



***Ordinary Meeting of Council***  
***Council Chambers, Service Centre***  
***275 Upper Heidelberg Road, Ivanhoe***  
***9 November 2015 commencing at 7.45pm***

**MINUTES**

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**EXTENSION OF PUBLIC FORUM**

(CO2015/381)

**Resolution**

That the Public Forum be extended until 8.05pm

Moved: Cr Jenny Mulholland

Seconded: Cr Tom Melican

CARRIED

The Meeting opened at 8.05pm.

**Acknowledgement of the Traditional Owner, the Wurundjeri willam people**

The Mayor read an acknowledgement of the traditional land owners, the Wurundjeri willam people.

**Present**

Mayor Cr Craig Langdon, Cr Steven Briffa, Cr Wayne Phillips, Cr Mark Di Pasquale, Cr Rick Garotti, Cr Tom Melican, Cr Jenny Mulholland.

**Apologies**

Nil

**Leave of Absence**

Cr Rick Garotti submitted a leave of absence for the period 28 November 2015 – 15 January 2016 inclusive.

Moved: Cr Jenny Mulholland

Seconded: Cr Craig Langdon

CARRIED

**Confirmation of Minutes**

That the following Minutes be confirmed:

*Ordinary Meeting of Council held 19 October 2015*

*Special Meeting of Council held 22 October 2015*

Moved: Cr Jenny Mulholland

Seconded: Cr Tom Melican

CARRIED

**Disclosure of Interests**

Nil

**Presentation**

A 1 minute silence was held in respect of Remembrance Day.

**AMEND ORDER OF BUSINESS***(CO2015/382)***Resolution**

That the Order of Business be amended so that item 9.1 and 9.2 are considered before item 1.1 prior to proceeding with the Agenda as listed.

Moved: Cr Jenny Mulholland

Seconded: Cr Tom Melican

CARRIED

**9.1 LOCAL LIVEABILITY**

Cr Jenny Mulholland advised of the recent *Age Domain Annual Liveability Index* report issued by Deloitte Access Economic & Tract Consultants.

Cr Mulholland mentioned the ranking of suburbs within Banyule as follows:

Bellfield – Ranked 114

Briar Hill – Ranked 165

Bundoora – Ranked 208

Eaglemont – Ranked 148

Greensborough – Ranked 168

Heidelberg – Ranked 106

Heidelberg Heights – Ranked 194

Heidelberg West – Ranked 182

Ivanhoe – Ranked 8

Ivanhoe East – Ranked 92

Lower Plenty – Ranked 162

Macleod – Ranked 141

Montmorency – Ranked 125

Rosanna – Ranked 121

St Helena – Ranked 159

Viewbank – Ranked 110

Watsonia – Ranked 132

Watsonia Norther – Ranked 170

Yallambie – Ranked 180.

**9.2 OUTGOING MAYOR THANK YOU**

Cr Craig Langdon took the opportunity to reflect on his previous two terms as Mayor and thank everyone for their support.

Cr Langdon thanked his fellow Councillors, CEO and Banyule staff, the public gallery and residents of Banyule and the Heidelberg Leader for the past two years.

Cr Langdon noted he is particularly honoured to hold the position of Mayor during 2015, the centennial of Anzac Day.

Cr Langdon noted his past role as a Member for Parliament for over 14 years and further commented how important he considered the role of Mayor to be.

Cr Langdon commented on the important events he attended as Mayor and what an honour it is and how he hoped the new Mayor can attend as many as possible. Cr Langdon also mentioned the establishments of the Citizen of the Year, Multicultural Citizen of the Year and the Aboriginal Citizen of the Year which, with the help of his colleagues, have been introduced during his term.

## 1. PETITIONS

### 1.1 PETITION IN RELATION TO OPERATIONS AT 35 SHERBOURNE ROAD, BRIAR HILL

Sheila Matthews and Kevin Biaggini spoke on the item.

#### EXECUTIVE SUMMARY

A petition with eleven signatures has been received from owners and occupiers of properties in Gladstone Road and Mountain View Road, Briar Hill.

The petition prayer is as follows:

*"We the undersigned, residents and ratepayers of Banyule City wish to bring to the attention of Council:*

*The noise from the Razor automated carwash system installed in the Crystal Clean Carwash, cnr Gladstone Rd and Sherbourne Rd Briar Hill.*

*This machine*

- 1. Operates from 6am to 9pm, 7 days a week. This can be an hour or more before sunrise, including weekends.*
- 2. It is set to give vocal instructions to drivers however, the noise hits surrounding homes at up to 60 decibels and permeates every room inside homes of closest properties at the level of loud conversation.*
- 3. It sometimes operates continuously for hours on a weekend depending on customer demand.*
- 4. The initial phase "beep beep beep, drive forward, beep beep beep, drive forward" can run from 5 to 50 times depending on the speed of the customer to correctly position the car.*
- 5. A wrongly positioned car brings louder computerised alarms and commands.*
- 6. Each part of the wash process is vocalised to the driver at the same loud volume.*
- 7. This wash unit was installed without consideration of, or consultation with, local residents.*

*The effect it has:*

- 1. This is becoming a mental health issue for surrounding residents.*
- 2. There is no quiet place in our own homes, even with all doors and windows closed. In summer it will be impossible to live nearby with the incessant noise.*
- 3. In surrounding gardens the beeps and computerised voices are louder and more intrusive than raised voice conversations.*
- 4. A local estate agent has provided a document stating that homes within hearing range of this unit will have property resale values reduced by up to \$50,000. (Available for Council).*
- 5. A property for sale or rent would not even be viewed by any potential buyers / tenants as they would hear the noise and go elsewhere.*

*We therefore request the Council:*

*Please require the owner to change this voice command unit to a light operated / silent system or have it removed."*

Correspondence has been sent to the new proprietor of the premises advising of the

planning permit conditions. It is understood that adjustments have been made to the public address system as a result.

**Resolution (CO2015/383)**

That Council:

1. Receives and notes the petition.
2. Seeks the advice of the head petitioner with respect to the effectiveness of the modified operations on the site in addressing resident concerns.
3. Take whatever action necessary to ensure all conditions of the planning permit are adhered to.

Moved: Cr Wayne Phillips

Seconded: Cr Mark Di Pasquale

CARRIED

**1.2 85 SILVERDALE ROAD, EAGLEMONT IN RELATION TO AN APPLICATION TO AMEND PLANNING PERMIT P589/2005**

**Jane Crone & Eileen Delaney spoke on the item.**

**EXECUTIVE SUMMARY**

A petition of 332 signatures has been received from residents and shop traders within Silverdale Road, Eaglemont and nearby streets within Eaglemont and Ivanhoe.

The petition prayer states that:

*“Eaglemont Village is adequately serviced with a packaged liquor licence through the existing outlet at Eaglemont Cellars. Placing another outlet directly opposite the existing one is overkill for a small shopping strip. The applicant has been dishonest in advising Council that Eaglemont needs this outlet as the existing one closes at 6pm nightly which is untrue and deceptive. The current licensees are cognizant of the existing alcohol ban in the village in conjunction with Victoria Police. It is our belief as Traders and Residents in Eaglemont that the community ambience in our village will be severely impacted and send a negative message particularly as the plans are to introduce the new addition in a supermarket with street frontage. We do not believe there is a requirement for a second outlet.”*

No specific action by Council is sought.

