
 - Increased bicycle parking and EV infrastructure
 - Updated circular economy standards
 - Increased water efficiency targets
 - New indoor environment quality standards

ELEVATING ESD TARGETS PROJECT - STAGE 2 cont'd

8. The Project Group has drafted a letter to Ministers to advocate for the adoption of the Planning Provision which Banyule has been requested to co-sign.

RECOMMENDATION

That Council:

1. Authorise the Chief Executive Officer to enter into a Memorandum of Understanding for Stage 2 of the 'Elevating ESD Targets' project.
2. Note the resolution of the 24 May 2021 Ordinary Council meeting included a funding commitment that anticipated both Stage 1 and Stage 2, to a maximum of \$130,000 and that the actual spending at the end of Stage 1 for Council was \$5,372.
3. Note the required financial contribution would be a maximum of \$133,333 (if only the two initiating councils proceed to Stage 2) funded through the existing Environment Sustainability Project funding in the operational budget, albeit this could be as low as \$16,000 if all participating council's sign up.
4. Co-signs a letter (**Attachment 1**) to the Minister for Planning and Housing, the Minister for Energy, Environment and Climate Change and Solar Homes and the Minister for Local Government and Suburban Development which shows support for requesting the Minister for Planning to introduce a Particular Provision in the Victoria Planning Provisions that will enable 31 councils to elevate Environmentally Sustainable Development built form requirements into their respective Planning Scheme.
5. Seek authorisation from the Minister for Planning to prepare an Amendment to the Banyule Planning Scheme as shown in Attachment 5 to this report.
6. Notes the attached Technical Reports as completed in Stage 1 of the Project (**Attachments 2, 3 and 4**).

COUNCIL PLAN

- State Government support for the Elevating Targets Project is a critical step to meet the objectives of Banyule's Council Plan strategy to "Demonstrate leadership in addressing climate change and take action to become a carbon neutral Council by 2028 and City by 2040".

BACKGROUND

Elevating Targets Project Stage 1 Completed

- Council signed a Memorandum of Understanding to participate in the Elevating ESD Targets Project as of May 2021.
- The project developed a set of revised objectives and standards as a part of an improved zero carbon planning scheme that delivers healthy, sustainable and resilient buildings. The key standards that the Elevating Targets project is proposing to improve include:
 - Zero carbon operating requirements

ELEVATING ESD TARGETS PROJECT - STAGE 2 cont'd

- Increased landscaping and green infrastructure
- Increased bicycle parking and EV infrastructure
- Updated circular economy standards
- Increased water efficiency targets
- New indoor environment quality standards
- In particular, the zero carbon operating requirements seek onsite energy to be 100% renewable energy, no natural gas or other onsite fossil fuels, maximising onsite renewable energy, minimum solar PV capacity requirements, minimum residential average NatHERS rating increased to 7 Stars.
- Stage 1 of the project has now been completed.
- Consultants were engaged to independently review draft ESD planning policy objectives and standards. Fifteen case studies were selected from the project councils to inform the baseline and test the technical and development feasibility and economic implications of the elevated standards. The reports were as follows:
 - Part A. Technical ESD and Development Feasibility
 - Part B. Planning Advice
 - Part C. Economic Benefit Cost Analysis
- These reports form the evidence base underpinning the proposed joint Planning Scheme Amendment (Stage 2 of the project), as well as and advocacy to the Victorian State and Government. (**Attachments 2, 3 and 4**)
- Feedback was sought from the 31 member councils in November 2020 on the reports, draft objectives and standards. This feedback has now been considered and amalgamated into a further refined set of objectives and standards. Elevating ESD Targets Working Group reviewed the proposed standards to frame them for inclusion in the planning scheme.
- A webinar was held for senior staff and Councillors briefing on the Stage 1 project outcomes on 16 March 2022.
- A subset of the Elevating Targets Working Group commenced engagement with DELWP in mid-March. DELWP have a copy of the draft Particular Provision and will be provided with the final reports incorporating Participating Council feedback.

KEY ISSUES

- Banyule has historically taken a strong position in advocating for the Planning Scheme to support ESD outcomes through a local policy. This is further underpinned by Banyule's Community Climate Action Plan (CAP). Continuing to take part in a further joint initiative to strengthen the position is consistent with the Council direction.
- Following completion of Stage 1, the Elevating ESD Targets Working Group is seeking confirmation as to which Councils intend on participating in State 2 of the project. Council will need to enter into a Memorandum of Understanding (MoU) for the Elevating ESD Targets Stage 2 by the end of May 2022.
- Banyule has been requested to co-sign a letter (**Attachment 1**) to Ministers, drafted by the Project Working Group, to advocate for the adoption of the

ELEVATING ESD TARGETS PROJECT - STAGE 2 cont'd

Planning Provision. The letter is addressed to the Minister for Planning and Housing, the Minister for Energy, Environment and Climate Change and Solar Homes and the Minister for Local Government and Suburban Development. It outlines the benefits to the community of introducing a zero carbon focus and elevated ESD planning policy into the Planning Scheme, and how this Amendment should be adopted as a part of the State Government's environmentally sustainable development planning reforms.

KEY CONSIDERATIONS

Elevating Targets ESD Themes, Standards and Provisions

- A Draft Particular Provision has been developed (**Attachment 5**)
- The key environmental themes which will be addressed via the amendment are as follows:
 - **Operational Energy** – This theme focuses on energy efficiency, on-site renewable energy generation and energy supply, with the aim of achieving net zero operational carbon.
 - **Sustainable Transport** - This theme focuses on facilitating increased active transport with the aim of reducing private vehicle trips and setting the condition to ensure a smooth transition for the future uptake of electric vehicles.
 - **Integrated Water Management** - This theme focuses on the reduction of potable water consumption through efficiency measures and use of non-potable water sources, and the improving the quality of stormwater discharging from site.
 - **Indoor Environment Quality** - This theme focuses on improving the comfort of building occupants including internal temperatures, air quality and daylight access.
 - **Circular Economy** - This theme focuses on improving rates of resource recovery during both construction and operation and closing the loop by encouraging the use of materials with recycled content as an alternative to virgin materials.
 - **Green Infrastructure** - This theme focuses on increasing the amount of green infrastructure to provide a range of ecosystem service benefits and reducing the contribution of the built environment to the urban heat island effect.
- These themes are then to be addressed by a series of detailed objectives and below these standards to be met. For each standard, the relevant objectives which the standard is intended to deliver will be identified, along with commentary as to how the standards would be assessed through the proposed process.

Elevating Targets Project Stage 2

- Stage 2 of the project incorporates the Planning Scheme Amendment Process and is estimated to commence from June 2022.
- Advocacy will be required to the State Government as the project aims to introduce requirements that will go above the requirements expected to be introduced state-wide through the State's ESD Roadmap.
- Community and industry engagement processes will also be undertaken.

ELEVATING ESD TARGETS PROJECT - STAGE 2 cont'd

- A planning scheme amendment will be submitted to DELWP for consideration that seeks authorisation to prepare and exhibit an amendment which will introduce a new Particular Provision into the Planning Scheme.
- The Project Working Group is seeking confirmation from DELWP on whether this would be a joint or individual amendment submission.
- An Advisory Committee is expected to be appointed to hear submissions from the community and interested stakeholders.
- There are Financial Implications for progressing to Stage 2 as outlined in the Financial Considerations section.

SUPPORTING REPORT DETAILS

Legal Consideration

- The evidence base recommends that Council seek a single ESD Particular Provision in a new Clause 53 of the Victoria Planning Provisions (VPPs) as the most appropriate planning mechanism to implement the Elevated ESD Objectives and Standards.
- This recommendation differs from the State Government's proposed approach though Stage 2 of the ESD Roadmap's, which recommends:
 - Introducing new ESD objectives and standards for commercial and industrial development through a new Clause 53; and
 - Introducing new and updated ESD objectives and standards for residential development through Clause 54, 55, 56 and 58.
- Based on the report findings, the participating councils are seeking to utilise a provision which does not currently exist within the suite of the VPPs.
- Legal advice was sought to determine whether the 31 participating councils could seek to prepare and introduce a new Particular Provision into their planning schemes under section 8A(2) of the *Planning and Environment Act 1987* without offending s 10(1) of the Act (Part 1).
- The legal advice confirmed that councils can seek to prepare and insert a new Particular Provision into their planning scheme, provided councils have authorisation from the Minister for Planning to do so.
- The advice also suggested that if this is rejected by the Minister, participating Councils could ask the Minister to be the proponent of such an amendment.
- A further opportunity would be to appoint an Advisory Committee (AC) under Part 7, s151 of the *Planning and Environment Act 1987* and refer consideration of a draft amendment seeking to introduce a new Particular Provision to the AC.

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 in relation to property.

ELEVATING ESD TARGETS PROJECT - STAGE 2 cont'd

Sustainable Procurement Outcomes

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

Financial Implications

- An allowance of a maximum of \$130,000 funded through the existing Environment Sustainability Project funding in the operational budget was committed to by Council on 24 May 2021 for Stage 1 and Stage 2 of the project.
- The actual spend for Stage 1 for Council was \$5,372 due to the high number of participating councils.
- For Stage 2, the worst-case scenario contribution for Council would be approximately \$133,333 if only the two initiating councils proceed to Stage 2.
- As with Stage 1, the more councils that participate, greater the cost savings will be across participating councils as a shared costs approach is proposed.
- It is understood that 25 councils have submitted an expression of interest to be involved, therefore the best-case scenario contribution for Council would be approximately \$16,000 if all 25 councils proceed to Stage 2.

Community Engagement

- Engagement was undertaken in 2018 and 2019 to inform Council's Climate Action Resolution (December 2018) and Community Climate Action Plan. This work underpins exploration of a stronger Planning Scheme Position.
- The community and stakeholders would have an opportunity to make a submission to the specific 'Elevating targets' proposal as part of formal exhibition.

Collaboration

- The project is based in a collaborative approach between Councils that elect to join Cities of Yarra and Moreland.

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

No.	Title	Page
1	Draft Letter to Ministers for co-signing	
2	Part A. Technical ESD and Development Feasibility Report	
3	Part B. Planning Advice Report	
4	Part C. Economic Benefit Cost Analysis Report	
5	Elevating ESD Targets - Draft Particular Provision	

4.2 DRAFT BANYULE RESIDENTIAL PARKING PERMIT POLICY

Author: Michelle Herbert - Senior Transport Engineer, City Development

SUMMARY

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

RECOMMENDATION

That Council:

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

DRAFT BANYULE RESIDENTIAL PARKING PERMIT POLICY cont'd

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

- A draft Banyule Residential Parking Permit Policy (BRPPP) has been prepared to update the current Banyule Residential Parking Permit Policy 2016-2020 and its operation. The purpose of the updated BRPPP is to facilitate reasonable access to on-street public parking for residents and their visitors, while preserving access for all other legitimate road users.
- The draft BRPPP has been updated with reference to the Council Plan (2022-2025), Banyule Integrated Transport Plan 2015-2035 (BITP) and the Community Climate Action Plan 2020 (CCAP). Zero emissions transport is a key priority area of the CCAP. Transitioning to zero emissions transport will require a major shift to active and public transport use. The updated draft BRPPP will assist in achieving this outcome.
- The current policy has worked reasonably well, in providing access to on street parking spaces for residents, with approximately 2,500 residential parking permits in use.

KEY ISSUES

- The current policy expires on 9 May 2022. To allow adequate time for a full public consultation with the new draft BRPPP 2022, it is intended to seek Council permission to extend the current residential parking permit scheme to 30 June 2023, with an aim of the new Policy replacing it at that date.
- The draft BRPPP includes updated provisions to manage the availability of on-street parking spaces. Updated provisions include:
 - A reduction in the maximum number of parking permits issued per dwelling from four parking permits to three parking permits.
 - Removing the word 'Lot' which has caused confusion in the community and replacing with clearer eligibility criteria.
 - Rationalisation of the boundaries of some parking areas in Ivanhoe to provide more opportunities for resident parking.
- This information has been incorporated into a revised updated BRPPP (**Attachment 1**).

KEY CONSIDERATIONS

Features of the updated BRPPP

Who can get a Permit?

- Residents are required to meet the following criteria in order to be eligible for parking permits:

DRAFT BANYULE RESIDENTIAL PARKING PERMIT POLICY cont'd

1. Be a resident of the municipality, in a property adjacent to prohibitive parking restrictions (i.e. No Stopping, No Parking, or a Permit Zone) or adjacent to timed restrictions of one hour or greater.
 2. The ground floor frontage of the building must be wholly residential in nature.
 3. No residential or visitor parking permit will be granted to any resident of a residential development where the dwelling was not occupied or lawfully available for occupation until after the permit exclusion date **8 November 2010** (date of adoption of Activity Centre Car Parking Policy) except:
 - a. where there is no increase in the number of dwellings and/or separate occupancies above the number that existed on the site as at 08 November 2010, or
 - b. where an increase in dwelling and/or occupancies has occurred but there are four or less dwellings on the equivalent development site.
- The updated BRPPP provides an enhanced review process on the eligibility requirements, allowing a Council delegate to review for specific situations surrounding eligibility, for example property history, age, disability and hardship. This provides a formal review process for situations that fall outside eligibility criteria to be reviewed on a case by case basis.

How many Permits and what Type?

- Two types of permits are available - **Residential Parking Permits** (fixed vehicle permits) and **Visitor Parking Permits** (transferable permits).
- The updated BRPPP proposes a change to the number of permits made available under the current BRPPP. This change is a reduction in the maximum allowable number of permits available to eligible residents from four to three parking permits.
- The Banyule Integrated Transport Plan (BITP) developed in 2015 and the Banyule Activity Centre Car Parking Policy (ACCPP) and its associated strategy document, place significant emphasis on 'managing road space to give priority to sustainable transport modes', and a key objective of the ACCPP is 'approaching parking as a limited, shared resource'. It is considered that there is increasing urgency for a shift from car use to occur in Banyule as it densifies.
- Car parking management is one of the key levers that can control excessive ownership and use of car travel and encourage people towards considering the use of public and active transport modes.
- As road parking space is limited it is considered that over time as more small developments are constructed in the residential streets of Banyule that there will be greater demand for road parking space given the allowance of 1 permit each. Many single dwellings, currently eligible for permits, have a larger capacity to store cars on site than smaller multi-unit developments. It is considered a balanced approach would be to reduce the number of permits for single dwellings from 4 to 3, to provide more equitable access to on street parking.
- The updated BRPPP removes the word 'Lot' which has caused confusion in the community and replaces with clearer wording relating to number of dwellings and

DRAFT BANYULE RESIDENTIAL PARKING PERMIT POLICY cont'd

separate occupancies. Table 1 summarises the number of permits available per dwelling type under the updated BRPPP.

Table 1 - Number of Permits Available per Dwelling

Certificate of Occupancy issued for Dwelling	Single or multi-unit dwellings	Residential Parking Permits (per household)	Visitor Parking Permits (per household)	Maximum Number of Permits (per household)
Before 8 November 2010	Applies to all dwelling types	Up to 2	Up to 2	3
After 8 November 2010	Single dwelling where there is no increase in the number of dwellings and/or separate occupancies above the number that existed on the site on or before 8 November 2010.	Up to 2	Up to 2	3
	Higher density developments with between two (2) and four (4) dwellings built or not available for lawful occupation until after 8 November 2010.	1	OR 1	1
	Higher density development of five (5) or more dwellings built or not available for lawful occupation until after 8 November 2010.	Not eligible for any parking permits		

How much will Permits cost?

- The cost of parking permits is set out in Council’s schedule of fees and charges which is reviewed on an annual basis.
- The cost of the first residential permit is free with Council absorbing a nominal cost to cover administration expenses. Subsequent permits are charged at increasing amounts to account for the increasing burden of car parking provision on Council. Current costs are provided on the Banyule website and are:

Residential Permit 1: Free
 Residential Permit 2: \$30
 Visitor Permit 1: \$45/\$10 with proof of concession or associated with a disability permit.
 Visitor Permit 2: \$65

Where does the Permit allow you to park?

