

Minutes of the Ordinary Meeting of Council



Held on the 25 February 2019

Council Chambers, Ivanhoe Service Centre
275 Upper Heidelberg Road, Ivanhoe

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MINUTES

The Meeting opened at 7:00pm.

The Chief Executive Officer called for a Temporary Chairperson in the absence of the Mayor.

That Cr Alison Champion be appointed Acting Chair.

Moved: Cr Craig Langdon
Seconded by Cr Melican

CARRIED

Cr Alison Champion took the Chair at 7.02pm.

Acknowledgement of the Traditional Owner, the Wurundjeri willam people

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

Present

Cr Peter Castaldo, Cr Alison Champion, Cr Mark Di Pasquale, Cr Rick Garotti,
Cr Craig Langdon, Cr Tom Melican

Apologies

Mayor Cr Wayne Phillips

Leave of Absence

Nil

Confirmation of Minutes

That the following Minutes be confirmed:

Ordinary Meeting of Council held 4 February 2019

Moved: Cr Craig Langdon
Seconded: Cr Peter Castaldo

CARRIED

Disclosure of Interests

Nil

Presentation

Nil

1. URGENT BUSINESS

Nil

2. PETITIONS**2.1 POSTCODE 3081 URBAN DESIGN FRAMEWORK (UDF) - PLANNING SCHEME AMENDMENT C120**

David Mulholland spoke to the item.

EXECUTIVE SUMMARY

A petition with 239 signatures has been received.

The petition prayer is as follows:

"We, the undersigned, petition or request Council not change the planning zone of 3081 from the General Residential Zone (GRZ – Mandatory 11m, Max 3 storeys – "slow" zone) to a Residential Growth Zone (RGZ – discretionary 13.5m height limit – "go" zone) as part of the UDF 3081, amendment C120 plan."

Resolution (CO2019/15)

That Council

1. Receive and note the petition and further note an additional 45 signatures received.
2. Refer the petition to the relevant officers for investigation
3. Note the receipt of the petition is well outside the timeframe for receiving submissions to Banyule Planning Scheme Amendment C120, which was extended from six to ten weeks and closed on Friday 2 November 2018.
4. Note the petition will be considered as additional material to support the submission already made by the primary petitioner.
5. Advise the primary petitioner of this resolution.

Moved: Cr Craig Langdon
Seconded: Cr Peter Castaldo

CARRIED

2.2 2 AMAROO WAY YALLAMBIE PLANNING APPLICATION P1083/2018 EXECUTIVE SUMMARY

A petition with 13 signatures has been received.

The petition prayer is as follows:

"We, the undersigned residents of Elonera Ave, Binalong Crt & Amaroo Way Yallambie petition the Council and ask that the planned Sub-division of 2 Amaroo Way, Yallambie is declined due to the nature of the build, proposed car parking issues, change of character of the street scape and surrounding area and direct impact and visual look of proposed dwellings. We request decline of the proposed planning permit and revision to a single dwelling in its place."

Resolution (CO2019/16)

That Council

1. Receives and notes the petition.
2. Consider the petition as part of the planning permit assessment and;
3. Advise the primary petitioner of this resolution.

Moved: Cr Mark Di Pasquale

Seconded: Cr Craig Langdon

CARRIED

3. PEOPLE – COMMUNITY STRENGTHENING AND SUPPORT

Nil

4. PLANET – ENVIRONMENTAL SUSTAINABILITY

4.1 SUSTAINABLE HOMES AND COMMUNITIES PROGRAM - REVIEW

EXECUTIVE SUMMARY

The Sustainable Homes and Community Program (SHCP) was established in 2007 as a joint partnership program between Banyule and Darebin Councils, with the objective of facilitating sustainability practices across the community.

The Leaders Program has run as a valuable component of SHCP for the last five years, with the 10 week program providing participants with training in how to establish and implement an environmental focused program.

Despite positive outcomes, the program has struggled to obtain strong project examples and to recruit minimum numbers in recent years.

In light of this and the renewed focus on supporting the community in undertaking climate action, there is an opportunity for the \$57k annual funding to be used to fund a Community Energy Officer (up to 0.6EFT). This role could replace the Positive Charge service (in turn allowing further financial savings) and provide valuable online and telephone advice to residents in relation to renewable energy and energy efficiency options.

Resolution (CO2019/17)

That Council support the reallocation of funds from the Sustainable Homes and Community Program and Positive Charge Program to fund a 0.6EFT Community Energy Officer (up to 0.6EFT).