**Resolution (CO2015/384)**

1. That Council:
  - (a) Receives and notes the petition including the additional 42 signatures received at the Council meeting.
  - (b) Consider the concerns raised in the petition as part of the assessment of the request to amend planning permit P589/2005.
2. That the primary petitioner be advised accordingly.

Moved: Cr Jenny Mulholland  
Seconded: Cr Tom Melican

CARRIED

## **2. PEOPLE – COMMUNITY STRENGTHENING AND SUPPORT**

### **2.1 TRAFFIC INVESTIGATION - FRYE STREET, MEAKIN STREET AND TRIST STREET, WATSONIA NORTH**

**David Miller and Antoniette Broszczyk spoke on the item.**

#### **Speakers**

#### **EXECUTIVE SUMMARY**

Council at its meeting on 17 August 2015 considered a Notice of Motion in relation to traffic speed and volume on Frye Street, Meakin Street and Trist Street, in Watsonia North.

Investigations indicate that the 85<sup>th</sup> percentile speed in all the streets is below the legal speed limit of 50 km/h and the peak traffic volumes are within what is expected in these streets. However, it was found that northbound speeds on Frye Street were a little high, volumes on Kempston Street are more aligned with a 'Collector-Distributor' road, and residents have reported a number of vehicles performing U-turns on Frye Street.

It is considered that the local road network could benefit from the installation of a 'No U-turn' sign on Frye Street and the modification to the wide intersection at Grimshaw Street and Frye Street.

#### **Resolution (CO2015/385)**

That Council defer the item.

Moved: Cr Rick Garotti  
Seconded: Cr Steven Briffa

CARRIED

#### **AMEND ORDER OF BUSINESS**

*(CO2015/386)*

#### **Resolution**

That the Order of Business be amended so that items listed with speakers 4.1, 4.3, 4.4 and 6.5 is considered before item 2.2 prior to proceeding with the Agenda as listed.

Moved: Cr Rick Garotti  
Seconded: Cr Jenny Mulholland

CARRIED

**4.1 AMENDMENT C101 FOR A SPECIAL BUILDING OVERLAY IN THE BANYULE PLANNING SCHEME FOR COUNCIL'S 100 YEAR STORMWATER MAPPING**

Roger Fyfe spoke on the item.

**EXECUTIVE SUMMARY**

Council's Planning Scheme Amendment C101 is for a new Special Building Overlay, Schedule 2 (SBO2) with stormwater overland flow maps, to be part of the Banyule Planning Scheme. The SBO2 will guide future development in Council's local drainage catchments that responds to mapped stormwater risks.

After public exhibition for C101, Council referred unresolved submissions to an independent Panel that was appointed by the Minister for Planning. The Panel has considered submissions and given its report.

The Panel has given support to C101, subject to some minor changes. Council can now consider adopting C101 with the Panel's recommended changes included and designate maps for the Building Regulations. Council can also continue discussions with Melbourne Water, the regional drainage and floodplain management authority, about information collected for regional drainage catchments and a Memorandum of Understanding for this authority to consider proposals for sensitive land uses in affected areas.

***Councillor Garotti left the Chamber at 09:17 pm.***

**Resolution (CO2015/387)**

That Council:

1. Adopts Banyule Planning Scheme Amendment C101 for the Banyule Planning Scheme, subject to the changes recommended by the independent Planning Panel. These include revising the Special Building Overlay, Schedule 2:
  - a) Maps so that properties at 21 and 23 Lowan Avenue in Yallambie and 4 Rill Street in Heidelberg, are not included.
  - b) Provisions to improve clarity for instances when a permit is not required and describing Council as the 'authority responsible for local drains'.
2. Writes to the Minister for Planning, to pursue approval and gazettal of Council's adopted C101 Amendment for the Banyule Planning Scheme.
3. Writes to Melbourne Water to:
  - a) Give an update of work done.
  - b) Give information for regional catchments and seek feedback, including for Salt Creek in Rosanna.
  - c) Work towards a Memorandum of Understanding, to clarify instances when Melbourne Water will receive notice and consider planning permit applications for its regional drainage and floodplain management interests.
4. Designates stormwater overland flow maps for Banyule's local catchments, for the Building Regulations.
5. Writes to the Victorian Building Authority, to inform on Council's designation of maps for the purposes of the Building Regulations.
6. Writes to all Banyule Planning Scheme Amendment C101 submitters, to inform on progress and Council's decision for this proposal and the 100 year stormwater mapping.

Moved: Cr Jenny Mulholland

Seconded: Cr Steven Briffa

CARRIED



#### **4.3 PROCESS TO UNDERTAKE A REVIEW AND PROACTIVE ENFORCEMENT OF REPLACEMENT TREE PLANTING.**

Roger Fyfe and Kevin Biaggini spoke on the item.

##### **EXECUTIVE SUMMARY**

The management of vegetation on private properties is a core role of Council's Development Planning Unit. The long-term contribution of Banyule's trees to the urban forest and natural environment is important for Council. The removal of vegetation from private properties is controlled through the Banyule Planning Scheme. When a permit for removal is issued, replacement planting is required to ensure the long-term quality of the urban forest and the continuation of tree cover.

The risk is that if permit holders do not comply with conditions for replacement planting, then the gradual degradation of the urban forest will occur over the medium and long term. As such, compliance is important to the environmental quality of Banyule.

Council resolved to prepare a report setting out a process to undertake a review of planning permits issued for tree removal during the 2014 calendar year, and to inspect a random sample of approximately 80 of the affected properties to ensure that the required replacement planting has been installed and maintained.

A program is proposed to examine the extent of compliance with planning permit conditions. This report outlines the proposed methodology for undertaking the program.

***Councillor Phillips left the Chamber at 09:26 pm.***

***Councillor Phillips returned to the Chamber at 09:28 pm.***

##### **Resolution (CO2015/388)**

That Council undertake a review of planning permits issued for tree removal during the 2014 calendar year, inspecting a random sample of approximately 80 of the affected properties, including approximately 20% of all affected properties within each suburb, to ensure that the required replacement planting has been installed and maintained.

Moved: Cr Jenny Mulholland

Seconded: Cr Craig Langdon

CARRIED

***Councillor Garotti returned to the Chamber at 09:29 pm.***

#### **4.4 ADDITIONAL EXTERNAL LIGHTING FOR A DEPARTMENT OF HUMAN SERVICES PROPERTY AT 94 BEATTY STREET, IVANHOE**

John Gurr and Jason Sumner spoke on the item.

##### **EXECUTIVE SUMMARY**

The applicant is seeking retrospective approval for the erection of four 5 metre high light poles within a property owned by the Department of Human Services, which is occupied by a residential building used for the accommodation of elderly and/or disabled social housing tenants. The application was lodged as a result of planning enforcement action by Council.