DRAFT BANYULE RESIDENTIAL PARKING PERMIT POLICY cont'd

- The updated BRPPP retains the current area-based system (i.e. allows permit holder to park in a specified area). This approach uses suburb boundaries, arterial roads, sub-arterial roads, collector roads and natural features such as rivers and parks to form area boundaries. It provides clarity to where permit holders can park and increases flexibility in managing local parking demand.
- Permits allow the holder to park on-street and overstay timed restrictions of one hour or greater outside residential frontages within the specified zone area.
- The updated BRPPP proposes a change to three of the smaller parking areas in Ivanhoe. Areas 59, 60 and 61 are amalgamated to a new Area 60 to allow more opportunities for resident and visitor parking.

SUPPORTING REPORT DETAILS

Legal Consideration

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

Human Rights Charter

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

Sustainable Procurement Outcomes

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

Financial Implications

- There will be a small cost involved in amending some parking area signage. This will be funded through operational budgets.

Community Engagement

- The current policy expires on 9 May 2022. To allow adequate time for a full public consultation with the new draft BRPPP, it is intended to extend the current residential parking permit scheme to 30 June 2023, with an aim of the new policy replacing it at that date.
- Current permit holders, residents and the wider community will be invited to provide feedback on the updated BRPPP over a six-week period in the first quarter of 2022/23, through:
 - Letters to residents directly impacted by proposed changes.
 - Dedicated page on the Shaping Banyule Website, with survey.
 - Articles in The Banner and GreenWrap.
 - Drop in sessions at various municipal locations.
- Comments and feedback on the updated BRPPP received during this period will help inform the final BRPPP. The final BRPPP is expected to be formally adopted by Council in late 2022 to allow for the permit renewal process at the end of the financial year.

DRAFT BANYULE RESIDENTIAL PARKING PERMIT POLICY cont'd

Officer Declaration of Conflict of Interest

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

ATTACHMENTS

No.	Title	Page
1	Draft Banyule Residential Parking Permit Policy	

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

Author: Nicola Rooks - Strategic Planner, City Development

Previous Items

Council on 20 Sep 2021 7.00pm (Item 5.5 - Banyule Heritage Study 2020 Adoption and Planning Scheme Amendment for updated Heritage Overlay)

SUMMARY

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

RECOMMENDATION

AMENDMENT C165 - PROPOSED HERITAGE OVERLAY - CONSIDERATION OF SUBMISSIONS cont'd

That Council:

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

COUNCIL PLAN

- This report is in line with Banyule's Council Plan strategy to "Preserve and enhance Banyule's valued heritage, local character, and its significant trees".

BACKGROUND

- On 20 September 2021, Council adopted the Banyule Heritage Study 2020 which recommended 21 individual places for heritage protection in the Banyule Planning Scheme and resolved to protect these places by:
 - seeking interim heritage controls (Amendment C164)
 - seeking authorisation to prepare and exhibit an amendment for permanent heritage controls (Amendment C165)
- Interim controls for 20 of the 21 places were requested on 19 October 2021 and approved on 7 April 2022. The Mother of God Church in Ivanhoe East was subject to a separate Amendment (C163) for interim controls and approved on 11 November 2021. The interim controls for all 21 places expire on 1 December 2022.
- The interim controls have been sought to ensure properties identified for heritage protection are not lost through demolition or unsympathetic changes while Amendment C165 is being progressed.
- Authorisation to prepare Amendment C165 was requested on 19 October 2021 and received on 1 November 2021. To avoid public exhibition over the Christmas holiday period exhibition occurred from 7 February to 18 March 2022.
- Amendment C165 proposes to make the following changes to the Banyule Planning Scheme:
 - apply the HO on a permanent basis to 21 individual heritage places
 - introduces the Banyule Heritage Study 2020 as a background document

AMENDMENT C165 - PROPOSED HERITAGE OVERLAY - CONSIDERATION OF SUBMISSIONS cont'd

- introduces Statements of Significance as incorporated documents for the 21 heritage places being added to the HO
- reduces the extent of the HO for the existing heritage place HO82 'Taruna House'
- The intent of the HO is to conserve and enhance heritage places and precincts by appropriately managing change. The heritage overlay triggers planning permit requirements for demolition, alterations, additions and new building, and ensures development does not adversely affect the heritage significance of the place.

KEY ISSUES

Submissions

- Council received a total of eight submissions during exhibition, four opposed, three requesting changes and one in general support. Seven submissions were in regard to specific properties.
- Submissions were referred to Council's heritage consultant for consideration and its advice has contributed to the response to submissions. A review of submissions has revealed improvements can be made to the accuracy of citations and minor changes to specific controls – largely in part to new information being brought forward by property owners – which is typical of this type of process.
- **Attachment 1** provides a summary and detailed response for each submission including any recommended changes.
- In summary, the key points raised in submissions are summarised and addressed as follows:

Issue (summary)	Response
The property is not of sufficient heritage value to warrant application of the Heritage Overlay	The Banyule Heritage Study 2020 was undertaken by specialised heritage consultants with expertise in assessing heritage significance. Places proposed for heritage protection have undergone a rigorous assessment process including historical research, field work and comparisons with similar significant places in Banyule. Assessments have been prepared in accordance with Heritage Victoria guidelines, the Burra Charter and the Planning Practice Note – Applying the Heritage Overlay including reference to relevant criteria. No substantial new information has been provided in submissions to alter the original recommendation to apply the HO to identified properties.
The property has been altered over the years, elements are not original	It is acknowledged that some properties included in the amendment have been altered or renovated and, in general, this has already been considered by the consultants in preparing the heritage citations. The alterations are not considered to have compromised the heritage significance of the place. Through details provided in submissions about changes made to properties some proposed updates to individual statements of significance and/or citations are recommended. These are provided in detail in the response to submissions at Attachment 1 .

AMENDMENT C165 - PROPOSED HERITAGE OVERLAY - CONSIDERATION OF SUBMISSIONS cont'd

Requests for changes to the extent of heritage controls	A number of submissions requested changes to specific controls such as internal alteration controls, tree controls, external paint controls or the area covered by the HO. All submissions have been carefully reviewed and changes to the extent of controls have been recommended where appropriate. These are provided in detail in the response to submissions at Attachment 1 .
Concern the Heritage Overlay will restrict future alterations/plans	The purpose of the HO is to ensure that development does not adversely affect the significance of heritage places. It does not prohibit development from occurring. New additions or alterations are permissible via a planning permit and are assessed by Council on an individual case by case basis.
Concerns with the accuracy of the heritage citation	Through details provided in submissions about the accuracy of the heritage citations, some proposed updates to individual statements of significance and/or citations are recommended. These are provided in detail in the response to submissions at Attachment 1 .

Issues Raised in Ongoing Discussions with Submitters

- Discussions with submitters have identified the opportunity for Council to better support owners of heritage properties and to provide incentives for heritage protections. It is suggested Council could consider fee waivers for minor planning applications triggered by the HO. This would require further investigation and would be best considered as part of broader policy measures to support heritage property owners. These measures can be considered in the upcoming review of Council's Heritage Strategy.

Tree Controls

- The schedule to the HO allows for tree controls to be applied to heritage properties. This control is designed to protect trees that are of intrinsic significance, or trees that contribute to the significance of a heritage place (for example, trees that contribute to the significance of a garden or area).
- Tree controls were proposed to be applied to nine properties included in the amendment. Further review after considering submissions has revealed that while the tree controls were supportable, in light of Banyule's comprehensive vegetation controls they may not be necessary for all nine properties and would result in a duplication of controls in many instances. Council's Significant Tree Amendment C119 for example, itself the subject of a recent Planning Panel, had a focused discussion about the need to avoid multiple controls/ permit triggers on any property where they have the same purpose/ outcome.
- To provide for a consistent approach, in addition to removing the tree control from three properties as recommended in **Attachment 1**, it is recommended a further five properties could have the tree controls removed from the schedule to the HO; 1 Diamond Creek Road, Greensborough, 4 Eton Court, Heidelberg, 17 Hartlands Road, Ivanhoe East, 47 Warncliffe Road, Ivanhoe East and 30 Longstaff Street, Ivanhoe East.
- It is recommended the tree controls proposed for the front garden at 66 Old Eltham Road, Lower Plenty should remain due to its associations with notable landscape designer Gordon Ford.

AMENDMENT C165 - PROPOSED HERITAGE OVERLAY - CONSIDERATION OF SUBMISSIONS cont'd

38 Quinn Street, Heidelberg

- Building works have recently been undertaken at 38 Quinn Street, Heidelberg which are detrimental to the heritage significance of the place. These works have been undertaken in line with a building permit issued by a private building surveyor but without seeking the proper approval from Council for demolition works (a section 29a application under the Building Act 1993). The owners were notified in writing of the heritage significance of their property and Council's intention to pursue a HO prior to the issue of the building permit. A stop work order has been issued by the private building surveyor and a subsequent demolition application to Council has been suspended due to heritage considerations.
- It is noted that had the interim HO been in place it would have triggered the need for a planning permit and provided Council the opportunity to consider the heritage impacts of the proposed works. In this regard it is unfortunate the interim HO was not approved by the Minister for Planning in a timely manner.
- Council's heritage consultants have advised that the recent removal of heritage features is not terminal to the property's heritage significance as the features can/should be reinstated. The alternative scenario is that the removal of the features diminishes the integrity of the building and means that Council can no longer progress the heritage protection. Reinstatement is considered the most appropriate response from a heritage integrity perspective.

Referral to Panel

- While there is the opportunity to resolve some submissions requesting changes, the opposing submissions are not resolved and therefore referral to an independent Planning Panel is appropriate. The Panel would receive all submissions and facilitate a hearing, where submitters will have an opportunity to present their submission and have evidence considered in an open and transparent manner. The Panel would then prepare a report and make a series of recommendation on a way forward for the amendment.
- Council would receive the report and is then required to consider the Panel report and recommendations at a future meeting before deciding on the amendment.
- The response to submissions provided in **Attachment 1** are recommended for Council endorsement as a basis for Council advocacy at Panel.

SUPPORTING REPORT DETAILS

Legal Consideration

- Council must make a decision about submissions in accordance with section 23 of the *Planning and Environment Act 1987* (Act) as noted below:

After considering a submission which requests a change to the amendment, the planning authority must:

- (a) change the amendment in the manner requested; or*
- (b) refer the submission to a panel appointed under Part 8; or*
- (c) abandon the amendment or part of the amendment*

AMENDMENT C165 - PROPOSED HERITAGE OVERLAY - CONSIDERATION OF SUBMISSIONS cont'd

Human Rights Charter

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

Sustainable Procurement Outcomes

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

Financial Implications

- Panel expenses including expert witness, Council representation and Panel costs have been budgeted for in the 2021/22 financial year.

Community Engagement

- Property owners were notified in August 2021 of the results of the Banyule Heritage Study 2020 and its recommendation to include their property on the HO in the Banyule Planning Scheme.
- Owners were again notified in September 2021 of Council's resolution to adopt the study and seek interim and permanent heritage controls.
- Formal exhibition of Amendment C165 occurred over 6 weeks from 7 February to 18 March 2022 and included:
 - Letters to all affected property owners and occupiers
 - Letters to public authorities and prescribed Ministers
 - Information on Council's Shaping Banyule with an ability for online submissions to be made
 - Notice on the Department of Environment, Land, Water and Planning website
 - Notice in the Herald Sun and Government Gazette on 10 February 2022
 - Emails to stakeholders and interest groups
- All affected property owners were given the opportunity to discuss the heritage assessment for their property with Council's heritage consultants both prior to, and during, exhibition of C165.

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

AMENDMENT C165 - PROPOSED HERITAGE OVERLAY - CONSIDERATION OF SUBMISSIONS cont'd

No.	Title	Page
1	Amendment C165 Summary of Submissions and Response	

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

Author: Ben Capuana - Development Planner, City Development

Ward: Hawdon

SUMMARY

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

RECOMMENDATION

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

Layout Not to Be Altered

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

Removal and Replacement of Council Trees

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

Replacement Planting

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

2A MOOLA CLOSE, YALLAMBIE - SPORTS PAVILION ADDITIONS (P152/2022)
cont'd

Sealed Parking/Access

4. Areas set aside for the parking of vehicles together with the aisles and access lanes must be properly formed to such levels that they can be utilised in accordance with the endorsed plans and must be drained and provided with an all-weather seal coat. The areas must be constructed, drained and maintained in a continuously useable condition to the satisfaction of the Responsible Authority.

Approved Drainage Outlet

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

Note:

Any connection to Council's drainage system

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

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

Melbourne Water

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

Time Limits

8. In accordance with section 68 of the *Planning and Environment Act 1987*, this permit will expire if one of the following circumstances applies:
 - (a) The development is not commenced within two (2) years from the date of permit issue.
 - (b) The development is not completed within four (4) years from the date of permit issue.

**2A MOOLA CLOSE, YALLAMBIE - SPORTS PAVILION ADDITIONS (P152/2022)
cont'd**

PERMIT NOTES

(A) Permit Extension

In accordance with section 69 of the *Planning and Environment Act 1987*, the Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, within six months afterwards, or within twelve months afterwards if the development started lawfully before the permit expired.

(B) Building Permit Required

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

(C) Referral Authority Conditions

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

(D) Copy of approved plans to Building Surveyor

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

(E) Removal of Council Trees

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

(F) Memorandum of Consent for Works

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

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

PROPOSAL

**Planning Permit
Application:**

P152/2022 pt1

2A MOOLA CLOSE, YALLAMBIE - SPORTS PAVILION ADDITIONS (P152/2022)
cont'd

Development Planner:	Ben Capuana
Address:	2A Moola Close YALLAMBIE (Yallambie Park)
Proposal:	Buildings and Works Associated with a Sports Pavilion
Existing Use/Development:	Existing Sports Pavilion, Tennis Courts and Soccer Pitch
Applicant:	Avor Architecture Pty Ltd
Zoning:	Public Park and Recreation Zone (PPRZ)
Overlays:	Special Building Overlay – Schedule 2 (SBO2) Land Subject to Inundation Overlay (LSIO) Heritage Overlay – Schedule 169 (HO169) Environmental Significance Overlay – Schedule 1 (ESO1) Environmental Significance Overlay – Schedule 4 (ESO4)
Notification (Advertising):	Exempt – Clause 52.31-2
Objections Received:	N/A
Ward:	Hawdon

- The proposal is for the redevelopment of the sports pavilion at the Council owned and managed 'Yallambie Park'.
- This includes internal renovations for the existing pavilion, as well as an additional extension of the building for two change rooms and bathrooms with shower and toilet facilities.
- The eastern side will have a covered viewing area for spectators with protection from the elements and linked access to the existing verandah and canteen.
- Other minor works associated include a DDA compliant parking space addition and bin storage area.
- It is proposed to remove three trees (*Melaleuca Linariifolia* and *Melaleuca Styphelioides*) which are native to Queensland and New South Wales.

BACKGROUND

- There have been no previous applications for this site.

SUBJECT SITE AND SURROUNDING AREA

Site area	35,000sqm (Approx. South Park Area)
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**2A MOOLA CLOSE, YALLAMBIE - SPORTS PAVILION ADDITIONS (P152/2022)
cont'd**

Topography	The developed area of the Parkland is at grade and level, before sloping down on the Eastern boundaries to the Plenty River
Existing Vegetation	Large trees, landscaped garden, scattered trees
Existing Building	The site houses 6 tennis courts and a full size soccer pitch. The existing pavilion is a small, covered area for officials and first aid alongside a canteen and small covered verandah.
Fencing	Fencing is consisted of small wire fencing on the pitch boundaries, alongside larger tennis court wire fencing to the Southern courts.

LOCALITY PLAN



Subject Site Aerial.

PUBLIC NOTIFICATION

Advertising Period	The application is exempt from public notice under Clause 52.31 – Local Government Projects.
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**2A MOOLA CLOSE, YALLAMBIE - SPORTS PAVILION ADDITIONS (P152/2022)
cont'd**

REFERRAL COMMENTS

Department	Conditions / Comments
Developments & Drainage	Council's Developments & Drainage Section has raised no concern with the application.
Parks	Council's Parks team requested nine large canopy trees at a semi-advanced state be planted for offsets and said replacement trees to occur on the Eastern side of the path.
Open Space	Council's Open Space Planning team has raised no concern with the proposal.
Property	Council's Property team has raised no concern with the proposal.
Heritage Consultant	Council's Heritage Consultant has raised no concern with the removal of the trees proposed to the immediate east of the pavilion. The existing building is not of Heritage control.

External	Objection?	Conditions /Comments
Melbourne Water	No	Melbourne Water has raised no concern with the application provided the floor levels of the extension are at the same as that of the existing pavilion, and that any fencing erected is of over 50% permeability.

PLANNING CONTROLS

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

Table 1: Applicable Planning Controls

Control	Clause	Permit Triggered
Public Park and Recreation Zone (PPRZ)	36.02	No
Environmental Significance Overlay – Schedule 1 (ESO1)	42.01	Yes
Heritage Overlay – Schedule 169 (HO169)	43.01	Yes
Land Subject to Inundation Overlay (LSIO)	44.04	Yes
Development Contribution Plan Overlay (DCPO)	45.06	No
Car Parking	52.06	No
Native Vegetation	52.17	No

**2A MOOLA CLOSE, YALLAMBIE - SPORTS PAVILION ADDITIONS (P152/2022)
cont'd**

Land Adjacent to a Transport Zone 2	52.29	No
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POLICIES CONSIDERED

Table 2: Relevant Planning Scheme Policy

Policy	Clause
Local Planning Policy Framework (LPPF)	
Settlement	11
Environmental and Landscape Values	12
Built Environment and Heritage	15
Land Use	21.04
Natural Environment	21.05
Safer Design Policy	22.03
Local Government Project	52.31

TECHNICAL CONSIDERATION

Response to Policy Framework

- Overall the development responds well to the Policy Framework. Landscaping areas adjacent are accessible and provide an improved outcome for users of the site. The building will maintain the single storey scale and the impact upon the environmental and heritage quality is negligible whilst providing updated resources for the community.
- The extension of the pavilion allows a dedicated change space and bathroom facilities for sports players in the community and upgrades the existing building space for the first aid area and for match officials, which is encouraged under policy to increase and improve the amenity of community areas and structures.

Buildings and works – Heritage, Flooding and Environmental Significance

- The proposed works are minor in the context of the park and will allow the continued use of the site and provide appropriate facilities for the community.
- No heritage concerns are raised with the proposal, whilst flooding concerns have been responded to and addressed appropriately. No environmental concerns are raised as detailed throughout, with offset planting being of greater contribution to the area.

Vegetation Removal

- The removal of three trees is supported as these are not of significant arboricultural value. Native vegetation removal under Clause 52.17 is not applicable, as the species to be removed (*Melaleuca Linariifolia* and *Melaleuca Styphelioides*) are native to New South Wales and Queensland, not Victoria. The trees will be offset with new native species to further contribute to the park.

**2A MOOLA CLOSE, YALLAMBIE - SPORTS PAVILION ADDITIONS (P152/2022)
cont'd**

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 to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

CONCLUSION

- The proposal, subject to conditions, is considered to enhance recreational opportunities for the community without causing detriment to the environmental significance of the area. For these reasons, the application should be supported.

ATTACHMENTS

No.	Title	Page
1	Application Plans	

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

Author: Ben Capuana - Development Planner, City Development

Ward: Ibbott

SUMMARY

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

RECOMMENDATION

That Council having complied with Section 52, 58, 60, 61 and 62 of the *Planning and Environment Act 1987*, resolves to issue a **Notice of Decision to Grant a Planning Permit** in respect of Application No. P762/2021 for Development of Three (3) Dwellings and works within the dripline of a tree protected under the Environmental Significance Overlay – Schedule 2 at 7 Dunstan Street MACLEOD subject to the following conditions:

General plans

1. Before the development permitted by this permit commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to

**7 DUNSTAN STREET, MACLEOD - DEVELOPMENT OF THREE DWELLINGS
(P762/2021) cont'd**

scale with dimensions and be submitted in an electronic format acceptable to the Responsible Authority. The plans must be substantially in accordance with the amended plans submitted 03 March 2022 with the application but modified to show:

- (a) Details of all external dwelling paved areas;
- (b) Swept Path Diagrams for all dwellings parking spaces including entry and exit manoeuvres;
- (c) Removal of the 'Right of Way' notation from plans;
- (d) Internal Elevations of all dwellings showing materials usage and windows where applicable;
- (e) Any separate structure containing electrical meters or other site services must not exceed 1.5 metres in height and must be located behind the front line of the dwelling facing the street or adjacent to the side boundary fence;
- (f) Gas and water meters to be nominated on the plans and sited or screened to minimise visibility from neighbouring properties and the public realm with details of elevations for communal meter grouping;
- (g) The location for any split system air conditioner units and/or hot water systems at ground level to minimise visibility from the public realm and neighbouring properties;
- (h) The location of all external motion sensor lighting and bollards where applicable;
- (i) The mail boxes located in accordance with Australia Post guidelines including elevations;
- (j) Landscape and tree zones to be clearly marked with hatching, colour coding or similar and distinguished from useable open space areas;
- (k) A plan notation indicating that no building works or facilities are to be provided within the dedicated landscape areas;
- (l) Dimensions of all rooms;
- (m) Details of driveway gradient(s);
- (n) No soil level changes within the SRZ of Tree #11 (3m from Northern Boundary and 4.5m from Western Boundary);
- (o) All sustainable design features indicated in the submitted Sustainable Design Assessment (SDA). Where sustainable design features outlined in the SDA cannot be visually shown, include a notes table providing details of the requirements (i.e. energy and water efficiency ratings for heating/cooling systems and plumbing fittings and fixtures, etc);

**7 DUNSTAN STREET, MACLEOD - DEVELOPMENT OF THREE DWELLINGS
(P762/2021) cont'd**

- (p) A schedule of external building materials, colours and finishes, including details of cladding and roofing materials; the schedule should be presented on a separate sheet and must include colour samples;
- (q) Development Drainage Plans in accordance with Condition 2 of this permit;
- (r) A Landscape Plan in accordance with Condition 3 of this permit;
- (s) A Sustainable Design Assessment (SDA) in accordance with Condition 4 of this permit;
- (t) An Environmentally Sustainable Development (ESD) Drawing in accordance with Condition 5 of this permit;
- (u) A Water Sensitive Urban Design (WSUD) Drawing in accordance with Condition 6 of this permit; and
- (v) Tree Preservation Fencing in accordance with Condition 8 of this permit.

Development Drainage Plans

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

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

Landscape Plan

**7 DUNSTAN STREET, MACLEOD - DEVELOPMENT OF THREE DWELLINGS
(P762/2021) cont'd**

3. Before the development permitted by this permit commences, a satisfactory detailed landscaping plan must be submitted to and approved by the Responsible Authority. Such plan must be prepared by a person suitably qualified or experienced in landscape design and must show:
- (a) Amendments required by Condition 1 of this permit;
 - (b) The identification of existing vegetation (which is not intended to be removed), and nomination of vegetation for removal throughout the site;
 - (c) Provision of formed garden beds with edging along the front property boundary and within the front setback to prevent cars parking;
 - (d) Planting adjacent to driveways and within landscaping zones to consist of varying heights and species;
 - (e) A plan notation indicating that no building works or facilities are to be provided within the dedicated landscape areas;
 - (f) Provision of the following minimum plantings:
 - i. One (1) large *Eucalyptus Camaldulensis* (River Red Gum) planted at a semi-advanced state (minimum pot size 40 litre) within the front setback;
 - ii. Four (4) medium native canopy trees (mature height of at least 8m) planted at a semi-advanced state (minimum pot size 16 litre) within the front setback, Dwelling 1 and 2 secluded private open space and Common Property area(s); and
 - iii. One (1) small native canopy tree (mature height of at least 5m) planted within the Dwelling 3 secluded private open space;
 - (g) An indigenous and/or drought tolerant planting theme;
 - (h) A schedule of all proposed trees, shrubs and ground cover, which includes the location and size at maturity of all plants, the botanical names of such plants and the location of all areas to be covered by grass, lawn or other surface material as specified;
 - (i) Tree species and planting locations must be carefully selected to avoid canopy or root conflicts with overhead wires, easements and existing trees;
 - (j) Location and details of paving, steps, retaining walls, water tanks, clotheslines, fence design details and other landscape works including cut and fill; and

**7 DUNSTAN STREET, MACLEOD - DEVELOPMENT OF THREE DWELLINGS
(P762/2021) cont'd**

- (k) Location, details and cross section drawings of all Water Sensitive Urban Design features in accordance with the endorsed Sustainable Design Assessment and STORM report, with reference to connection details on the engineering plans.

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

Sustainable Design Assessment (SDA)

4. Before the development permitted by this permit commences, a satisfactory amended Sustainable Design Assessment (SDA) must be submitted to and approved by the Responsible Authority. The following is required within the SDA:

- The Preliminary Energy Report: NatHERS Star Rating Certificates for each dwelling.
- An Implementation Schedule, identifying the responsible parties and project stage for the implementation of each ESD strategy.

Site specific SDA amendments:

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

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

Environmentally Sustainable Development (ESD) Drawing

5. Before the development permitted by this permit commences, a satisfactory ESD Drawing dedicated to demonstrating all features claimed within the SDA Report must be submitted to and approved by the Responsible Authority. You may also provide ESD elevations. The drawings must include the following;

- The Water Efficiency (WELS) Rating for water fixture/fitting and appliances as nominated in the SDA and their respective locations;
- Water efficient garden design features annotated i.e. indigenous plant species, mulched garden beds, drip irrigation;
- The NatHERS Energy Rating for each dwelling, annotated and emboldened;
- The Hot Water unit type and energy rating;
- The Heating System type and energy rating;
- The Cooling System type and energy rating;
- External Lighting including Motion Detectors in their respective locations;

**7 DUNSTAN STREET, MACLEOD - DEVELOPMENT OF THREE DWELLINGS
(P762/2021) cont'd**

- Internal lighting type and density of installation required to achieve 4 W/sqm efficiency;
- The Water Sensitive Urban Design (WSUD) measures on the property (as calculated using STORM or MUSIC) claimed, i.e Rainwater Tanks, Raingardens, Permeable Paving, etc and the path of connection to their respective end use, such as rainwater tank connection to toilets;
- Location and depth of fixed external shading devices to northern windows;
- Section details of external shading devices to northern windows demonstrating an appropriate shading angle for preventing summer sun for Melbourne to the satisfaction of the Responsible Authority;
- The location of double-glazed windows annotated with glazing specification (U value and SHGC) on each window;
- Bicycle space infrastructure location and details (bicycle spaces need to be securable and cannot be located on the floor of a garage hindering parking spaces);
- Tap and Floor Waste (drain) locations in private open spaces and balconies;
- Design measures annotated to minimise the urban heat island effect eg. light coloured roof, light coloured paving, vegetated site coverage;
- Product specification of paints /sealants/adhesives/carpets/ engineered wood (as applicable) which meet maximum total indoor pollutant emission limits e.g. VOC or formaldehyde; and
- Building materials which are of low embodied energy annotated on plan e.g. reused from site, recycled bricks, rammed earth.

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

Water Sensitive Urban Design (WSUD) Drawing

6. Before the development permitted by this permit commences, a satisfactory amended WSUD Drawing demonstrating all features claimed within the Melbourne Water STORM/MUSIC report and SDA/SMP report is to be submitted to and approved by the Responsible Authority.
 - A dedicated drawing including all features, their location and corresponding catchment area (m²) as claimed in the Melbourne Water STORM Calculator;
 - An excerpt of the most recent Melbourne Water STORM Calculator included on plan with a pass rate that reflects the SDA report;
 - A Maintenance Schedule for stormwater treatment devices such as rainwater tanks, toilet connections and raingardens, including responsibility, key serviceable components and frequency of maintenance;
 - The location and storage volume (Litres) of rainwater storage tank(s), pumps and connections to end-uses, such as toilets and laundry, as claimed; and

**7 DUNSTAN STREET, MACLEOD - DEVELOPMENT OF THREE DWELLINGS
(P762/2021) cont'd**

- A roof plan demonstrating the portion of the roof diverted into the rainwater treatment/storage device.

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

Development Infrastructure Levy

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

Tree Protection

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

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

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

- (a) Tree protection zone measures are to be established in accordance to Australian Standard 4970-2009 and including the following:
 - (i) Erection of solid chain mesh or similar type fencing at a minimum height of 1.8 metres held in place with concrete feet.
 - (ii) Signage placed around the outer edge of perimeter fencing identifying the area as a TPZ. The signage should be visible from within the development, with the lettering complying with AS 1319.
 - (iii) Mulch across the surface of the TPZ to a depth of 100mm and undertake supplementary watering in summer months as required.
 - (iv) No excavation, constructions works or activities, grade changes, surface treatments or storage of materials of any kind are permitted within the TPZ unless otherwise approved within this permit or further approved in writing by the Responsible Authority.

**7 DUNSTAN STREET, MACLEOD - DEVELOPMENT OF THREE DWELLINGS
(P762/2021) cont'd**

- (v) All supports, and bracing should be outside the TPZ and any excavation for supports or bracing should avoid damaging roots where possible.
 - (vi) No trenching is allowed within the TPZ for the installation of utility services unless tree sensitive installation methods such as boring have been approved by the Responsible Authority.
 - (vii) Where construction is approved within the TPZ, fencing and mulching should be placed at the outer point of the construction area.
 - (viii) Where there are approved works within the TPZ, it may only be reduced to the required amount by an authorised person only during approved construction within the TPZ and must be restored in accordance with the above requirements at all other times. For street trees, protection must be to the extent of the entire nature strip where the Calculated Tree Protection Zone (TPZ) occurs (not obstructing a footpath or cross-over).
 - (ix) For neighbouring trees, protection must be to the extent of the calculated Tree Protection Zone (TPZ) where it occurs within the subject Land.
 - (x) Ground protection must be laid down where access is required through a TPZ outside the fenced area. It must consist of a permeable membrane beneath a layer of mulch or crushed rock with rumble boards on top. Rumble boards should be of a suitable thickness to prevent soil compaction and root damage. Ground protection must only be removed once all buildings and works have been completed.
 - (xi) Once installed a TPZ must be maintained until the conclusion of all works on site, including landscaping to the satisfaction of the responsible authority.
9. During the construction of any buildings or works, the following tree protection requirements must be carried out to the satisfaction of the responsible authority.
- (a) All buildings and works for the demolition of the site and construction of the development (as shown on the endorsed plans) must not alter the existing natural ground level or topography of the land within the SRZ of Tree #11 (3m from northern boundary & 4.5m from western boundary).
 - (b) A suitably qualified project Arborist (AQF Level 5) must ensure that any pruning, root severance or buildings and works within a TPZ does not adversely impact the health and or stability of any retained tree now or into the future.
 - (c) Any root severance within a TPZ must be undertaken by the project Arborist (AQF Level 5) in accordance with the Australian Standard *AS4373-2007 Pruning of Amenity Trees*, using sterilised, specialised tree root pruning equipment. There must be no root pruning within the SRZ of any tree. There must be no works undertaken within the TPZ other than those endorsed by the responsible authority.
 - (d) Any tree pruning is to confirm to *AS4373-2007 Pruning of Amenity Trees*, all work is to be performed by a suitably qualified Arborist (AQF

**7 DUNSTAN STREET, MACLEOD - DEVELOPMENT OF THREE DWELLINGS
(P762/2021) cont'd**

Level 3, minimum) and must be restricted to the removal of no greater than 15% of the total live canopy of individual trees unless otherwise agreed in writing by the responsible authority.