Two of the light poles have been erected at the front of the site, whilst the remainder have been erected along the pedestrian access path running along the site's east (side) boundary. The lighting operates from dusk until dawn, and the applicant claims that the new lighting

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arrangement is essential to ensure the safety and wellbeing of the tenants within the residential building.

Public notification of the proposal was carried out, with three objections being received.

It is considered that the proposal incorporates an appropriate level of compliance with State and Local planning policies, and an assessment carried out by a consulting engineer provided by the applicant states the proposal meets with the relevant Australian Standard for outdoor lighting.

As such, it is considered that the application should be supported with appropriate conditions.

### **Resolution (CO2015/389)**

That Council:

1. Having complied with Section 52, 58, 60, 61 and 62 of the Planning and Environment Act 1987, resolves that a Notice of Decision to Grant an Amended Planning Permit be issued in respect of Permit TP5114 for use and development of four elderly persons' units at 94 Beatty Street IVANHOE subject to the following:
  - The insertion of a new Condition 1A, 20 and 21, plus a note to the base of the permit, as follows:
    - 1A. Within two (2) months of the date of amendment of this permit, 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 form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans endorsed on 4 December 1987 but modified to show:
      - (a) The location of bollard style lighting to communal areas; and
      - (b) An elevation plan of the light poles, drawn to scale, which provides details of their height, construction materials and colours.
    20. All light poles painted in a muted tone to the satisfaction of the Responsible Authority.
    21. Outdoor lighting must be designed, baffled and located in accordance with Australian Standard AS4282 – Control of the obtrusive effects of outdoor lighting, and to the satisfaction of the Responsible Authority, such that no direct light is emitted outside the boundaries of the subject land.

### **NOTE:**

A Building Permit may be required prior to the commencement of any works associated with the proposed development.

- Condition 18 modified to read:
  18. In accordance with section 68 of the Planning and Environment Act 1987, this permit will expire if one of the following circumstances applies:
    - The development is not commenced within two years of the date of this permit.

- The development is not completed within six (6) months of the date of the amendment of this permit.

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:

- (a) Before the permit expires, or
  - (b) Within six months afterwards, or
  - (c) Within 12 months afterwards if the development started lawfully before the permit expired.
2. Advise all parties that the implications of the Notice of Decision to Grant an Amended Permit are that the site would need to be modified (the light poles removed or replaced with bollard lighting) within 6 months of the issue of an amended permit.

Moved: Cr Jenny Mulholland  
Seconded: Cr Craig Langdon

CARRIED

***Councillor Mulholland left the Chamber at 10:00 pm.***

## **6.5 ITEMS FOR NOTING**

**Roger Fyfe spoke on the item.**

***Councillor Mulholland returned to the Chamber at 10:02 pm.***

***Councillor Briffa left the Chamber at 10:03 pm.***

***Councillor Briffa returned to the Chamber at 10:05 pm.***

### **Resolution (CO2015/390)**

1. That Council note the following minutes/reports:
  - a) Banyule Environment Advisory Committee (BEAC) October 2015 Meeting Notes.
  - b) The Lesbian Gay Bisexual Transgender Intersex (LGBTI) Advisory Committee held on 6 October 2015. Note that Jane Grace has resigned from the LGBTI Advisory Committee.
  - c) The Multicultural Advisory Committee held on 15 October 2015. Note that Michael Geary has resigned from the Multicultural Advisory Committee
2. That the terms for the Lesbian Gay Bisexual Transgender Intersex (LGBTI) Advisory Committee and Multicultural Advisory Committee be extended until September 2016.

Moved: Cr Rick Garotti  
Seconded: Cr Jenny Mulholland

CARRIED

**2.2 7 DUDLEY STREET IVANHOE - PROPOSED DISCONTINUANCE OF RW053 AND SALE OF LAND****EXECUTIVE SUMMARY**

A request has been received to purchase the unused 'road' adjacent to the northern boundary of 7 Dudley Street, Ivanhoe and is enclosed within that property's fence line to legitimise occupation. The section of 'road' known as RW053 on Council's Road Register.

The unused 'road' does not portray the physical characteristics of a 'road' nor show any evidence of being used by the public. Accordingly, there appears to be no impediment to Council forming the view that the unused 'road' is no longer reasonably required as a 'road' for public use.

This report seeks to initiate giving public notice in the "*Heidelberg Leader*" on 17 November 2015, of Council's intention to discontinue the unused 'road' and sell the resultant land to the owner of 7 Dudley Street, Ivanhoe.

The giving of public notice of Council's intention to discontinue the unused 'road' does not compel Council to do so. Council is merely complying with its statutory obligations under the *Local Government Act* 1989 to give public notice and to hear submissions on such a proposal before deciding, at a future meeting of the Council, whether or not to discontinue the unused 'road' and sell the resultant land.

**Resolution (CO2015/391)**

That:

1. Council being of the opinion that the section of 'road' adjacent to the northern boundary and enclosed within the fence line of 7 Dudley Street, Ivanhoe (unused 'road'), is not reasonably required as a 'road' for public use, now directs that, pursuant to Section 206 and Schedule 10 Clause 3 of the *Local Government Act* 1989 and Sections 207A(a) and 223 of that Act, the statutory procedures be commenced to give public notice in the "*Heidelberg Leader*" on 17 November 2015, of its intention to discontinue the unused 'road' and sell the resultant land to the owner of 7 Dudley Street, Ivanhoe.
2. Written submissions on the proposal to discontinue the 'road' and sell the resultant land be received and persons who have made a written request to be heard in person or by a party representing them as specified in their submission and in accordance with the Act, be heard at its Ordinary Meeting of Council on 8 February 2016 beginning at 7:45pm to be held in the Council Chambers, 275 Upper Heidelberg Road, Ivanhoe.
3. Council decide on whether or not to discontinue the unused 'road' at a future meeting, after considering any written submissions received and hearing from those persons who have requested to be heard in support of their submission.
4. If no submissions are received, Council may decide on whether or not to discontinue the unused 'road' and sell the resultant land at its meeting of 8 February 2016.

Moved: Cr Jenny Mulholland

Seconded: Cr Rick Garotti

CARRIED

## **2.3 NAMING OF PAVILION AT SEDDON RESERVE IVANHOE**

### **EXECUTIVE SUMMARY**

In response to a Council resolution to investigate the potential renaming of the Seddon Reserve pavilion in honour of Jack (John) Mullane, letters were sent to the West Ivanhoe Sporting Club, St Bernadette's Church and School and local residents, inviting comments on the proposal.

A total of 38 submissions have been received, predominantly in favour of the proposal. Many submissions highlight the outstanding contributions made by Jack Mullane.

Due to the overwhelming support for the proposal it is considered that Council should support the posthumous naming of the pavilion in honour of Jack Mullane.

### **Resolution (CO2015/392)**

That

1. The pavilion at Seddon Reserve in Ivanhoe be officially named Jack Mullane Pavilion.
2. An official dedication event be held at Seddon Reserve on 12 November 2015 officiating the naming of the pavilion and the appropriate plaque be provided formalise the dedication.