- (e) The project arborist, site manager and builders must ensure that all conditions relating to Tree Protection Measures are being adhered to throughout the entire building process, including site demolition, levelling and landscape works.

Occupation of Development

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

ESD Inspection

- 11. Prior to the issue of Statement of Compliance or Occupation (whichever comes first), the owner or developer must notify Council's Development Planning section that the development is complete to allow for an inspection of ESD features as shown on the endorsed documents. Council will visit the site to inspect or require suitable evidence to be provided, to ensure ESD features have been installed, to the satisfaction of the Responsible Authority.
**Please retain all manufacturers stickers on window glazing, WELS and Energy Ratings for fixtures and appliances, hot water services, heating and cooling units for evidencing purposes.*

General

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

Land Acquisition

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

Car Parking/Access

- 14. Areas set aside for the parking of vehicles together with the aisles and access lanes must be properly formed to such levels that they can be utilised in accordance with the endorsed plans and must be drained and provided with an

**7 DUNSTAN STREET, MACLEOD - DEVELOPMENT OF THREE DWELLINGS
(P762/2021) cont'd**

all-weather seal coat. The areas must be constructed, drained and maintained in a continuously useable condition to the satisfaction of the Responsible Authority.

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

Urban Design and Landscaping

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

17. Unless otherwise agreed in writing by the Responsible Authority, all telecommunications and power connections (where by means of a cable) and associated infrastructure to the land must be underground to the satisfaction of the Responsible Authority.

18. The owner must ensure that the garden areas shown on the endorsed plan and schedule shall only be used as gardens and shall be maintained in a proper, tidy and healthy condition to the satisfaction of the Responsible Authority. Should any plant be removed or destroyed it may be required to be replaced by a plant of similar size and variety.

19. Unless otherwise agreed in writing by the Responsible Authority, no vegetation (other than that indicated on the endorsed plan or exempt from planning permission under the provisions of the Banyule Planning Scheme) shall be damaged, removed, destroyed or lopped.

Permit Expiry

20. In accordance with section 68 of the *Planning and Environment Act 1987*, this permit will expire if one of the following circumstances applies:
- (a) The development is not commenced within two years of the date of this permit; or
 - (b) The development is not completed within four years of the date of this permit.

PROPOSAL

Planning Permit Application:	P762/2021 pt1
Development Planner:	Ben Capuana
Address:	7 Dunstan Street MACLEOD

7 DUNSTAN STREET, MACLEOD - DEVELOPMENT OF THREE DWELLINGS (P762/2021) cont'd

Proposal:	Development of Three (3) Dwellings and works within the dripline of a tree protected under the Environmental Significance Overlay – Schedule 2
Existing Use/Development:	Existing Single Dwelling
Applicant:	Mr Andrew Ramage
Zoning:	Neighbourhood Residential Zone – Schedule 3 (NRZ3)
Overlays:	Environmental Significance Overlay – Schedule 2 (ESO2) Development Contributions Plan Overlay – Schedule 1 (DCPO1)
Notification (Advertising):	One (1) Sign on Site Notices to surrounding properties
Objections Received:	Twenty-Two (22)
Ward:	Ibbott

- The proposal is for three dwellings on the subject site in a tandem arrangement. The dwellings each contain four bedrooms and associated living, dining, bathroom and kitchen areas.
- Each dwelling two storey and contains a double car garage space and an external secluded private open space area orientated north and accessed via the respective living rooms. Each dwelling contains four bedrooms with laundry, living, dining and bathroom spaces.

BACKGROUND• There have been no previous applications for this site.

- To the rear of the site is a Council Right of Way (ROW). A section of the ROW has been agreed to be purchased by the owner of the site and this area has been incorporated into the development. The sale is now undergoing finalisation and land title transfer processes.

SUBJECT SITE AND SURROUNDING AREA

Site area	955m ²
Topography	Generally flat, minor slope upwards to the rear of the site of approximately 1.5-2m.
Existing and Neighbouring Vegetation	The subject site is largely void of canopy coverage, with some existing vegetation within the rear ROW (including a since removed Council tree), front landscaping and shrubs.

**7 DUNSTAN STREET, MACLEOD - DEVELOPMENT OF THREE DWELLINGS
(P762/2021) cont'd**

	Adjacent vegetation is substantial with large canopy coverage including coverage located in sites to the rear and side boundary. This includes a large <i>Eucalyptus Camaldulensis</i> – Red Gum that is protected by the ESO2 overlay.
Existing Dwelling	Single Storey weatherboard dwelling with tiled roofing and brick chimney and typical eave and hipped roof design.
Fencing	Nil front fencing, side fencing to the South has been newly replaced with paling fencing from the previous development at 3-5 Dunstan Street.
Easements	Nil – Rear ROW is to be vested as an Easement in separate Council land sale process.

Locality Plan



Subject Site Aerial.

7 DUNSTAN STREET, MACLEOD - DEVELOPMENT OF THREE DWELLINGS (P762/2021) cont'd

PUBLIC NOTIFICATION

Advertising Period	Friday 3 December 2021 – Friday 17 December 2021
Advertising methods	One (1) Sign on site. Notices to Surrounding Properties.
Objections received	Twenty-Two (22)
Grounds of objections (summarised)	<ul style="list-style-type: none"> • Impacts to Tree #11 • Over-densification and change of character in area • Lack of dwelling separation • Viable planting space • Traffic/Parking Overflow Concerns • Greater extent of overlooking controls to be applied • Site excavation and associated methods
Consultation	<ul style="list-style-type: none"> • Conducted 01 March 2022 with seven objectors and Councillors in attendance. • The applicant has submitted amended plans in response to objections, which included additional screening to upper floor windows and reduction of upper levels of Dwellings 1 and 2.

REFERRAL COMMENTS

Department/ Officer	Conditions /Comments
Drainage & Developments	Council's Drainage and Developments Section have reviewed the proposal and noted the ROW will be an easement and Build over easement approval will be required for the eaves of Unit 3.
Arborist	Council's Development Planning Arborist have reviewed the proposal. The proposals encroachment into Tree #11 is acceptable and suitably mitigated with further conditions on the permit. No other vegetation impacts are generated by the proposal.

7 DUNSTAN STREET, MACLEOD - DEVELOPMENT OF THREE DWELLINGS (P762/2021) cont'd

Traffic	Council's Traffic Engineering Section have reviewed the proposal and advised the proposal is compliant with the design standards of Clause 52.06.
Waste	Council's Waste Services Section have reviewed the proposal and advised that Council kerbside collection can occur for this development.
Property	Council's Property Section advised that no work should be undertaken prior to finalisation of the sale of land process.

PLANNING CONTROLS

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

Table 1: Applicable Planning Controls

Control	Clause	Permit Triggered
Neighbourhood Residential Zone – Schedule 3 (NRZ3)	32.09	Yes
Environmental Significance Overlay – Schedule 2 (ESO2)	42.01	Yes
Development Contribution Plan Overlay – Schedule 1 (DCPO1)	45.06	Yes
Car Parking	52.06	No

POLICIES CONSIDERED

Table 2: Relevant Planning Scheme Policy

Policy	Clause
Local Planning Policy Framework (LPPF)	
Settlement	11
Environmental and Landscape Values	12
Built Environment and Heritage	15
Housing	16
Land Use	21.04
Natural Environment	21.05
Built Environment (Limited Incremental Area)	21.06
Residential Neighbourhood Character Policy (Bush Garden (BG) West Precinct)	22.02
Safer Design Policy	22.03
Environmentally Sustainable Design	22.05
ResCode	55

TECHNICAL CONSIDERATION

- Council must consider this application within the strategic context of the site location, the response to the character and amenity of the area and the impact of

7 DUNSTAN STREET, MACLEOD - DEVELOPMENT OF THREE DWELLINGS (P762/2021) cont'd

vegetation removal and tree planting as well as ResCode compliance. These are discussed below and in **Attachment 1**.

Strategic Framework

- The site is within the Neighbourhood Residential Zone (NRZ3) and a limited incremental area under Banyule's 'Residential Areas Framework' of the scheme. The strategic planning controls relevant to the subject site recognise the defining characteristics of the VC estate, including the prevalence of large trees and undulating topography.
- It is considered the strategic location of the site, within 6 minutes walking distance from Macleod Train Station and the emerging character of development in the immediate area at the periphery of the VC Estate, supports the proposed development and policy variations.

Neighbourhood Character

- The Residential Neighbourhood Character Policy (Clause 22.02) specifies that separation is to be provided between dwelling for sites within the Bush Garden Precinct.
- A variation to this design response is proposed with Dwelling 1 and 2 proposed to be attached at the ground level.
- A key consideration is balancing an appropriate neighbourhood character outcome in the Bush Garden Precinct with strategic drivers and objectives supporting consolidation in areas close to services and transport. The continuous built form at proposed at ground levels of Dwelling 1 and 2 is consistent with the existing neighbourhood character of attached built form of developments nearby at 5 Dunstan Street adjacent to the site, 8 & 10 Dunstan Street opposite the site and 12, 51 and 55 McNamara Street in the neighbouring street.
- The proposal also meets the planting ratios specified for the Bush Garden Neighborhood Character Precinct with five medium-large canopy trees able to be planted on the site, including a large tree within the front setback.
- The upper levels of each dwelling are recessed from the ground level on all elevations with generous setbacks to boundaries. This, together with the existing adjacent canopy trees and proposed canopy tree plantings within the site, lessens visual bulk impacts to adjoining properties.
- The proposal complies with the relevant neighbourhood character objectives for site coverage, recessed upper levels and setbacks.

External Amenity

- External amenity impacts are considered to be acceptable with regard to the ResCode standards set out in Clause 55 of the Banyule Planning Scheme in relation to setbacks, access to daylight, overshadowing and overlooking.
- Concern has been raised by specific objectors to the rear of the subject site regarding overlooking. Due to the fall of the land, the objector's properties are sited above the subject site with the rear fences being less than 1.5m high. The concerns relate to overlooking from the objector's property towards the rear dwelling as opposed to future occupiers overlooking the objector's properties. The provision of screening or obscure glazing to the ground level rear windows is not required to comply with the overlooking standard and would result in a poor

7 DUNSTAN STREET, MACLEOD - DEVELOPMENT OF THREE DWELLINGS (P762/2021) cont'd

internal amenity for future occupiers and therefore has not been required as part of conditions on the permit.

- The provision of a double storey dwelling sited as proposed is considered appropriate and measures including upper floor recession has significantly reduced potential bulk impacts to abutting properties.

Vegetation Impacts

- A neighbouring site to the rear of the subject site contains a large tree (Tree #11 *Eucalyptus Camaldulensis* – Red Gum), of which has an expansive Tree Protection Zone within the subject site. The proposal's encroachment is acceptable and suitably mitigated with further condition(s) on the permit. No other vegetation impacts are generated by the proposal.

Car Parking

- The required number of car spaces has been provided in accordance with the statutory requirements.

OBJECTORS CONCERNS

- The majority of objectors' concerns have been addressed in the Technical Consideration section of this report, however the following require further discussion:

Precedent

- It is a long standing planning principle that the perception of precedent (e.g. developments resulting in new future developments nearby) is not a matter which can be sustained when assessing an application for planning permit. Each application must be assessed on its own merits in context of its location.

Loss of views

- The loss of views as a result of development is rarely a valid planning consideration. It has been a long held planning principle that there is no right to a view from a property in a general urban setting. Concerns with the bulk and scale of the dwelling have been addressed within the report.

Increased dirt, dust, trucks and mess during construction phase

- This is a short term amenity issue that cannot be considered given that once a development has been completed, the issue is no longer relevant. Furthermore, the same issue would be present if the existing dwelling was demolished and a new single dwelling constructed that would not require planning approval. Noise and dust in the short term are matters which are not controlled by the Planning Department and are policed by Council's Local Laws and Environmental Health Units and through the building regulations.

SUPPORTING REPORT DETAILS

Legal Consideration

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

**7 DUNSTAN STREET, MACLEOD - DEVELOPMENT OF THREE DWELLINGS
(P762/2021) cont'd**

Human Rights Charter

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

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.

CONCLUSION

- The proposed development, subject to permit conditions, is consistent with State and Local Planning Policies, including Council's Residential Neighbourhood Character Policy and Clause 55 of the Banyule Planning Scheme. It is considered the strategic location of the site, in walking distance to public transport and the emerging character of development in the immediate area supports the proposed development and policy variations. As such, the application should be supported with appropriate conditions.

ATTACHMENTS

No.	Title	Page
1	Technical Consideration	
2	Advertised Plans	
3	Amended Post-Advertising Plans	

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

Author: Klover Apostola - Principal Strategic Planner, City Development

SUMMARY

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

RECOMMENDATION

That Council:

1. Endorse the policy neutral translation of the Banyule Planning Scheme into the new Planning Policy Framework (PPF), generally in accordance with the 'Final Draft' **Attachment 1**.

TRANSLATING THE BANYULE PLANNING SCHEME INTO A NEW FRAMEWORK cont'd

2. Note that minor corrections may be made to the 'Final Draft' by the Minister for Planning for clarity prior to approval.
3. Write to the Minister for Planning advising of Council's support for Amendment C162bany for the Banyule PPF translation to be prepared, adopted and approved by the Minister for Planning, pursuant to section 20(4) of the *Planning and Environment Act 1987*.

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

- All planning schemes in Victoria are made up of state, regional and local content. In 2018 the State Government introduced a new framework for the policy content of all planning schemes in Victoria through Amendment VC148 as part of the State's 'Smart Planning Program'. This amendment replaced the State Planning Policy Framework (SPPF) with the Planning Policy Framework (PPF) in all Victorian Planning Schemes.
- As outlined in **Figure 1** below, VC148 also made way for the local policy content of all Planning Schemes to be translated, or restructured, into the PPF to produce an integrated policy framework.

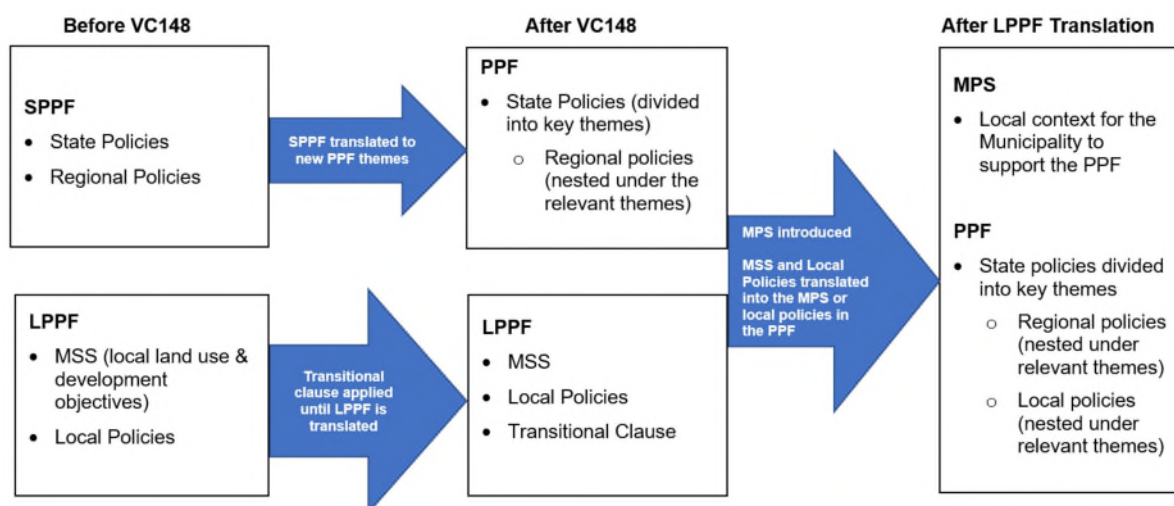


Figure 1: Translation of Victorian Planning Schemes into the new PPF

- Under the new structure, the Municipal Planning Strategy (MPS) at Clause 2.0 of the Planning Scheme will replace the existing Municipal Strategic Statement (MSS). Like the MSS, it will provide the planning scheme's policy foundation by setting out the local context and overarching land use vision and 'strategic directions' of a municipality.

TRANSLATING THE BANYULE PLANNING SCHEME INTO A NEW FRAMEWORK cont'd

- The PPF structure is standard across all Victorian Planning Schemes. It nests local policies under relevant state and regional themes. It also provides a new layout for local policies which includes 'objectives', 'strategies' and 'policy guidelines' where relevant. This will improve the operation of planning schemes by providing a framework that is better aligned, stronger, consistent and easier to navigate. The new structure is outlined in **Attachment 2**.
- Banyule Council officers have been working with the Department of Environment, Land, Water and Planning (DELWP) to translate the Banyule Planning Scheme into the framework.
- This has essentially been an administrative process to remove duplication and outdated (such as references to out-of-date documents) or irrelevant information to ensure that local content complements, rather than replicates other provisions. This was done in accordance with guidelines prepared by DELWP to provide direction and ensure consistency for translations across the state.
- Zones, overlays, and provisions are the primary tools for implementing objectives of a planning scheme. Minor updates to their local schedules are included in the translation so that they reference the new PPF structure.

KEY ISSUES

- The translation is 'policy neutral'. It does not introduce any new policy, new guidance or change the intent of the existing policies in the planning scheme. In many ways, it is an exercise in 'rearranging the deckchairs' – that is moving the existing local policies in the Scheme to a new place to create better alignment under key policy themes and nesting them underneath State and Regional policies. It will improve legibility in the Scheme.
- Further opportunities to improve the Banyule Planning Scheme from a technical perspective will be pursued through our future Planning Scheme Review, Housing and Neighbourhood Character Review, or other future Planning Scheme Amendments that are not constrained by the need to be policy neutral.
- The translation of Banyule's local content from the Local Planning Policy Framework (LPPF) and the Municipal Strategic Statement (MSS), into the new PPF is now ready to be finalised.
- Many Victorian Planning Schemes have now been through this translation process. Many other Council's including Banyule have had their translations delayed due to lack of State Government resourcing. Approval of Banyule's translation will bring the Banyule Planning Scheme up to date and in line with most other schemes in Victoria.
- The timing of the completion of Banyule's translation could have significant implications for other priority projects. The Banyule Planning Scheme will need to be in the new framework before Council can pursue other significant Planning Scheme Amendments, such as the implementation of the new Heidelberg Structure Plan.
- Due to the 'policy neutral' nature of a translation – the Minister typically prepares and approves these amendments to a planning scheme to implement it without any public exhibition. This would apply to Banyule's translation.

TRANSLATING THE BANYULE PLANNING SCHEME INTO A NEW FRAMEWORK cont'd

SUPPORTING REPORT DETAILS

Legal Consideration

- This report recommends that Council endorses the final draft PPF translation shown at **Attachment 1**, and supports the Minister for Planning to prepare, adopt and approve Amendment C162 pursuant to section 20(4) of the Planning and Environment Act 1987.

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 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

No.	Title	Page
1	Final Draft Banyule Planning Scheme Translation	
2	The New Planning Policy Framework	

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

Author: Daniel Fantin - Major Property Projects Coordinator, City Development

Ward: Olympia

Previous Items

Council on 21 March 2022 (Item 5.4 - Bell Street - Commencement of Notice of Intention to Sell Land)

SUMMARY

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

RECOMMENDATION

That Council:

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

COUNCIL PLAN

- This report is in line with Banyule's 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".

BELL STREET DEVELOPMENT - PUBLIC SUBMISSIONS TO NOTICE OF INTENTION TO SELL LAND cont'd

BACKGROUND

- Council owns the land at 310 Bell Street, Heidelberg West, which currently functions as car parking for the Bell Street Mall. The *Heidelberg Central and Bell Street Mall Car Parking Plan (2016)* identified that there is an ample supply of carparking in and around the Bell Street Mall.
- Council has undertaken comprehensive review into the feasibility of a new, Council-owned community facility within the Bell Street Mall. In order to feasibly achieve this vision, Council is seeking respondents who would purchase this land to deliver a high-density, mixed-use development on the subject site. In return, the development will contain a new, dedicated community facility which would be returned to Council-ownership.
- The area of car parking being considered for sale is shown below and comprises the following titles:
 - Vol 08096 Folio 171 Plan Res1 PS 33018
 - Vol 08096 Folio 171 R1 PS 33018
- The purpose of this report is for Council to consider the four separate written submissions received in response to the notice of intention to sell. The giving of public notice of Council's intention to sell does not compel Council to sell the Land. Council is merely complying with its statutory obligations under the Act.



Figure 1: Location of subject site on corner of Oriel Road and Bell Street, Heidelberg West

KEY ISSUES

- Four submissions were received. Submissions that were received during the submission period, and one late submission, are summarised below. All submissions have been circulated in full to Councillors.
- **Submission 1**
 - A high rise building in that location will block views to the business and their signage in the Mall and will result in a loss of customers.

BELL STREET DEVELOPMENT - PUBLIC SUBMISSIONS TO NOTICE OF INTENTION TO SELL LAND cont'd

- Once the car park is gone, it will become very inconvenient for people to go to the Mall. Very few people will turn into Oriel Road in order to access the car park at the back of the Mall. This will result in a loss of business at the Mall.
- Council should consider the interests of businesses at the Mall and make a development plan to address those concerns.
- **Submission 2**
 - New development is welcome in this area, particularly near the Bell Street Mall.
 - This development needs to take into strong consideration the inclusion of open green space and, should there be high-rise development, the inclusion of vertical gardens, landscaping, and sustainable building materials.
 - The main concern for this development is the existing gumtrees at the corner of Oriel and Bell Street. These trees are of great significance to the area. During certain times of the year, the sound of the native birds is one of the most magnificent experiences. To remove the habitat for these animals would be environmental negligence.
 - Protection of these large trees should be the upmost priority for the Council when approving any development of this block. It is more than possible to keep these in place and having them protected and integrating it into the overall design of the area.
- **Submission 3**
 - Disagree with the rationale put forward for the development
 - “The possibility of including dedicated community space” – there are already several community spaces close by and this does not demonstrate any firm commitment. Residents will not see the value of a community facility with a 14 storey tower above it.
 - “The Latrobe National Employment and Innovation Cluster” – this employment cluster concept is only used to justify significant increases in the residential density and used to justify reduced parking requirements. This was evident with the Bell/Bardia and Tarakan developments.
 - “The Heidelberg Central and Bell St Mall Parking Plan (2016) identified that the Bell St Mall car park was being underutilised” – the car park is not underutilised in 2022 and this plan is obsolete. Thousands of new residents populating the Bellbardia, Tarakan, and Cultivate towers will want to park at the Bell Street Mall.
 - The car park is a community asset that serves the required purpose. The motivation to sell is for a financial objective which will come at the expense of local amenity and residents.
- **Submission 4 (Late)**
 - Concern about the sale of land and the potential development
 - Primary concern is the tree on the corner of Bell Street and Oriel Rd being home to many native birds. The tree must be saved.

BELL STREET DEVELOPMENT - PUBLIC SUBMISSIONS TO NOTICE OF INTENTION TO SELL LAND cont'd

- The car park is the most used parking spot in the mall. It is the closest access point to the only ATM in Heidelberg West for aged and less abled people.
- The traffic congestion will be directed to the Bell St/Oriel Rd corner, which is already a dangerous intersection, and will be more so with the impending Bell/Bardia development.

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 21 March 2022, resolved to commence the statutory process giving notice of intention to sell part of the land at the Bell Street Mall.
- Community engagement commenced 23 March 2022.
- Public notice was given on Council's website www.banyule.vic.gov.au and signage placed on site. Adjacent property owners and occupiers were also notified by mail.
- Any person proposing to make a submission in accordance with Council's Community Engagement Policy under section 55 of the *Local Government Act 2020* must do so within 28 days of the publication of this Notice.
- The 28-day submission period closed at 5pm on 19 April 2022.

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 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.

BELL STREET DEVELOPMENT - PUBLIC SUBMISSIONS TO NOTICE OF INTENTION TO SELL LAND cont'd

ATTACHMENTS

Nil

7.1 NOTICE OF INTENTION TO DECLARE A SPECIAL CHARGE - WATSONIA SHOPPING CENTRE

Author: Daniela Ahimastos - Economic Development Officer, City Development

Ward: Bakewell

SUMMARY

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

RECOMMENDATION

NOTICE OF INTENTION TO DECLARE A SPECIAL CHARGE - WATSONIA SHOPPING CENTRE cont'd

That Council:

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

COUNCIL PLAN

- This report is in line with Banyule's Council Plan key direction to "Create distinctive, appealing and thriving shopping centres and industrial precincts that have a local identity and contribute to a strong sense of place".

BACKGROUND

- The *Local Government Acts 1989 and 2020* enables Council to levy a special rate or charge on properties within a defined area if it considers that the land in that area will receive a 'special benefit' from the use of funds raised.
- A Special Charge Scheme has operated in the Watsonia Shopping Centre since the late 1990s. The current Scheme is a five-year program that expires on 30 June 2022 and raises \$36,850 per annum. This amount has been supported by a Council contribution of \$26,827 per annum to provide a total annual budget of

NOTICE OF INTENTION TO DECLARE A SPECIAL CHARGE - WATSONIA SHOPPING CENTRE cont'd

\$63,677. This amount (as a combined sum) has been used for the purposes of marketing, promotions, event delivery, business development, place improvement and beautification of the Watsonia Shopping Centre.

- Council has received a letter from the Watsonia Traders Association to re-introduce a Special Charge Scheme for the Watsonia Shopping Centre. The letter received from the Association requests that the new Scheme operate over a five-year period, commencing on 1 July 2022 and ending on 30 June 2027.
- Additionally, the letter requests that Council increase the levy by \$8,000 to raise \$44,850 annually. This moderate increase in budget reflects; the increasing cost of services and inflation; the addition of two properties that now fall within and satisfy the scheme criteria; and the concerted effort that will be required by the Association to see through the imminent disruptions caused by construction of the North East Link and new Watsonia Town Square.
- The purposes of Council declaring a Special Charge for the Watsonia Shopping Centre include:
 - To defray the expenses incurred by Council in providing funds to the Watsonia Traders' Association, the Association must spend the funds raised by the Special Charge only in accordance with the approval, direction and control of Council; and
 - To spend the funds raised by the Special Charge on contracted support, promotional, advertising, marketing, business development and other incidental expenses associated with the encouragement of commerce, retail and professional activity and employment in the Shopping Centre.
- Council is currently undertaking an extensive review into the current retail funding model which will inform the five-year Economic Development Strategy. This review is being completed by external consultants with findings to be delivered to Councillors in May 2022.

KEY ISSUES

- Watsonia traders have a challenging period ahead as they not only emerge from the significant economic impacts of COVID-19 but are faced with the uncertainty of North East Link disruptions to the centre as well as imminent disruptions caused by the construction of the Watsonia Town Square. An online survey report of Watsonia traders in May 2021 (*North East Link Impacts*) found that more than 90% of the current businesses in the Watsonia Shopping Centre doubt their business will survive the period ahead unless investments are made to attract more people to the centre.
- The Watsonia Traders Association and Council believe that the Special Charge Scheme will proactively encourage commerce and business activity within Watsonia Shopping Centre, enhancing visitation and trader survival at a time

NOTICE OF INTENTION TO DECLARE A SPECIAL CHARGE - WATSONIA SHOPPING CENTRE cont'd

when they need it the most. The Special Charge will aim to support businesses through via joint promotion, marketing and business development activities.

SUPPORTING REPORT DETAILS

Legal Consideration

- There are several legislative processes that must be undertaken when declaring a special rate and/or charge for a shopping Centre (**Refer to Attachment 2**). 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 Watsonia Traders' Association has requested that the proposed Scheme raise an amount of \$44,850 per annum, which is a moderate increase in relation to the current Scheme. Based on a total of 69 properties included in the Scheme, it is proposed that each property will be levied a Special Charge of \$650 per annum.
- Based on the 69 rateable assessments included in the Scheme, this will raise an amount of \$44,850 per annum for a period of five years, providing a total levy of \$224,250 over the period of the Scheme. The current Scheme collects from each rateable assessment an amount of \$550 per annum.
- Council's contributions have allowed the Shopping Centre to address many of the physical development, maintenance and amenity issues that the Special Charge proceeds cannot be spent on. For example, Council's contribution can be used for:
 - Physical works;
 - maintenance
 - Infrastructure; and
 - Beautification of the Shopping Centre.
- This joint approach to funding ensures that both the marketing of the Shopping Centre, as well as the physical and social environment is supported by the Scheme.
- Council resolved on 23 April 2012 to cap its contributions at the 2011-12 levels for all the eleven special rate and/or charge schemes operating within the Council's municipal district (including the Watsonia Shopping Centre).

NOTICE OF INTENTION TO DECLARE A SPECIAL CHARGE - WATSONIA SHOPPING CENTRE cont'd

Accordingly, Council's contribution to the Shopping Centre's Special Charge Scheme renewal is proposed to remain at \$26,827 per annum for the life of the Scheme subject to Council's annual budget process.

Community Engagement

- Watsonia Traders' Association has been working over the past few months to review the current program and develop a draft Business Plan (the 2022 Watsonia Shopping Centre Business Plan). The Business Plan will guide the Centre's business and marketing activities over the next five years in the event that a new Special Charge Scheme is successfully declared.
- The review and consultation process has included:
 - The Traders Association's list of key achievements over the last five years sent to all owners and occupiers (**refer Attachment 3**).
 - Owners and occupiers surveyed in order to give feedback and opinions on past marketing and management activities and suggested activities for the future.
 - Conversations with local businesses.
 - Owners and occupiers invited to a workshop presented by the Watsonia Traders' Association to discuss ideas and priorities for the future.
 - Survey responses along with workshop and conversational feedback have been considered in developing priorities for the 2022-2027 Business Plan.
 - Owners and occupiers have received correspondence from Council informing them of the Traders Association's request to renew the Special Charge Scheme.
 - The key directions of the draft 2022-2027 Watsonia Shopping Centre Business Plan.
- The Business Plan is currently in draft format. Owners and occupiers will be invited to comment on the plan when the official notice of intention letter is distributed.
- The Funding Agreement states that the Traders Association cannot receive any Special Charge payments from Council until a final Business Plan is submitted and approved by Council's Economic Development Unit. It is noted that the Business Plan will be finalised before Council makes its decision on whether to declare a new Special Charge Scheme at its meeting on 5 September 2022. The Funding Agreement further advises that funds raised from the Scheme are to be used in accordance with the Business Plan. As such, any significant deviations from the plan must involve consultation with Council and written approval of Council must be sought.
- To declare a Special Charge Scheme, Council is required to comply with the statutory process under the *Local Government Act 1989 and 2020*. The statutory process provides the community with the opportunity to make a submission and/or an objection to the Council on the proposed Scheme. Council will consider any submissions and take into account any objections in accordance with the *Local Government Act 1989 and 2020* prior to making a final decision.
- In addition to the requirement to give statutory public notice, the community engagement to be undertaken by Council will be in accordance with Council's

NOTICE OF INTENTION TO DECLARE A SPECIAL CHARGE - WATSONIA SHOPPING CENTRE cont'd

community engagement policy, the community engagement principles set out in section 56 of the *Local Government Act 2020* and Council's public transparency policy and the public transparency principles set out in section 58 of the *Local Government Act 2020*.