Moved: Cr Jenny Mulholland

Seconded: Cr Craig Langdon

CARRIED

## **3. PLANET – ENVIRONMENTAL SUSTAINABILITY**

### **3.1 MEMBERSHIP TO THE COUNCIL ALLIANCE FOR A SUSTAINABLE BUILT ENVIRONMENT (CASBE)**

#### **EXECUTIVE SUMMARY**

The Council Alliance for a Sustainable Built Environment (CASBE) is an association of Victorian councils committed to the creation of a sustainable built environment within and beyond their municipalities.

CASBE provides a forum:

- for the exchange of information, innovation and best practice in Environmentally Sustainable Development (ESD) to effectively represent and advocate the collective views of the member councils
- for strengthening partnerships between member councils, relevant agencies and industry
- to provide leadership in ESD policy and practice.

Council has an opportunity to join the Council Alliance for a Sustainable Built Environment and subscribe to using a new assessment tool to promote and enable environmentally sustainable development. Joining with other Councils and using a shared assessment tool will enable consistency and further Council's policy approach for a more sustainable built environment in Banyule.

If Council does not have access to this new assessment tool, provided through CASBE membership, it cannot effectively administer its ESD policy.

**Resolution (CO2015/393)**

That Council:

1. Join the Council Alliance for a Sustainable Built Environment.
2. Subscribe to using the Built Environment Sustainability Scorecard assessment tool.

Moved: Cr Jenny Mulholland

Seconded: Cr Tom Melican

CARRIED

**3.2 FOSSIL FUEL DIVESTMENT****EXECUTIVE SUMMARY**

On the 23 March 2015 Council resolved that a report on Council's financial investments be presented that provides:

- 1) a greater understanding of Council's current financial investments,
- 2) an assessment of those financial investments against:
  - a. the Charter of Human rights and Responsibilities (e.g. any unethical investing),
  - b. exposure to fossil fuel or carbon intensive industries,
  - c. Council's Investment Policy, and
- 3) any recommended amendments to Council's Financial Investment Policy

Council's current financial investments are held in term deposits and cash according to the current investment policy. Council has no direct investment (shareholdings) in any fossil fuel companies or fossil fuel aligned companies.

A fossil fuel company is any company for whom the extractions, production, refining or distribution of fossil fuels forms a core part of their business strategy. A fossil fuel aligned company is a principal business involved in providing infrastructure or services to fossil fuel companies.

Council will commit to actively invest with fossil free institutions, if the investment transaction is compliant with Council's investment policy and the rate of investment is no worse than other investments available to Council at the time.

To ensure Banyule City Council can enhance its sustainability performance and that of the community, while delivering a practical solution that is operationally effective, the Investment Policy parameters will need to be amended to:

- 1) not permit direct investment in companies that finance fossil fuel projects, and
- 2) allow greater flexibility for Council to actively invest with fossil free financial institutions, if the investment transaction is compliant with Council's investment policy and the rate of investment is no worse than other investments available to Council at the time.

**Resolution (CO2015/394)**

That the Council:

1. Reaffirms its commitment to clean energy through its investments

2. Notes that the City of Banyule has no direct investment (Shareholdings) in any fossil fuel companies or fossil fuel aligned companies
3. Commits to not directly investing in any fossil fuel or fossil fuel aligned companies into the future and the following changes be made to Banyule City Council's Investment Policy:
  - a) Banyule City Council will not knowingly invest in an Organisation that operates at the expense of the environment, human rights, the public safety, or the dignity of its employees. Specifically, there will be no direct investment in fossil fuels.
  - b) Banyule City Council will actively invest with fossil free financial institutions within the Banyule City Council Policy parameters and the interest rate provided by financial institutions is no worse than other investments available to Council at the time.
  - c) Update Table A - Direct Investments to allow for long term 'BBB' credit rated financial institutions according to the credit rating agency Standard and Poor's. The long term BBB credit rating is consistent with an organisation that has adequate capacity to meet its financial commitments in the long term.
4. Includes a report on Council's compliance with its current investment policy within the Annual report.

Moved: Cr Jenny Mulholland

Seconded: Cr Rick Garotti

CARRIED

#### **4. PLACE – SUSTAINABLE AMENITY AND BUILT ENVIRONMENT**

##### **4.2 GREENSBOROUGH ACTIVITY CENTRE - ADDITIONAL PARKING OPPORTUNITIES**

###### **EXECUTIVE SUMMARY**

The Council meeting on 21 September 2015 considered a report on the next phase of development in the Greensborough Activity Centre, including the potential for additional car parking at 2-4 and 6 Stubley Court and 29 Howard Street Greensborough.

Revised concept plans provide 81 parking spaces across the two sites. The designs allow for the retention of some trees, improved landscaping and access, and a more appropriate interface with the surrounding area.

The estimated construction cost is \$590,000. Funding is sought through Council's reserves to progress these works.

###### **Resolution (CO2015/395)**

That Council:

1. Construct additional parking spaces at 2-4 and 6 Stubley Court, and 29 Howard Street, Greensborough, and the alterations to the existing Henry Street Off Street Car Park, with the estimated construction costs of \$590,000 to be funded from reserves.
2. Provide 120 days notice to the tenants at these properties, to vacate the premises in accordance with the Residential Tenancies Act 1997 prior to commencing any works.

3. Flag its intention to incorporate the Council owned property at 25 Howard Street, Greensborough into the Henry Street car park.

Moved: Cr Mark Di Pasquale

Seconded: Cr Steven Briffa

CARRIED

## 5. PARTICIPATION – COMMUNITY INVOLVEMENT IN COMMUNITY LIFE

### 5.1 MACLEOD RECREATION AND FITNESS CENTRE DRAFT MASTER PLAN: SUBMISSION REPORT

#### EXECUTIVE SUMMARY

Macleod Recreation and Fitness Centre (MRFC) is located in Wungan Street Macleod. In November 2013, Council engaged HM Leisure Planning to complete a master plan for the facility and two community consultation phases were conducted with over 550 people actively engaged during the consultation periods.

The second round of consultations has given strong endorsement to the earlier consultations findings. A key change has been the recognition of the need to retain, upgrade and better service the existing indoor sports court and to ensure it can operate as an effective training, competition and home-base for the Banyule Hawks Basketball Club.

The revised draft masterplan was advertised for community feedback and submissions between the 7 October and 2 November 2015. The draft masterplan was advertised via:

- Council website,
- Heidelberg Leader newspaper,
- Distributed to facility membership,
- Distributed to all attendees of community consultation sessions and
- Displayed within the Macleod Recreation and Fitness Centre.

Seventy five (75) submissions were received in response to the public notice given. 100% of the submissions received overwhelmingly supported the retention of the current highball facility as detailed in Option 2 of the revised master plan. One submission requested further clarification on items in the report. Officers will follow up this request prior to Council considering the final master plan.

In accordance with the provisions of the section 223 of the Local Government Act 1989 Council must hear and consider submissions received in response to the public notice given.

Following the hearing of submissions, officers will prepare a further report having regard to all submissions received and this will be presented to Council for consideration of the final master plan on the 30 November 2015.

#### **Resolution (CO2015/396)**

That Council:

1. Considers the submissions received in respect of the draft masterplan for the Macleod Recreation and Fitness Centre, located in Wungan Street Macleod.
2. Considers a further report on the 30 November 2015 to determine an outcome in relation to the draft master plan.