Key Considerations

TIMELINES

- The key process and timelines for Watsonia Shopping Centre Special Charge Scheme are as follows:
 - Notice of Intention to Declare Council Report – 9 May 2022
 - Public Notice of Proposed Declaration of Special Charge in local newspaper – 17 May 2022
 - Notice of Intention to Declare letter mailed to all property owners and business operators with a copy of the Proposed Declaration of Special Charge Public Notice – 19 May 2022
 - Submissions and Objections due – 17 June 2022
 - Council formally considers submissions and objections received – 15 August 2022 Ordinary Meeting, and
 - Council makes a decision on proposed Scheme at Ordinary Meeting of Council – 5 September 2022

Officer Declaration of Conflict of Interest

- The *Local Government Acts 1989 and 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

No.	Title	Page
1	Proposed Declaration of a Special Charge for the Watsonia Shopping Centre	
2	Key Statutory Processes	
3	Watsonia Special Charge Flier	

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

Author: Daniela Ahimastos - Economic Development Officer, City Development

Ward: Ibbott

SUMMARY

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

NOTICE OF INTENTION TO DECLARE A SPECIAL CHARGE - MACLEOD VILLAGE SHOPPING CENTRE cont'd

RECOMMENDATION

That Council:

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

COUNCIL PLAN

- This report is in line with Banyule's Council Plan key direction to "Create distinctive, appealing and thriving shopping centres and industrial precincts that have a local identity and contribute to a strong sense of place".

BACKGROUND

- The *Local Government Act 1989 and 2020* enables Council to levy a special rate or charge on properties within a defined area if it considers that the land in that area will receive a 'special benefit' from the use of funds raised.
- A Special Charge Scheme has operated in the Macleod Village Shopping Centre since 2002. The current Scheme is a five-year program that expires on 30 June 2022 and raises \$19,170 per annum. This amount has been supported by a

NOTICE OF INTENTION TO DECLARE A SPECIAL CHARGE - MACLEOD VILLAGE SHOPPING CENTRE cont'd

Council contribution of \$18,400 per annum to provide a total annual budget of \$37,570. This amount (as a combined sum) has been used for the purposes of marketing, promotions, event delivery, business development, place improvement and beautification of the Macleod Village Shopping Centre.

- Council has received a letter from the Macleod Traders' Association to re-introduce a Special Charge Scheme for the Macleod Village Shopping Centre. The letter received from the Association requests that the new Scheme operate over a five-year period, commencing on 1 July 2022 and ending on 30 June 2027.
- The purposes of Council declaring a Special Charge for the Macleod Village Shopping Centre include:
 - To defray the expenses incurred by Council in providing funds to the Macleod Traders' Association, the Association must spend the funds raised by the Special Charge only in accordance with the approval, direction and control of Council; and
 - To spend the funds raised by the Special Charge on contracted support, promotional, advertising, marketing, business development and other incidental expenses associated with the encouragement of commerce, retail and professional activity and employment in the Shopping Centre.
- Council is currently undertaking an extensive review into the current retail funding model which will inform the five-year Economic Development Strategy. This review is being completed by external consultants with findings to be delivered to Councillors in May 2022.

KEY ISSUES

- The economic impact of COVID-19 on our retail centres has been significant. The Special Charge Scheme will proactively encourage commerce and business activity within Macleod Village Shopping Centre at a time when businesses recover from COVID – 19 impacts and will need the support to do so.
- The Macleod Village Traders Association and Council believe that the scheme will assist the entire shopping Centre to attract visitation back to the shopping Centre as well as support business through the transition via joint promotion, marketing and business development activities. A Special Charge can play a critical role in helping to fund these activities.

SUPPORTING REPORT DETAILS

Legal Consideration

- There are several legislative processes that must be undertaken when declaring a special rate and/or charge for a shopping Centre (**Refer to Attachment 2**). 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*.

NOTICE OF INTENTION TO DECLARE A SPECIAL CHARGE - MACLEOD VILLAGE SHOPPING CENTRE cont'd

- 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 Macleod Traders' Association has requested that the charge amounts in the proposed Scheme remain the same as charge amounts in the current Scheme. Based on a total of 43 properties included in the Scheme, it is proposed that each property will be levied a Special Charge on the current amounts as follows:
 - **Primary Benefit Area:**
 - The area of Aberdeen Road located from property street numbers 34-94 to be recognised in a primary benefit area of Macleod Village and that those properties contribute \$480 per annum.
 - **Secondary Benefit Area**
 - The area of Aberdeen Road located from property street number 20-30 be recognised to be located in a secondary benefit area of Macleod Village and contribute \$375 per annum.
- The inclusion of properties in either a primary or a secondary benefit area on the basis proposed is considered to equitably reflect different levels of special benefit applying to each of the properties in each of the areas.
- Based on the 43 rateable assessments included in the Scheme, an amount of \$19,170 per annum will be raised for a period of five years. This amount will be supplemented by Council's contribution of a further \$18,400 per annum for a period of five years.
- Council's contributions have allowed the Shopping Centre to address many of the physical development, maintenance and amenity issues that the Special Charge proceeds cannot be spent on. For example, Council's contribution can be used for:
 - Physical works;
 - maintenance
 - Infrastructure; and
 - Beautification of the Shopping Centre.
- This joint approach to funding ensures that both the marketing of the Shopping Centre, as well as the physical and social environment is supported by the Scheme.
- Council resolved on 23 April 2012 to cap its contributions at the 2011-12 levels for all of the eleven special rate and/or charge schemes operating within the Council's municipal district (including the Macleod Village Shopping Centre). Accordingly, Council's contribution to the Shopping Centre's Special Charge Scheme renewal is proposed to remain at \$18,400 per annum for the life of the Scheme subject to Council's annual budget process.

NOTICE OF INTENTION TO DECLARE A SPECIAL CHARGE - MACLEOD VILLAGE SHOPPING CENTRE cont'd

Community Engagement

- Macleod Traders' Association has been working over the past few months to review the current program and develop a draft Business Plan (the 2022 Macleod Village Shopping Centre Business Plan). The Business Plan will guide the Centre's business and marketing activities over the next five years in the event that a new Special Charge Scheme is successfully declared.
- The review and consultation process has included:
 - The Traders Association's list of key achievements over the last five years sent to all owners and occupiers (**refer Attachment 3**).
 - Owners and occupiers surveyed in order to give feedback and opinions on past marketing and management activities and suggested activities for the future.
 - Conversations with local businesses.
 - Owners and occupiers invited to a workshop presented by the Macleod Traders' Association to discuss ideas and priorities for the future.
 - Survey responses along with workshop and conversational feedback have been considered in developing priorities for the 2022-2027 Business Plan.
 - Owners and occupiers have received correspondence from Council informing them of the Traders Association's request to renew the Special Charge Scheme.
 - The key directions of the draft 2022-2027 Macleod Village Shopping Centre Business Plan.
- The Business Plan is currently in draft format. Owners and occupiers will be invited to comment on the plan when the official notice of intention letter is distributed.
- The Funding Agreement states that the Traders Association cannot receive any Special Charge payments from Council until a final Business Plan is submitted and approved by Council's Economic Development Unit. It is noted that the Business Plan will be finalised before Council makes its decision on whether to declare a new Special Charge Scheme at its meeting on 5 September 2022. The Funding Agreement further advises that funds raised from the Scheme are to be used in accordance with the Business Plan. As such, any significant deviations from the plan must involve consultation with Council and written approval of Council must be sought.
- To declare a Special Charge Scheme, Council is required to comply with the statutory process under the *Local Government Act 1989 and 2020*. The statutory process provides the community with the opportunity to make a submission and/or an objection to the Council on the proposed Scheme. Council will consider any submissions and take into account any objections in accordance with the *Local Government Act 1989 and 2020* prior to making a final decision.
- In addition to the requirement to give statutory public notice, the community engagement to be undertaken by Council will be in accordance with Council's community engagement policy, the community engagement principles set out in section 56 of the *Local Government Act 2020* and Council's public transparency policy and the public transparency principles set out in section 58 of the *Local Government Act 2020*.

NOTICE OF INTENTION TO DECLARE A SPECIAL CHARGE - MACLEOD VILLAGE SHOPPING CENTRE cont'd

Key Considerations

TIMELINES

- The key process and timelines for Macleod Village Shopping Centre Special Charge Scheme are as follows:
 - Notice of Intention to Declare Council Report – 9 May 2022
 - Public Notice of Proposed Declaration of Special Charge in local newspaper – 17 May 2022
 - Notice of Intention to Declare letter mailed to all property owners and business operators with a copy of the Proposed Declaration of Special Charge Public Notice – 19 May 2022
 - Submissions and Objections due – 17 June 2022
 - Council formally considers submissions and objections received – 15 August 2022 Ordinary Meeting, and
 - Council makes a decision on proposed Scheme at Ordinary Meeting of Council – 5 September 2022

Officer Declaration of Conflict of Interest

- The *Local Government Acts 1989 and 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

No.	Title	Page
1	Proposed Declaration for the Macleod Village Shopping Centre	
2	Key Stages of the Statutory Process	
3	Macleod Village Shopping Centre Flier	

7.3 NOTICE OF INTENTION TO DECLARE SPECIAL CHARGE – EAGLEMONT VILLAGE

Author: Daniela Parisella - Economic Development Officer, City Development

Ward: Griffin

SUMMARY

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

<h3>RECOMMENDATION</h3>

<p>That Council:</p>

NOTICE OF INTENTION TO DECLARE SPECIAL CHARGE – EAGLEMONT VILLAGE cont'd

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

COUNCIL PLAN

- This report is in line with Banyule's Council Plan strategy to "Create distinctive, appealing and thriving shopping centres and industrial precincts that have a local identity and contribute to a strong sense of place".

BACKGROUND

- The *Local Government Act 1989 and 2020* enables Council to levy a special rate or charge on properties within a defined area if it considers that the land in that area will receive a 'special benefit' from the use of funds raised.
- A Special Charge Scheme has operated in the Eaglemont Village since 2002. The current Scheme is a five-year program that expires on 30 June 2022 and raises \$14,400 per annum. This amount has been supported by a Council contribution of \$12,500 per annum to provide a total annual budget of \$26,900. This amount (as a combined sum) has been used for the purposes of marketing,

NOTICE OF INTENTION TO DECLARE SPECIAL CHARGE – EAGLEMONT VILLAGE cont'd

promotions, event delivery, business development, place improvement and beautification of Eaglemont Village.

- An additional property that now falls within and satisfies the scheme criteria. An additional \$600 will be raised by the proposed renewed scheme attributing to the total of \$15,000 levied per annum.
- Council has received a letter from the Eaglemont Village Traders' Association to re-introduce a Special Charge Scheme for the Eaglemont Village retail centre. The letter received from the Association requests that the new Scheme operate over a five-year period, commencing on 1 July 2022 and ending on 30 June 2027.
- The purposes of Council declaring a Special Charge for the Eaglemont Village retail centre include:
 - To defray the expenses incurred by Council in providing funds to the Eaglemont Village Traders' Association, the Association must spend the funds raised by the Special Charge only in accordance with the approval, direction and control of Council; and
 - To spend the funds raised by the Special Charge on contracted support, promotional, advertising, marketing, business development and other incidental expenses associated with the encouragement of commerce, retail and professional activity and employment in the Retail Centre.
- Council is currently undertaking an extensive review into the current retail funding model which will inform the five-year Economic Development Strategy. This review is being completed by external consultants with findings to be delivered to Councillors in May 2022.

KEY ISSUES

- The economic impact of COVID-19 on our retail centres has been significant. The Special Charge Scheme will proactively encourage commerce and business activity within Eaglemont Village at a time when businesses recover from COVID – 19 impacts and will need the support to do so.
- The Eaglemont Village Traders Association and Council believe that the scheme will assist the entire shopping Centre to attract visitation back to the shopping Centre as well as support business through the transition via joint promotion, marketing and business development activities. A Special Charge can play a critical role in helping to fund these activities.

SUPPORTING REPORT DETAILS

Legal Consideration

- There are several legislative processes that must be undertaken when declaring a special rate and/or charge for a shopping Centre (**Refer to Attachment 2**). There are no direct legal implications arising from the recommendation contained in this report.

NOTICE OF INTENTION TO DECLARE SPECIAL CHARGE – EAGLEMONT VILLAGE cont'd

Human Rights Charter

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

Sustainable Procurement Outcomes

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

Financial Implications

- The Eaglemont Village Traders' Association has requested that the charge amounts in the proposed Scheme remain the same as charge amounts in the current Scheme. Based on a total of 25 properties included in the Scheme, it is proposed that each property will be levied a Special Charge of \$600 per annum.
- Based on the 25 rateable assessments included in the Scheme, an amount of \$15,000 per annum will be raised for a period of five years. This amount will be supplemented by Council's contribution of a further \$12,500 per annum for a period of five years.
- Council's contributions have allowed the Retail Centre to address many of the physical development, maintenance and amenity issues that the Special Charge proceeds cannot be spent on. For example, Council's contribution can be used for:
 - Physical works;
 - maintenance
 - Infrastructure; and
 - Beautification of the Shopping Centre.
- This joint approach to funding ensures that both the marketing of the Shopping Centre, as well as the physical and social environment is supported by the Scheme.
- Council resolved on 23 April 2012 to cap its contributions at the 2011-12 levels for all of the eleven special rate and/or charge schemes operating within the Council's municipal district (including the Eaglemont Village). Accordingly, Council's contribution to the Shopping Centre's Special Charge Scheme renewal is proposed to remain at \$12,500 per annum for the life of the Scheme subject to Council's annual budget process.

Community Engagement

- Eaglemont Traders' Association has been working over the past few months to review the current program and develop a draft Business Plan (the Eaglemont Village Business Plan 2022-2027). The Business Plan will guide the Centre's business and marketing activities over the next five years in the event that a new Special Charge Scheme is successfully declared.
- The review and consultation process has included:

NOTICE OF INTENTION TO DECLARE SPECIAL CHARGE – EAGLEMONT VILLAGE cont'd

- The Traders Association's list of key achievements over the last five years sent to all owners and occupiers (**refer Attachment 3**).
 - Owners and occupiers surveyed in order to give feedback and opinions on past marketing and management activities and suggested activities for the future.
 - Conversations with local businesses.
 - Owners and occupiers invited to a workshop presented by the Eaglemont Village Traders' Association to discuss ideas and priorities for the future.
 - Survey responses along with workshop and conversational feedback have been considered in developing priorities for the 2022-2027 Business Plan.
 - Owners and occupiers have received correspondence from Council informing them of the Traders Association's request to renew the Special Charge Scheme.
 - The key directions of the draft Eaglemont Village Business Plan 2022-2027.
- The Business Plan is currently in draft format. Owners and occupiers will be invited to comment on the plan when the official notice of intention letter is distributed.
 - The Funding Agreement states that the Traders Association cannot receive any Special Charge payments from Council until a final Business Plan is submitted and approved by Council's Economic Development Unit. It is noted that the Business Plan will be finalised before Council makes its decision on whether to declare a new Special Charge Scheme at its meeting on 5 September 2022. The Funding Agreement further advises that funds raised from the Scheme are to be used in accordance with the Business Plan. As such, any significant deviations from the plan must involve consultation with Council and written approval of Council must be sought.
 - To declare a Special Charge Scheme, Council is required to comply with the statutory process under the *Local Government Act 1989* and 2020. The statutory process provides the community with the opportunity to make a submission and/or an objection to the Council on the proposed Scheme. Council will consider any submissions and take into account any objections in accordance with the *Local Government Act 1989 and 2020* prior to making a final decision.
 - In addition to the requirement to give statutory public notice, the community engagement to be undertaken by Council will be in accordance with Council's community engagement policy, the community engagement principles set out in section 56 of the *Local Government Act 2020* and Council's public transparency policy and the public transparency principles set out in section 58 of the *Local Government Act 2020 Act*.