Moved: Cr Tom Melican  
Seconded: Cr Jenny Mulholland

CARRIED

## 6. PERFORMANCE - USE OUR RESOURCES WISELY

### 6.1 157 WUNGAN STREET MACLEOD - MACLEOD RECREATION AND FITNESS CENTRE LEASE

#### EXECUTIVE SUMMARY

The land known as 157 Wungan Street, Macleod (subject site) is Crown Land. The Department of Environment, Land, Water & Planning (DELWP) manages Crown Land in the State of Victoria on behalf of the Crown.

The Macleod Recreation and Fitness Centre (Centre), constructed on the subject site is owned by Council and is currently leased to the Victorian YMCA Community Programming Pty Ltd (YMCA). The lease, which expired on 30 June 2015 is currently in over hold and does not provide for a further term.

The granting of a new short term lease concluding 30 June 2018 (2.5 years) and the continuation of the current subsidy will enable the YMCA to continue to operate the Centre with no disruption to the community. The proposed expiry date for the proposed lease will provide an opportunity for Council to consider the draft Macleod Recreation and Fitness Centre Masterplan, review the current operational subsidy and consider a longer term capital improvement lease.

In accordance with section 190 and 223 of the *Local Government Act 1989*, Council advertised the intention to lease the site to the Victorian YMCA Community Programming Pty Ltd (YMCA). No submissions were received in respect to the lease.

Subject to Council's decision, officers will facilitate the grant of the lease with the YMCA in respect to the Macleod Recreation and Fitness Centre located 157 Wungan Street, Macleod.

#### Resolution (CO2015/397)

That Council:

1. Note that no submissions were received, in respect to Council's intention to lease the land and improvements at 157 Wungan Street, Macleod known as Macleod Recreation and Fitness Centre to Victorian YMCA Community Programming Pty Ltd.
2. In accordance with section 190 and 223 of the *Local Government Act 1989*, Council approves the lease of the Land to Victorian YMCA Community Programming Pty Ltd for the term of two (2) years seven (7) months commencing on 1 December 2015.
3. Sign and seal the necessary documentation to effect the leasing of the Land.

Moved: Cr Tom Melican  
Seconded: Cr Jenny Mulholland

CARRIED

## 6.2 QUARTERLY FINANCIAL MANAGEMENT REPORT - 30 SEPTEMBER 2015

### EXECUTIVE SUMMARY

The Quarterly Financial Management Report for September 2015 is presented in accordance with section 138 of the *Local Government Act 1989* which requires quarterly statements to Council on the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date.

#### Operational Performance

Banyule City Council (BCC) has forecast to deliver an operating surplus of **\$653K**. This is a projected operating surplus reduction against budget of **\$2.08m**. (The 2015/2016 adopted budget is for an operating surplus of \$2.73m).

The deficit in grants commission (financial assistance grants) revenue in year 2016 of **\$2.48m** is the main contributor to the forecast adjustment of \$2.08m to the operating surplus.

Other variances (net movement of \$364k favourable) are explained throughout the report under each activity type as follows:

- Net gain on Disposal of Assets – \$1.28m (411.94% favourable variance)
- General Rates - \$212k (0.24% favourable variance)
- User Fees and Charge - \$378k (2.3% favourable)
  
- Materials, Contracts and Services Expense - \$631k (1.69% unfavourable variance)
- Contributions Income - \$319k (10.43% unfavourable variance)
- Employee Benefit - \$304k (0.52% unfavourable variance)
- Rental income - \$252k (13.08% unfavourable variance)

#### Capital Works and Initiatives Performance

At the end of September 2015 a total of **\$4.15m** excluding committals has been spent on capital works and initiatives against the approved budget of **\$6.10m** (includes carry-forward projects).

#### Financial Assistance Grants

50% of the Financial Assistance Grant funding allocated to Councils by the Victorian Grants Commission was paid (and recorded as income) in 2014/2015 financial year end, increasing the surplus in prior year and depleting the projected surplus in the current year. Overall the cash-flow received for the combined 2 years remained unchanged due to the prepayment but has a significant impact on the surplus results in 2013-2014 (favourable) and 2014-2015 (unfavourable).

The recording of the grant is in accordance with the Legislative reporting requirements and Accounting Standards (Specific to Government entities which requires agencies to record the funding paid in the year of receipt, although the expenditure is yet to be incurred. The Financial Assistance Grant funding to Banyule City Council has also been diminished due to the paused indexation from 2014/15 for 3 years; and from the proportionate allocation across all Victorian Councils despite a variable capping arrangement.

**Resolution (CO2015/398)**

That the Quarterly Financial Management Report for the period 30 September 2015 be received.

Moved: Cr Rick Garotti

Seconded: Cr Jenny Mulholland

CARRIED

**6.3 WATSONIA POOL: 20 LIAT WAY GREENSBOROUGH, NOTICE OF INTENTION TO LEASE****EXECUTIVE SUMMARY**

The Watsonia Pool is currently leased to Yarra Plenty Swimming Club Inc. and is in over hold. The lease includes a peppercorn rent arrangement and Council receives no income for the operation of the facility.

Council received a proposal from the YPSC Inc. in April 2015 requesting a five (5) x five (5) year commercial based lease. Negotiations with the Executive Committee of YPSC, Swimming Australia and Council officers resulted in the preparation of a Service Level Agreement (SLA) to complement the proposed lease agreement. The SLA will ensure the YPSC's operation of the facility is transparent, accountable and requires YPSC to provide Council with regular financial, risk management and key performance indicator reports.

Final lease negotiations have concluded with the parties reaching 'in principle agreement' for a five (5) year proposed lease for the management of Watsonia Pool.

Given the nature of the proposed lease arrangement the Retail Leases Act 2003 (RLA) will apply. Pursuant to section 21 of the RLA, there is a five (5) year minimum term for a retail lease. Under the RLA Council will have maintenance and renewal responsibilities which are clearly defined in the proposed lease.

The proposal to grant a new lease also triggers the need to give public notice of its intention to grant the lease and to invite submissions on the proposal under sections 190 and 223 of the *Local Government Act 1989*. For the purposes of giving public notice for this proposal it is noted that the "*Heidelberg Leader*" is the newspaper that is generally circulated in the Greensborough area.

This report seeks to initiate the statutory processes associated with the giving of public notice of Council's intention to grant a new lease to the Yarra Plenty Swimming Club Inc.

**Resolution (CO2015/399)**

That:

1. Council acknowledges that Yarra Plenty Swimming Club Inc. seeks to lease from Council the Council-owned land and improvements known as Watsonia Pool, 20 Liat Way Greensborough for a five (5) year term commencing on 15 February 2015 (the Lease).
2. In accordance with sections 190 and 223 of the *Local Government Act 1989* (Act), officers commence the statutory procedures to give public notice of Council's intention to grant the Lease and inviting written submissions from the public on the proposal in the "*Heidelberg Leader*" on 17 November 2015.

3. Council receive written submissions on the proposal, and hear from persons who have made a written request to be heard in person or by a party representing them as specified in their submission and in accordance with the Act, at its ordinary meeting of Council on 8 February 2016 beginning at 7.45 pm to be held in the Council Chambers, 275 Upper Heidelberg Road Ivanhoe.
4. If no submissions are received, Council may consider and determine on the lease at its meeting to be held on 8 February 2016.

Moved: Cr Mark Di Pasquale  
 Seconded: Cr Steven Briffa

CARRIED

**PROCEDURAL MOTION**

(CO2015/400)

**Resolution**

That items 6.4 and 7.1 be considered in block.

Moved: Cr Jenny Mulholland  
 Seconded: Cr Rick Garotti

CARRIED

**6.4 ASSEMBLY OF COUNCILLORS**

**EXECUTIVE SUMMARY**

Under the Local Government Act 1989 an Assembly of Councillors is defined as:

*A meeting of an advisory committee of the Council, if at least one Councillor is present or;  
 A planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be:*

- a) *the subject of a decision of the Council or;*
- b) *subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee.*

In accordance with Section 80A of the Local Government Act 1989 Council is required to report as soon as possible to an Ordinary Meeting of Council a record of any assemblies of Councillors held. Below is the latest listing of notified assemblies of Councillors held at Banyule City Council.

**RECORD OF ASSEMBLIES**

<b>1</b>	<p><b>Date of Assembly:</b></p> <p><b>Type of Meeting:</b></p> <p><b>Matters Considered:</b></p> <p><b>Councillors Present:</b></p>	<p>6 October 2015</p> <p>LGBTI Advisory Committee</p> <ul style="list-style-type: none"> <li>• Invitation to Jenny Macklin to attend Meeting</li> <li>• Council Support for Marriage Equality</li> <li>• Supporting Business to engage the LGBTI Community</li> <li>• LGBTI Plan Achievements report</li> <li>• Midsumma Festival 2016</li> <li>• Emerging Advocacy Issues</li> </ul> <p>Craig Langdon</p>
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	<p><b>Staff Present:</b></p> <p>Jenny Mulholland Lucia Brennan - Recreation Planner Sherryn Prinzi – Strategic Development Officer, Youth &amp; Family Services Shawn Neilson – Community &amp; Social Planner India Mortlock - Community &amp; Social Planner Jeff Parkes – Coordinator, Open Space Planning Allison Beckwith – Director, Community Programs</p> <p><b>Others Present:</b></p> <p>Nicole Coad Sharelle Rowe Rachel Jovic Karen Joy McColl Meaghan Holden Samantha Soggee Paul Wiseman</p> <p><b>Conflict of Interest:</b></p> <p>Nil</p>
2	<p><b>Date of Assembly:</b></p> <p>12 October 2015</p> <p><b>Type of Meeting:</b></p> <p>Councillor Briefing</p> <p><b>Matters Considered:</b></p> <ul style="list-style-type: none"> <li>• Banyule Integrated Transport Plan 2015-2025</li> <li>• Disability Review</li> <li>• Banyule Tech School Brief</li> <li>• Shop 48 Tender Briefing</li> <li>• Sherbourne Project Update</li> <li>• Municipal Laws Service Review</li> </ul> <p><b>Councillors Present:</b></p> <p>Steven Briffa Mark Di Pasquale Craig Langdon Tom Melican Rick Garotti</p> <p><b>Staff Present:</b></p> <p>Simon McMillan – Chief Executive Officer Allison Beckwith – Director Community Programs Scott Walker – Director City Development Peter Utri – Acting Director Corporate Services Geoff Glynn – Director Assets &amp; City Services Giovanna Savini – Manager, Youth &amp; Family Services Shawn Neilson – Community &amp; Social Planner Daniel Kollmorgen – Manager Transport, Sustainability &amp; Municipal Laws Bailey Byrnes – Team Leader, Transport Planning Frances Gianinotti- Coordinator, Youth &amp; Family Services Leonie Farrell – Team Leader, Youth Services Development Ben Smith – Coordinator, Economic Development Samantha Walsh – Team Leader, Jets, Youth &amp; Community Partnership</p> <p><b>Others Present:</b></p> <p>Vicki Ward MP Kim Witson - DET Howard Kelly - DET</p> <p><b>Conflict of Interest:</b></p> <p>Nil</p>
3	<p><b>Date of Assembly:</b></p> <p>12 October 2015</p> <p><b>Type of Meeting:</b></p> <p>Confidential Councillor Briefing</p>

	<p><b>Matters Considered:</b> All Directorate Briefing</p> <p><b>Councillors Present:</b> Steven Briffa Mark Di Pasquale Craig Langdon Tom Melican Wayne Phillips Rick Garotti</p> <p><b>Staff Present:</b> Simon McMillan – Chief Executive Officer Allison Beckwith – Director Community Programs Scott Walker – Director City Development Peter Utri – Acting Director Corporate Services Geoff Glynn – Director Assets &amp; City Services</p> <p><b>Others Present:</b> Nil</p> <p><b>Conflict of Interest:</b> Nil</p>
4	<p><b>Date of Assembly:</b> 15 October 2015</p> <p><b>Type of Meeting:</b> Multicultural Advisory Committee</p> <p><b>Matters Considered:</b></p> <ul style="list-style-type: none"> <li>• Bus Tour for new arrivals in Banyule</li> <li>• Inclusion Access and Equity Achievements Report</li> <li>• Banyule Leisure Facilities Management</li> <li>• Reports of Anti-Islamic Behaviour in Banyule</li> <li>• Malahang Festival Activity</li> <li>• Timing of Meetings and proposed extension</li> <li>• Syrian Refugee Crisis</li> </ul> <p><b>Councillors Present:</b> Steven Briffa Craig Langdon</p> <p><b>Staff Present:</b> Lisa Raywood – Manager, Health &amp; Aged Services Shawn Neilson – Community &amp; Social Planner India Mortlock - Community &amp; Social Planner Jeff Parkes – Coordinator, Open Space Planning Jacob Kamateros – Duty Managers, Banyule Leisure Facilities</p> <p><b>Others Present:</b> Beverley Moss Abdirizak Mohamed Hussein Haraco Peter Zhen Essan Dilleri Rosemary Crosthwaite Maxine Matthews Ryoko Williams Gillian Hirst</p> <p><b>Conflict of Interest:</b> Nil</p>
5	<p><b>Date of Assembly:</b> 19 October 2015</p> <p><b>Type of Meeting:</b> Councillor Briefing</p> <p><b>Matters Considered:</b> Items on the Council Agenda for the Ordinary Meeting of 19 October 2015 as listed below:</p> <ol style="list-style-type: none"> <li>1.1 Studley Road, Ivanhoe - Petition to Retain Current Parking Restrictions</li> <li>1.2 Studley Road, Ivanhoe - Petition for Parking Restrictions</li> <li>1.3 Plenty River Drive, Greensborough - Petition for Road</li> </ol>