Key Considerations

TIMELINES

- The key process and timelines for Eaglemont Village Special Charge Scheme are as follows:

NOTICE OF INTENTION TO DECLARE SPECIAL CHARGE – EAGLEMONT VILLAGE cont'd

- Notice of Intention to Declare Council Report – 9 May 2022
- Public Notice of Proposed Declaration of Special Charge in local newspaper – 17 May 2022
- Notice of Intention to Declare letter mailed to all property owners and business operators with a copy of the Proposed Declaration of Special Charge Public Notice – 19 May 2022
- Submissions and Objections due – 14 June 2022
- Council formally considers submissions and objections received – 15 August 2022 Ordinary Meeting, and
- Council makes a decision on proposed Scheme at Ordinary Meeting of Council – 5 September 2022

Officer Declaration of Conflict of Interest

- The *Local Government Act 1986 and 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

No.	Title	Page
1	Proposed Declaration of Special Charge - Eaglemont Village	
2	The Statutory Process Key Stages	
3	Eaglemont Village Flyer	

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

Author: Daniela Parisella - Economic Development Officer, City Development

Ward: Bakewell

SUMMARY

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

NOTICE OF INTENTION TO DECLARE SPECIAL RATE AND CHARGE – GREENSBOROUGH TOWN CENTRE cont'd

and take into account any objections in accordance with the *Local Government Act 1989* prior to making a final decision.

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

RECOMMENDATION

That Council:

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

**NOTICE OF INTENTION TO DECLARE SPECIAL RATE AND CHARGE –
GREENSBOROUGH TOWN CENTRE cont'd**

COUNCIL PLAN

- This report is in line with Banyule's Council Plan strategy to "Create distinctive, appealing and thriving shopping centres and industrial precincts that have a local identity and contribute to a strong sense of place".

BACKGROUND

- The *Local Government Act 1989* enables Council to levy a special rate or charge on properties within a defined area if it considers that the land in that area will receive a 'special benefit' from the use of funds raised.
- A Special Rate and Charge Scheme has operated in the Greensborough Town Centre since the late 1990's. The current Scheme is a five-year program that expires on 30 June 2022 and raises \$180,000 per annum. This amount has been supported by a Council contribution of \$105,000 per annum to provide a total annual budget of \$285,000. This amount (as a combined sum) has been used for the purposes of marketing, promotions, event delivery, business development, place improvement and beautification of Greensborough Town Centre
- Council has received a letter from the Greensborough Chamber of Commerce to re-introduce a Special Rate and Charge Scheme for the Greensborough Town Centre. The letter received from the Association requests that the new Scheme operate over a five-year period, commencing on 1 July 2022 and ending on 30 June 2027. In addition, the Greensborough Chamber of Commerce has requested the following:
 - 1) That Council raise the annual amount levied by \$20,000 per annum which equates to an additional \$100,000 over the life of the scheme
 - 2) The Council raise increases its capped contribution from \$105,000 per annum to \$200,000 per annum which equates to an additional \$475,000 over the life of the scheme.
- An extensive review has been undertaken by Officers to determine whether there is evidence-based justification for an increase to the levy. This review has included:
 - Engagement with the Greensborough Chamber of Commerce
 - Consideration of the Five-year Draft Greensborough Town Centre Strategic Business Plan
 - An analysis of the 2021-2022 budget provided by the Greensborough Chamber of Commerce.
 - An analysis of budget surplus during the life of the existing scheme.
- Council Officers have determined that the request for an increase to the levy is not justified based on a projected surplus of over \$63,000 at the end of the 2021/2022 financial year and a history of significant carry over averaging over \$100,000 per annum from 2017 to 2020 (according to cash flow statements tendered by the Chamber). In addition, no evidence has been forth coming by the Chamber to support the increase in levy and the return of investment to Council and to scheme participants.
- The purposes of Council declaring a Special Rate and Charge for the Greensborough Town Square include:

NOTICE OF INTENTION TO DECLARE SPECIAL RATE AND CHARGE – GREENSBOROUGH TOWN CENTRE cont'd

- To defray the expenses incurred by Council in providing funds to the Greensborough Chamber of Commerce, the Association must spend the funds raised by the Special Rate and Charge only in accordance with the approval, direction and control of Council; and
- To spend the funds raised by the Special Rate and Charge on contracted support, promotional, advertising, marketing, business development and other incidental expenses associated with the encouragement of commerce, retail and professional activity and employment in the Retail Centre.
- Council is currently undertaking an extensive review into the current retail funding model which will inform the five-year Economic Development Strategy. This review is being completed by external consultants with findings to be delivered to Councillors in May 2022.

KEY ISSUES

- The economic impact of COVID-19 on our retail centres has been significant. The Special Charge Scheme will proactively encourage commerce and business activity within Greensborough Town Centre at a time when businesses recover from COVID – 19 impacts and will need the support to do so.
- The Greensborough Chamber of Commerce and Council believe that the scheme will assist the entire shopping Centre to attract visitation back to the Town Centre as well as support business through the transition via joint promotion, marketing and business development activities. A Special Rate and Charge can play a critical role in helping to fund these activities.

SUPPORTING REPORT DETAILS

Legal Consideration

There are several legislative processes that must be undertaken when declaring a special rate and/or charge for a shopping Centre (Refer to Attachment 2). 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 Greensborough Chamber Of Commerce has requested that the rate and charge amounts in the proposed Scheme remain the same as rate and charge amounts in the current Scheme. Based on a total of 364 properties included in

NOTICE OF INTENTION TO DECLARE SPECIAL RATE AND CHARGE – GREENSBOROUGH TOWN CENTRE cont'd

the Scheme, it is proposed that each property will be levied a Special Rate or Charge as follows:

- **Primary Benefit Area:** Properties included in the Scheme that are located outside of the Greensborough Plaza on Main Street, Grimshaw Street, Flintoff Street, Para Road and Hailes Street East will be levied a Special Rate based on the capital improved value of each property multiplied by an amount of 0.07347, combined with a minimum charge of \$300 in each year. The total amount raised in each year from properties located in a primary benefit area is \$144,151.
 - **Secondary Benefit Area:** Properties included in the Scheme that are located within the Greensborough Plaza complex will be levied a flat charge of \$200 in each year. The total amount raised in each year from properties located in the secondary benefit area is \$35,850.
- Based on the 364 rateable assessments included in the Scheme, an amount of \$180,000 per annum will be raised for a period of five years. This amount will be supplemented by Council's contribution of a further \$105,000 per annum for a period of five years.
 - Council's contributions have allowed the Retail Centre to address many of the physical development, maintenance and amenity issues that the Special Rate and Charge proceeds cannot be spent on. For example, Council's contribution can be used for:
 - Physical works;
 - maintenance
 - Infrastructure; and
 - Beautification of the Shopping Centre.
 - This joint approach to funding ensures that both the marketing of the Shopping Centre, as well as the physical and social environment is supported by the Scheme.
 - Council resolved on 23 April 2012 to cap its contributions at the 2011-12 levels for all of the eleven special rate and/or charge schemes operating within the Council's municipal district (including the Greensborough town Centre). Accordingly, Council's contribution to the Shopping Centre's Special Charge Scheme renewal is proposed to remain at \$105,000 per annum for the life of the Scheme subject to Council's annual budget process.

Community Engagement

- Greensborough Chamber of Commerce has been working over the past few months to review the current program and develop a draft Business Plan (the Greensborough Town Centre Business, Place Making and Marketing Plan 2022-2027). The Business Plan will guide the Centre's business and marketing activities over the next five years in the event that a new Special Rate and Scheme is successfully declared.
- The review and consultation process has included:

NOTICE OF INTENTION TO DECLARE SPECIAL RATE AND CHARGE – GREENSBOROUGH TOWN CENTRE cont'd

- The Traders Association's list of key achievements over the last five years sent to all owners and occupiers (refer Attachment 3).
 - Owners and occupiers surveyed in order to give feedback and opinions on past marketing and management activities and suggested activities for the future.
 - Conversations with local businesses.
 - Owners and occupiers invited to a workshop presented by the Greensborough Chamber of Commerce to discuss ideas and priorities for the future.
 - Survey responses along with workshop and conversational feedback have been considered in developing priorities for the Draft Greensborough Strategic Business Plan 2022-2027.
 - Owners and occupiers have received correspondence from Council informing them of the Traders Association's request to renew the Special Charge Scheme.
 - The key directions of the Draft Greensborough Strategic Business Plan 2022-2027.
- The Business Plan is currently in draft format. Owners and occupiers will be invited to comment on the plan when the official notice of intention letter is distributed.
 - The Funding Agreement states that the Traders Association cannot receive any Special Rate and Charge payments from Council until a final Business Plan is submitted and approved by Council's Economic Development Unit. It is noted that the Business Plan will be finalised before Council makes its decision on whether to declare a new Special Rate and Charge Scheme at its meeting on 5 September 2022. The Funding Agreement further advises that funds raised from the Scheme are to be used in accordance with the Business Plan. As such, any significant deviations from the plan must involve consultation with Council and written approval of Council must be sought.
 - To declare a Special Rate and Charge Scheme, Council is required to comply with the statutory process under the *Local Government Act 1989*. The statutory process provides the community with the opportunity to make a submission and/or an objection to the Council on the proposed Scheme. Council will consider any submissions and take into account any objections in accordance with the *Local Government Act 1989* prior to making a final decision.
 - In addition to the requirement to give statutory public notice, the community engagement to be undertaken by Council will be in accordance with Council's community engagement policy, the community engagement principles set out in section 56 of the *Local Government Act 2020* and Council's public transparency policy and the public transparency principles set out in section 58 of the 2020 Act.

Key Considerations

TIMELINES

- The key process and timelines for Greensborough Town Square Special Rate and Charge Scheme are as follows:

NOTICE OF INTENTION TO DECLARE SPECIAL RATE AND CHARGE – GREENSBOROUGH TOWN CENTRE cont'd

- Notice of Intention to Declare Council Report – 9 May 2022
- Public Notice of Proposed Declaration of Special Charge in local newspaper – 17 May 2022
- Notice of Intention to Declare letter mailed to all property owners and business operators with a copy of the Proposed Declaration of Special Charge Public Notice – 19 May 2022
- Submissions and Objections due – 17 June 2022
- Council formally considers submissions and objections received – 15 August 2022 Ordinary Meeting, and
- Council makes a decision on proposed Scheme at Ordinary Meeting of Council – 5 September 2022

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

No.	Title	Page
1	Proposed Declaration of Intention Greensborough Town Square	
2	The Statutory Process	
3	Greensborough Town Square Key Achievement Flyer	

8.1 AWARD OF CONTRACT NO. MAV DO60125 - PROVISION OF PARK AND PLAYGROUND EQUIPMENT & ASSOCIATED PRODUCTS AND SERVICES

Author: Tylah Ingram - Project Manager, City Development

SUMMARY

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

RECOMMENDATION

That Council:

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

**AWARD OF CONTRACT NO. MAV DO60125 - PROVISION OF PARK AND PLAYGROUND EQUIPMENT & ASSOCIATED PRODUCTS AND SERVICES
cont'd**

COUNCIL PLAN

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

TENDER DETAILS

Contract Period	Initial Contract Term of 3 Years commencing 01 February 2022 and ending 31 January 2025, and 2 optional extension periods of 12 months with final expiry 31 January 2027.
Contract Type	Goods and Services (park and playground equipment and associated services)
Advertising Period	30 September 2021 in the Age
Tenders Closed	21 October 2021
No. of tender documents downloaded	31 Tenders received
Tender Evaluation Panel	Kim Dowling – Contract Manager MAV Bowen Wu – Senior Contract Manager MAV Isaac Cirag – Category Management Partner Wyndham City Todd Orme – Senior Procurement Specialist – City of Greater Geelong
Tender Evaluation Criteria	<p>Mandatory (unweighted)</p> <ul style="list-style-type: none"> • Commercial • Categories <p>Qualitative & Financial</p> <ul style="list-style-type: none"> • Ability to meet Specifications • Capacity & Capability • (Resources, facilities & staffing) • Experience • Contract Management • Corporate Social Responsibility & Environmental Competence • Pricing
Other Background	<ul style="list-style-type: none"> • MAV Procurement on behalf of councils, issued a Request for Tender (RFT) for the Provision of Parks & Playground Equipment and other associated Products and Services. • The scope of products and services include: <ul style="list-style-type: none"> ○ Category 1 – Park, playground and fitness equipment ○ Category 2 – Outdoor furniture, lighting & signage ○ Category 3 – Park & landscape structures ○ Category 4 – Associated services

AWARD OF CONTRACT NO. MAV DO60125 - PROVISION OF PARK AND PLAYGROUND EQUIPMENT & ASSOCIATED PRODUCTS AND SERVICES
cont'd

	<ul style="list-style-type: none">• The ability to purchase parks & playground equipment, and other associated products and services at the most cost-effective price and process is critical in ensuring that Council's operational expenses are minimised.• Council will utilise this contract to purchase and install park, playground and fitness equipment, outdoor furniture and other landscape products and services associated with the annual capital works delivery and asset maintenance programs.• The panel of prequalified suppliers is accessible by Council via the MAV Vendor Panel Portal.• Purchases of parks & playground equipment and other associated products and services, will be made via the issue of requests for quote (RFQs) to the panel of prequalified suppliers.
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TENDER/QUOTATION EVALUATION

- The MAV undertook the following tender evaluation process:
 - Conducted a thorough tender evaluation process, including initial compliance check, qualitative assessment, criteria assessment and pricing assessment to determine an overall value proposition.
 - An initial compliance check was conducted by MAV Procurement to identify any submissions that were non-conforming. All 31 tenders received were deemed conforming and processed through to the next phase of the evaluation
 - The qualitative criteria assessment for each Category was carried out by the TEP. All applicants were assessed against the qualitative selection criteria. Specific criteria were weighted according to their importance as perceived and agreed prior to tender closing by the TEP in a Tender Evaluation Plan. The TEP scored the tenders against the criteria using the scoring scales.
 - The tender evaluation criterion of Corporate Social Responsibility, focused on Social and Sustainable Procurement impacts including efficient quality/environmental systems and management, whilst also focusing on ethical sourcing within supply chains. Tenderers who demonstrated commitment to ethical sourcing received higher scores.
 - Tenderers were required to meet a minimum overall score of 65% to ensure a strong understanding and commitment to the tender requirements to deliver the complete range of services required.
 - The TEP undertook the pricing comparison of the tenders. given that the range of products and services offered by suppliers was significantly varied, pricing was difficult for the TEP to compare.
 - As many of the products and services provided through the tender are based upon specific council requirements, the contract will be structured in a manner which encourages councils to seek quotations from the panel

**AWARD OF CONTRACT NO. MAV DO60125 - PROVISION OF PARK AND PLAYGROUND EQUIPMENT & ASSOCIATED PRODUCTS AND SERVICES
cont'd**

of suppliers, to ensure the most competitive and value for money outcome for each individual project.

- Post the evaluation of the tenders, the MAV/NPN Tender Evaluation Panel recommended that the following fourteen (14) tenders over the four categories were accepted and appointed to the panel.

Supplier	Cat 1: Park, Playground and Fitness	Cat 2: Outdoor furniture, lighting and signage	Cat 3: Park and landscape structures	Cat 4: Associated Services
A_SPACE AUSTRALIA PTY LTD t/a a_space australia Pty Ltd (a_space)	Yes	No	No	No
ADVENTURE PLAYGROUNDS PTY LTD t/a adventure+	Yes	No	No	No
AREA SAFE PRODUCTS PTY LTD t/a Astra Street Furniture	No	Yes	No	No
ASCO GROUP (AUST) PTY LTD t/a ASCO GROUP (AUST) PTY LTD	No	Yes	Yes	Yes
COMMON GROUND TRAILS PTY LTD t/a Common Ground Trails	Yes	No	No	Yes
CRS CREATIVE RECREATION SOLUTIONS PTY LIMITED t/a CRS CREATIVE RECREATION SOLUTIONS	Yes	Yes	Yes	No
D.A. CHRISTIE PTY. LTD. t/a Christie Barbecues (Sales)	No	Yes	No	No
GR Design & Construct Pty Ltd t/a GR Design and Construct Pty Ltd	No	No	Yes	Yes
Greenplate Pty Ltd t/a Greenplate Pty Ltd	No	Yes	No	No
GRILLEX PTY LTD t/a Grillex Pty Ltd (Sales & Marketing)	No	Yes	Yes	No
KOMPAN PLAYSCAPE PTY. LTD. t/a KOMPAN Australia	Yes	Yes	No	No
Landmark Engineering & Design Pty Ltd t/a Modus Australia (Modus Australia)	Yes	Yes	Yes	Yes
LANDMARK PRODUCTS PTY LTD t/a Landmark Products (Landmark Products) <i>Furphy parent company</i>	No	Yes	Yes	Yes
M & N Enterprises Pty Ltd t/a Playscape Creations	Yes	No	No	Yes

Council Requirements

- Opting in to this contract will assist Council staff with the procurement process as this category comprises of high-volume purchases, which results in significant spend over the life of the contract.

**AWARD OF CONTRACT NO. MAV DO60125 - PROVISION OF PARK AND PLAYGROUND EQUIPMENT & ASSOCIATED PRODUCTS AND SERVICES
cont'd**

- The contract offers a wide range of products and services at competitive rates and will ensure Council's spend is covered under the necessary contractual procedures.
- Council intends to opt in to all the categories on offer to cover the anticipated requirements and will engage suppliers as required.
 - Category 1 – Park, Playground and Fitness Equipment;
 - Category 2 – Outdoor Furniture, Lighting and Signage;
 - Category 3 – Park and Landscape Structures; and
 - Category 4 – Associated Services.
- All suppliers awarded under the nominated categories provide services in Melbourne metropolitan area.
- The panel of suppliers is accessible by Council via the MAV Vendor Panel Portal.
- Purchases of park and playground equipment and associated products and services will be made via the issue of requests for quote (RFQs) to the panel of prequalified suppliers in accordance with Council's Procurement Policy.

SUPPORTING REPORT DETAILS

Legal Consideration

- Section 109(1) of the *Local Government Act 2020* requires councils to comply with their Procurement Policy, which stipulates a public tender process is required for the procurement of goods, services or works where once-off or ongoing cumulative spend over the life of the contract is expected to exceed \$300,000 (including GST).
- The awarding of this contract complies with the tendering provisions of Section 109(1) 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.

Sustainable Procurement Outcomes

- The tender evaluation criterion of Corporate Social Responsibility, focused on Social and Sustainable Procurement impacts including efficient quality/environmental systems and management, whilst also focusing on ethical sourcing within supply chains.
- There are no sustainable procurement activities arising from the recommendation contained in this report.

**AWARD OF CONTRACT NO. MAV DO60125 - PROVISION OF PARK AND PLAYGROUND EQUIPMENT & ASSOCIATED PRODUCTS AND SERVICES
cont'd**

Financial Implications

- Council currently has a range of sources of funding available including:
 - \$630,000 for the Playground Replacement Program,
 - \$30,000 for Active recreation
 - \$146,578 for Playground Maintenance
 - \$125,000 for Public Transport Infrastructure

Additional information

- Attachment 1, as circulated in the confidential section of the agenda attachments. The information is designated as Confidential Information in accordance with Section 66(2)(a) of the *Local Government Act 2020* (as amended); as it contains confidential information relating to private commercial information being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.
- This item has been included in the public agenda to facilitate transparency and accountability in Council's decision making.

Banyule Procurement Policy

- Council's Procurement Policy is made under Section 108 of the *Local Government Act 2020*. *Local Government Act 2020* and the Procurement Policy of Council are the primary reference points for how all procurement should be performed.
- The Policy specifies the principles, processes and procedures applying in respect of the purchase of goods and services by the Council
- The process for inviting quotations and evaluation was undertaken in accordance with the Policy.

Officer Declaration of Conflict of Interest

- Council officers involved in the preparation of this report have no conflict of interest in this matter.
- In undertaking the assessment, all members of the TEP completed and signed the Conflict of Interest and confidentiality declaration, and no conflicts were declared.

ATTACHMENTS

No.	Title	Page
1	MAV DO60125 - TENDER EVALUATION PANEL RECOMMENDATION REPORT - CONFIDENTIAL	

8.2 RECORD OF COUNCILLOR MEETINGS

Author: Nicholas Van - Council Business Officer, Executive

SUMMARY

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

If there is a meeting of Councillors that:

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

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

Record of Meetings

1	Date of Meeting:	4/4/2022
	Type of Meeting:	Councillor Briefing
	Matters Considered:	
	<ul style="list-style-type: none"> • LXP <ul style="list-style-type: none"> ○ ○ Greensborough Carpark upgrade ○ ○ Hurstbridge Line update • North East Link Project (NELP) update • Final draft budget supporting documents for community engagement 	
Councillors Present:		
Peter Castaldo Alison Champion Mark Di Pasquale Rick Garotti Tom Melican Fiona Mitsinikos		
Staff Present:		

RECORD OF COUNCILLOR MEETINGS cont'd

	<ul style="list-style-type: none"> • Allison Beckwith - Chief Executive Officer • Darren Bennett – Director Assets & City Services • Marc Giglio – Director Corporate Services • Natasha Swan – Director City Development • Kath Brackett – Director Community Programs • Kerry Woods – Executive & Councillors Team Leader • Jonathan Risby – Manager Transport • Daniel Fantin – Major Property Projects Coordinator • Lucy Rasdell – Manager Strategic Properties & Projects • Paul Bellis – Transport Planning & Advocacy Coordinator • Karen Leeder – Manager City Futures 		
	<p>Others Present:</p> <p>Level Crossing Removal Authority</p> <ul style="list-style-type: none"> • Andrew Peplinkhouse – Program Director • John Matta – Director • Neil Rankin – Senior Project Manager • Michael Bermingham – Stakeholder Relations and Communications • Stephanie Eggleston • Andrew Brenchley • Scott Nicholls <p>North East Link</p> <ul style="list-style-type: none"> • Duncan Elliott – CEO • Michael Caink – Delivery Director Central • Marco Di Pietro – Package Director • Paul Yerondais – Spark Consortium 		
	<table border="1" style="width: 100%;"> <tr> <td style="width: 35%;">Conflict of Interest:</td> <td><i>NIL</i></td> </tr> </table>	Conflict of Interest:	<i>NIL</i>
Conflict of Interest:	<i>NIL</i>		

2	<table border="1" style="width: 100%;"> <tr> <td style="width: 35%;">Date of Meeting:</td> <td>11/4/2022</td> </tr> <tr> <td>Type of Meeting:</td> <td>Council Pre-Meeting Briefing</td> </tr> </table>	Date of Meeting:	11/4/2022	Type of Meeting:	Council Pre-Meeting Briefing
Date of Meeting:	11/4/2022				
Type of Meeting:	Council Pre-Meeting Briefing				
	<p>Matters Considered:</p> <ul style="list-style-type: none"> • Over Development of Wattle Avenue, Montmorency • Cricket Club COVID relief for season 2021/22 • Banyule Integrated Transport Plan and Transport Advocacy Update • 15 - 17 Flintoff Street - Commuter Car Park & Bus Interchange - Advocacy for Future Development • Housing and Neighbourhood Character Review • 10 Year Asset Plan • Suite 2.01 1 Flintoff St Greensborough and part 7 Flintoff St, Greensborough - Proposed Lease to Albury Wodonga Community College Limited • Ivanhoe Aquatic Redevelopment Stage 2 - Concept Design • Proposed Budget 2022-2026 for public consultation • Revised Financial Plan 2022-2032 for public consultation • Revised Revenue and Rating Plan 2022-2026 for public consultation 				

RECORD OF COUNCILLOR MEETINGS cont'd

<ul style="list-style-type: none"> • Council Plan 2021-2025 - Preparation of Year 2 Annual Action Plan 2022/2023 • Mayor, Deputy Mayor and Councillor Allowances • Making of Governance Local Law No. 2 (2022) • 2022 Federal Election - Australian Local Government Association Advocacy Campaign • Record of Councillor Meetings 	
<p>Councillors Present:</p> <ul style="list-style-type: none"> • Peter Castaldo • Alison Champion • Mark Di Pasquale • Rick Garotti • Alida McKern • Tom Melican • Fiona Mitsinikos • Elizabeth Nealy 	
<p>Staff Present:</p> <ul style="list-style-type: none"> • Allison Beckwith - Chief Executive Officer • Darren Bennett – Director Assets & City Services • Marc Giglio – Director Corporate Services • Natasha Swan – Director City Development • Roberta Colosimo – Acting Director Community Wellbeing • Gina Burden – Manager Corporate Governance & Communication • Jonathan Risby – Manager Transport & Environment • Krysten Forte – Governance Coordinator • Nick Van – Council Business Officer • Tania O'Reilly – Manager Finance and Procurement 	
<p>Others Present: Nil</p>	
<p>Conflict of Interest:</p>	<p>Nil</p>

3	<p>Date of Meeting:</p>	<p>4/4/2022</p>
	<p>Type of Meeting:</p>	<p>CONFIDENTIAL Councillor Briefing</p>
	<p>Matters Considered:</p> <p>Potential sale of land</p>	
	<p>Councillors Present:</p> <p>Peter Castaldo Alison Champion Peter Dimarelos Mark Di Pasquale Rick Garotti Tom Melican Fiona Mitsinikos Elizabeth Nealy</p>	

RECORD OF COUNCILLOR MEETINGS cont'd

Staff Present:	
<ul style="list-style-type: none"> • Allison Beckwith - Chief Executive Officer • Darren Bennett – Director Assets & City Services • Marc Giglio – Director Corporate Services • Natasha Swan – Director City Development • Kath Brackett – Director Community Programs • Kerry Woods – Executive & Councillors Team Leader 	
Others Present:	
Lucy Rasdell - Manager Strategic Properties & Projects	
Daniel Fantin - Major Property Projects Coordinator	
Conflict of Interest:	NIL

4	Date of Meeting:	29/3/2022
	Type of Meeting:	Watsonia Town Square Community Reference Group Meeting
	Matters Considered:	
	<ul style="list-style-type: none"> • Watsonia Town Square – Preferred Concept Design • Intersection Options and Car Parking Losses 	
	Councillors Present:	
	<ul style="list-style-type: none"> • Alison Champion • Mark Di Pasquale • Rick Garotti 	
	Staff Present:	
<ul style="list-style-type: none"> • Jonathan Risby – Manager Transport & Environment • Lucy Rasdell – Manager Strategic Properties and Projects • Erica Hardie - Senior Project Manager 		
Others Present:		
<ul style="list-style-type: none"> • The Hon Colin Brooks MP • Alexander Madden • Acacia Karabatsos • Jeremy Richards, Watsonia Traders Association • Hesham Mobarek, Watsonia Traders Association • Matthew Guest, Watsonia RSL • Paul Parrella • Sarah Maguire, Watsonia Traders Association • Susannah Madden • Rev Denise Nicholls, Anglican Parish of Banyule • Rita Fernandes, Group GSA 		
Conflict of Interest:	Nil	

5	Date of Meeting:	13/4/2022
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RECORD OF COUNCILLOR MEETINGS cont'd

Type of Meeting:	Banyule Reconciliation Action Plan Advisory Committee Meeting
Matters Considered:	<ul style="list-style-type: none">• Victorian Aboriginal Local Government Strategy• RAP Priority Actions for discussion, feedback and consultation• RAP Annual Report• Barrbunin Beek Update:
Councillors Present:	<ul style="list-style-type: none">• Peter Castaldo• Peter Dimarelos
Staff Present:	<ul style="list-style-type: none">• Roberta Colosimo – Manager Family and Community Services• Blair Colwell – Barrbunin Beek Coordinator
Others Present:	<ul style="list-style-type: none">• Maddie Miller• Julio Estorninho• Uncle Charles Pakana• Walley Johnson• Shane Grigg• Shelly Ware• Tom Conley• Sue Harris• Terry Makin Rita Fernandes, Group GSA
Conflict of Interest:	Nil

RECOMMENDATION

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

ATTACHMENTS

Nil

8.3 QUARTERLY FINANCIAL MANAGEMENT REPORT - MARCH 2022

Author: Michael Fan - Financial Performance & Planning Coordinator, Corporate Services

SUMMARY

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

Financial Performance

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

Capital Works Performance

6. As of 31 March 2021, a total of \$21.57m has been spent on capital works.

QUARTERLY FINANCIAL MANAGEMENT REPORT - MARCH 2022 cont'd

7. The capital works expenditure is forecast to be \$54.10m including \$13.22m of estimated carry forwards projects to the 2022/23 financial year (the adopted capital budget is \$66.75m).

RECOMMENDATION

That Council note:

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

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 31 March 2022 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).

KEY ISSUES

Financial Sustainability

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

March 2022	Net Results	Adjusted Underlying Results	Liquidity	Internal Financing	Indebtedness	Capital Replacement	Renewal Gap
Forecast	4.50%	(4.69%)	2.02	60.82%	16.38%	2.40	2.25

Note: The 2022/23 Economic Support Package and COVID business impact has significantly impacted on the adjusted underlying results.

QUARTERLY FINANCIAL MANAGEMENT REPORT - MARCH 2022 cont'd

- The Adjusted Underlying Results measures an entity's ability to generate surplus in the ordinary course of business.
- The 'red' Adjusted Underlying Results will be managed through continuing to maintain the operational returns and maximising revenue from commercial activities and property sales over the next few years. In a normal year, Council aims for 5% or greater against the ratio.
- The 'red' Internal Financing for 2021/22 measures Banyule's ability to finance capital works using cash generated by operating cash flows. The Capital works expenditure that is forecast to be funded from operating cash flow is 60.82% for 2021/22 (100% or greater is financially sustainable).
- With the COVID-19 financial impacts and forecast adjustment of Economic Support Package on Banyule's future cash flow, Net Results, Adjusted Underlying Results and Internal Financing will continue to be impacted throughout the year.

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.

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

- This Quarterly Financial Management Report is for the period ended 31 March 2022 and provides assessment of the following:
 - Key income and expenditure actual operating results against budget
 - Capital Works financial performance
 - COVID-19 financial impact
 - Other key financial indicators
- The March forecast is projected to be a \$7.53m surplus compared to the adopted budget surplus of \$14.58m (a \$7.05m unfavourable movement).
- The 2021/22 underlying operating deficit is forecast to be \$7.83m compared to a budgeted underlying deficit result of \$1.19m (a \$6.64m unfavourable movement).

QUARTERLY FINANCIAL MANAGEMENT REPORT - MARCH 2022 cont'd

- As of 31 March 2022, a total of \$21.57m has been spent on capital works.
- The capital works expenditure is forecast to be \$54.10m (the adopted capital budget is \$66.75m).
- The economic disruption caused by COVID-19 is anticipated to have had an additional \$3.57m net financial cost impact on Council's businesses than anticipated in the adopted budget. With continued uncertainty and COVID-19 restrictions the flow on financial outcomes will continue to impact on the forecast.

The Council's \$1.50m Economic Support Package has been reforecast to \$3.54m to include further \$1.73m of funding to support the Banyule community and local business.**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

No.	Title	Page
1	Quarterly Financial Management Report - March 2022	
2	Capital Works Project Monthly Update - March 2022	