		<p>Safety Devices</p> <p>2.1 2016-2017 Community Sports Infrastructure Fund from the State Government Victoria</p> <p>2.2 Greensborough War Memorial Park Sculptures</p> <p>3.1 The Allocation of the 2015 Environmental Sustainability Grants</p> <p>4.1 Banyule Integrated Transport Plan 2015-2035</p> <p>4.2 Studley Road, Ivanhoe - Review of Parking Arrangements</p> <p>4.3 Victorian Government Review of the New Residential Zone</p> <p>4.4 Proposed Multistorey Mixed use Development At 4-6 Flintoff Street, Greensborough (P563/2014) - VCAT Consent Order</p> <p>5.1 Banyule Arts and Culture Advisory Committee Terms of Reference and Selection process</p> <p>5.2 The Greensborough Project - Community Consultation and Communication</p> <p>6.1 14A Bannerman Avenue, Greensborough - Notice of Intention to sell</p> <p>6.2 Annual Report 2014-2015</p> <p>6.3 Assembly of Councillors</p> <p>6.4 Councillor Motions - Status Update</p> <p>7.1 Instrument of Authorisation</p> <p>7.2 Sealing of Documents</p> <p>8.1 Kingsbury Drive Improvements</p> <p>8.2 Proactive enforcement of replacement tree planting</p> <p>8.3 Project Recognition</p> <p>9. General Business</p> <p>10. Urgent Business</p> <p><b>Councillors Present:</b> Steven Briffa Mark Di Pasquale Craig Langdon Tom Melican Jenny Mulholland Wayne Phillips</p> <p><b>Staff Present:</b> Simon McMillan – Chief Executive Officer Allison Beckwith – Director Community Programs Scott Walker – Director City Development Peter Utri – Acting Director Corporate Services Geoff Glynn – Director Assets &amp; City Services Gina Burden – Manager, Governance &amp; Communications Emily Outlaw – Governance Officer Giovanna Savini – Manager, Youth &amp; Family Services Daniel Kollmorgen – Manager Transport, Sustainability &amp; Municipal Laws Bailey Byrnes – Team Leader, Transport Planning Joseph Tabacco – Manager, Economic Development</p> <p><b>Others Present:</b> Nil</p> <p><b>Conflict of Interest:</b> Cr Steven Briffa declared a conflicting personal interest in item 4.4, Proposed Multistorey Mixed Use Development at 4-6 Flintoff Street, Greensborough (P563/2014) – VCAT Consent Order and left the room at 7.15pm prior to</p>
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		discussion and did not return.
6	<p><b>Date of Assembly:</b></p> <p><b>Type of Meeting:</b></p> <p><b>Matters Considered:</b></p> <p><b>Councillors Present:</b></p> <p><b>Staff Present:</b></p> <p><b>Others Present:</b></p> <p><b>Conflict of Interest:</b></p>	<p>26 October 2015</p> <p>Confidential Councillor Briefing</p> <p>Confidential Matters</p> <p>Mark Di Pasquale Craig Langdon Tom Melican Wayne Phillips</p> <p>Joseph Tabacco – Manager, Economic Development Michael Hutchison – Coordinator School Sites Redevelopment Jeanette Kringle – Coordinator, Property Scott Walker – Director, City Development</p> <p>Nil</p> <p>Nil</p>
7	<p><b>Date of Assembly:</b></p> <p><b>Type of Meeting:</b></p> <p><b>Matters Considered:</b></p> <p><b>Councillors Present:</b></p> <p><b>Staff Present:</b></p>	<p>26 October 2015</p> <p>Councillor Briefing</p> <ul style="list-style-type: none"> <li>• Review of Council Committees</li> <li>• Banyule Metro Access Program - Disability Service Review</li> <li>• WaterMarc-Belgravia – Operations report</li> <li>• Greensborough Activity Centre Car Parking</li> <li>• One Flintoff Street Construction parking temporary conditions</li> <li>• Local Law Review Update</li> <li>• Fossil Fuel Divestments update</li> <li>• Quarterly Financial report</li> <li>• Review of RSL &amp; Council Grants</li> <li>• Directorate Briefing Assets and City Services - Parks Overview</li> <li>• Directorate Briefing Community Programs – Recreation overview</li> <li>• General Conduct Code - Public Consultation and Information Meetings</li> </ul> <p>Steven Briffa Mark Di Pasquale Craig Langdon Tom Melican Jenny Mulholland Wayne Phillips Rick Garotti</p> <p>Simon McMillan – Chief Executive Officer Allison Beckwith – Director Community Programs Scott Walker – Director City Development Peter Utri – Acting Director Corporate Services Geoff Glynn – Director Assets &amp; City Services Gina Burden – Manager, Governance &amp; Communications Vivien Ferlino – Governance Co-ordinator Giovanna Savini – Manager, Youth &amp; Family Services</p>



	<p>Sherridan Bourne – Community Building (Metro Access) Officer  Leonie Farrell –Team Leader Youth Services  Tania O'Reilly – Manager Finance &amp; Procurement  Peter Benazic – Manager Parks &amp; Gardens  Darren Bennett – Manager Leisure, Recreation &amp; Cultural Services</p>
<b>Others Present:</b>	<p>Drew Hildebrandt - Belgravia  Sav Gianikkos - Belgravia  Anthony Mcintosh - - Belgravia</p>
<b>Conflict of Interest:</b>	<p>Nil</p>

**Resolution (CO2015/401)**

That the Assembly of Councillors report be received.

Moved: Cr Jenny Mulholland

Seconded: Cr Rick Garotti

CARRIED

## 6.6 7 FLINTOFF STREET GREENSBOROUGH - PROPOSED LEASE OF CAR PARKING SPACES

Council owns the multi deck car park in Greensborough, known as 7 Flintoff Street Greensborough (car park).

The proposal, which is to enter into lease over part of the car park, triggers the need to give public notice under sections 190 and 223 of the *Local Government Act 1989 (Act)*. For the purposes of giving public notice for this proposal it is noted that the "*Diamond Valley Leader*" is the newspaper that is generally circulated in the Greensborough area.

This report seeks to initiate giving public notice of Council's intention to enter into the lease, in the "*Heidelberg Leader*" on 17 November 2015.

The giving of public notice of Council's intention to enter into a lease does not compel Council to do so. Council is merely complying with its statutory obligations under the Act. These obligations include giving public notice, considering written submissions and hearing submissions from persons who have requested to be heard on such a proposal.

Council will decide at a future meeting whether or not to grant a lease of part of the car park.

**Resolution (CO2015/402)**

That:

1. In accordance with sections 190 and 223 of the *Local Government Act 1989 (Act)*, the statutory procedures be commenced to give public notice of Council's intention to grant to a lease over part of the Council-owned multi deck car park known as 7 Flintoff Street Greensborough, and inviting written submissions from the public on the proposal, in the "*Diamond Valley Leader*" on 17 November 2015.
2. Written submissions on the proposal be received and persons who have made a written request to be heard in person, or by a party representing them as specified in their submission and in accordance with the Act, be heard, at the Ordinary Meeting of Council on 8 February 2016 beginning at 7.45 pm to be held in the Council

Chambers, 275 Upper Heidelberg Road Ivanhoe.

3. Council decide on whether or not to grant a lease at a future meeting, after considering any written submissions received and hearing from those persons who have requested to be heard in support of their submission.
4. If no submissions are received, Council may, at its meeting on 8 February 2016, decide whether or not to grant the lease.

Moved: Cr Mark Di Pasquale

Seconded: Cr Rick Garotti

CARRIED

## **7. SEALING OF DOCUMENTS**

### **7.1 SEALING OF DOCUMENTS**

#### **Resolution (CO2015/403)**

That the Common Seal of the Banyule City Council be affixed to the following documents:

1. Transfers of Land from de-registered companies, Austin Estates Proprietary Limited and Cherrywood Estates Proprietary Limited to Banyule City Council for nil consideration in respect of 'roads' contained in certificates of title volume 5301 folio 019, volume 7392 folio 249 and volume 8313 folio 704.

Moved: Cr Jenny Mulholland

Seconded: Cr Rick Garotti

CARRIED

**8. NOTICES OF MOTION****8.1 CULTURAL AND RECREATIONAL LANDS REVIEW**

**Cr Steven Briffa submitted a Notice of Motion.**

**Resolution (CO2015/404)**

That Council:

Request a Report for Council Officers to review the current application of *the Cultural and Recreational Lands Act 1963* No 7101 (the Act), within the Banyule Municipality.

1. Lands within the Municipality that meet the definition of a Recreational Land under Section 2 of the Act.
2. The method of calculation of the amount to be charged in lieu of rates for each Recreational Land under Section 4 and Section 5 of the Act.
3. Application of Section 4 (5) of the Act, applying rates in respect of such lands for the preceding ten years when land ceases to be Cultural and Recreational Land.

The Report is to include benchmarking across Municipalities of comparable recreational land using the data publically available in their rating strategies.

If applicable, changes recommended to the current application of the *Cultural and Recreational Lands Act 1963* is to be included in the 2016-2017 Budget Adoption and the 2016 Rating Strategy update.

Moved: Cr Steven Briffa

Seconded: Cr Mark Di Pasquale

CARRIED

**8.2 SCREENING AND CAR PARKING AT COUNCIL'S OPERATIONS CENTRE IN WATERDALE ROAD, BELLFIELD**

**Cr Wayne Phillips and Craig Langdon submitted a Notice of Motion.**

**Resolution (CO2015/405)**

That a report be presented to Council on improving screening and car parking at the Council Operations Centre in Waterdale Road, Bellfield.

Moved: Cr Wayne Phillips

Seconded: Cr Craig Langdon

CARRIED

**8.3 SOMERS AVENUE MACLEOD - STAGING OF PAID PARKING****Cr Tom Melican submitted a Notice of Motion.****Resolution (CO2015/406)**

That Council:

1. Stage the introduction of paid parking along the east side of Somers Avenue in Macleod adjacent to Macleod College. The first stage for approximately half the unrestricted length is to be serviced by two machines and installed prior to Christmas 2015.
2. Receive a report assessing the impacts of the first stage six months following the introduction of stage 1 machines to determine whether to proceed to a second stage.

Moved: Cr Tom Melican

Seconded: Cr Jenny Mulholland

CARRIED

**8.4 BOLTON STREET MONTMORENCY - STATE ROAD IMPROVEMENT PROJECT****Cr Steven Briffa submitted a Notice of Motion.****Resolution (CO2015/407)**

That:

1. Council write as soon as practicable to the Chief Executive Officer and Regional Director of VicRoads expressing disappointment at a lack of engagement with Council on the Bolton Street/Montmorency Road Improvement Project and remind VicRoads that Bolton Street is a local road in part controlled by Council and that they be further reminded that the road acts as a boundary between Banyule and Nillumbik.
2. VicRoads be invited to provide a further consultation session to the Banyule community to be held at Watermarc and chaired by the Banyule Mayor.
3. Council promote the meeting to its community and encourage engagement on the issue in conjunction with the local ward Councillor.

Moved: Cr Steven Briffa

Seconded: Cr Craig Langdon

CARRIED

## **9. General Business**

Items 9.1 and 9.2 were considered prior to item 1.1.

### **9.3 ONE FLINTOFF STREET LAUNCH**

Cr Mark Di Pasquale thanked all those who took part in the celebrations on Friday 6<sup>th</sup> November 2015 to mark construction starting on Banyule's new offices on top of Watermark.

### **9.4 NAMING OF BARCLAY PARK**

Councillor Mark Di Pasquale thanked those who came along to the naming of Barclay park on Saturday 7 November 2015:

- The Barclay Family
- Greensborough Historical Society
- Local Residents
- Council Directors, Managers and staff
- Council Parks staff

A tree was planted to mark the occasion.

### **9.5 VODA FEST CZECH & SLOVAK FESTIVAL**

Cr Craig Langdon noted that he attended the Voda Fest Czech and Slovak Festival on Saturday 7<sup>th</sup> November at the Austrian Club in West Heidelberg with the President of Czech and Slovak Association, Lenka Allen and the Ambassadors from Czech and Slovakia.

### **9.6 SHOP 48 LAUNCH**

Cr Craig Langdon noted that he attended the launch of Shop 48 in the Mall along with Cr Mark Di Pasquale, Cr Rick Garotti, Cr Tom Melican & Cr Jenny Mulholland and Council staff. Cr Langdon thanked all involved in the event.

### **9.7 2015 CLYDE JAMES SMITH AWARD**

Cr Craig Langdon acknowledged that this year's Clyde James Smith Award was awarded to Senior Sgt Lindsay Cook. Cr Langdon explained that the award is a Banyule Police award for Outstanding Community Service.

### **9.8 BANYULE BESTBIZ AWARDS**

Cr Craig Langdon congratulated the Economic Development Staff for their great work in establishing, promoting and managing the inaugural Banyule BestBiz Awards. He also acknowledged all the finalists and the winners, in particular Ted Smart for his Company's community work. Cr Langdon noted that he was joined by Cr Jenny Mulholland at the event.

### **9.9 FIRST CATHOLIC CHURCH IN IVANHOE 100TH ANNIVERSARY**

Cr Craig Langdon acknowledged that the Mary Immaculate Church was the first Catholic

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church in Ivanhoe and celebrated its 100<sup>th</sup> Anniversary at an event that he and Cr Jenny Mulholland attended on 25 October.

Cr Langdon extended Councils appreciation for the century of service to the catholic community and others.

**9.10 CHILDRENS WEEK**

Cr Jenny Mulholland noted that she attended a Children’s Week event at Olympic Village Child & Family Centre along with Cr Langdon and Cr Melican to launch a book that was developed by Banyule children’s and features their artwork on how well we observe children’s rights in Banyule on 27 October 2015.

Cr Mulholland also acknowledged the Children’s Week - Little Big Shots Film Festival that she attended on 28 October 2015 along with Cr Langdon and Cr Melican

**9.11 OPENING OF IVANHOE BOWLING GREEN**

Cr Jenny Mulholland advised that on 30 October 2015 she officially opened the refurbished synthetic bowling green and the Ivanhoe Bowling Club along with The Hon John Eren MP, Minister for Sport.

Cr Mulholland noted that the event was also attended by Cr Melican.

**10. Urgent Business**

Nil

**Closure of Meeting**

The Meeting was closed at 10.42pm.

DATED:..... DAY OF ..... 2015

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MAYOR