Moved: Cr Rick Garotti

Seconded: Cr Craig Langdon

CARRIED

4.2 POWER PURCHASE AGREEMENT (PPA) - RENEWABLE ENERGY**EXECUTIVE SUMMARY**

Banyule City Council has historically purchased a small percentage of Green Power from renewable sources to help reduce its annual greenhouse gas (GHG) emissions and align with its strategic commitment to achieve carbon neutrality by 2028.

Power Purchasing Agreements (PPA) are one way that Banyule is able to continue to manage its GHG emissions in the short to medium term.

PPAs support the renewable energy sector and importantly provide price guarantee for buyers by securing a fixed price for electricity over an extended period.

Three proposals were received for renewable energy PPAs.

A nominal amount of renewable energy should be purchased from Procurement Australia (PA) at this stage - equivalent to the amount of Green Power currently being sourced.

Resolution (CO2019/18)

That Council

1. Endorse the Procurement Australia Power Purchasing Agreement (PPA) for the purchase of Renewable Energy for the contract period 2021-2030
2. Officially request the opportunity to participate in the EAGA Power procurement contract along with the 39 other councils already participating.

Moved: Cr Peter Castaldo

Seconded: Cr Rick Garotti

CARRIED

4.3 ANDREW YANDELL HABITAT RESERVE PATH PROPOSAL

Kevin Biaggini and Bev Landy spoke on the item.

EXECUTIVE SUMMARY

At the Ordinary Meeting of Council on 27 August 2018, Council received a petition requesting Council improve the existing trail condition in Andrew Yandel Habitat Reserve, Greensborough, from the North-West entrance at the corner of Cairns Street and Ridge Road to allow safe and improve access through the reserve for local community.

A major site constraint when considering this petition is the Eltham Copper Butterfly, which is federally protect butterfly, who's breeding colony is located either side of the track. Ground disturbance is an unavoidable outcome in footpath construction and any ground disturbance work will not only adversely affect the existing population but also poses a threat to the long term viability of the colony in this reserve. This breeding colony is one of only a handful of locations in the State. Any works that result in ground disturbance will also require approval from the Minister for Environment in recognition of the federal protection status of this butterfly.

It is proposed that Council promote and upgrade an existing, nearby, and accessible route along Cairns and Willis Street by: installing way finder signs, undertaking footpath repairs and installing a pedestrian crossing at the corner of Willis Street and Community Drive. In addition, it is also recommended that warning signs advising of the uneven track surface be installed at key entry points providing users prior warning of the track conditions.

Resolution (CO2019/19)

That Council:

1. Retain the existing path network throughout the Andrew Yandell Habitat Reserve in its current condition.
2. Refer funding of \$20,000 to the 2019/20 capital works budget for consideration to improve the existing accessible walking route along Cairns Avenue and Willis Street by installing way finder signs, undertaking footpath repairs and installing a pedestrian crossing at the corner of Willis Street and Community Drive.
3. Install additional warning signage at key entry points to the reserve to inform users of the uneven path conditions; and
4. Respond to the lead petitioner in regard to Council's decision.

Moved: Cr Mark Di Pasquale
Seconded: Cr Tom Melican

CARRIED

5. PLACE – SUSTAINABLE AMENITY AND BUILT ENVIRONMENT

5.1 NORTH EAST LINK UPDATE

Dennis O'Connell, Michelle Giovas and Daphne Hards spoke on the item.

EXECUTIVE SUMMARY

The North East Link Authority (NELA) was established in February 2017 to deliver the North East Link. It became the North East Link Project (NELP) a dedicated project team within the Major Transport Infrastructure Authority (MTIA) in December 2018.

The North East Link Project opened a staffed community drop in centre at 17, Watsonia Rd, Watsonia in December 2018 that is expected to remain open for the duration of the North East Link construction.

A call for expressions of interest from construction consortiums was made by the North East Link Project in late November 2018 for an early works package along with a primary works package for the construction of the North East Link. These packages describe site preparation (early works) and construction of the North East Link section from Watsonia to the Eastern Freeway including tunnel construction (primary package). Expressions of interest for additional secondary packages for the remaining works and the tolling contract are expected in late 2019.

An Environment Effects Statement (EES) for the North East Link has been under development since February 2018. It is expected the EES documentation will be put on public display in April. Legal representatives have been appointed to assist Council in the preparation of its submission to the Environmental Effects Statement public review.

Council will hold a community forum on 27 March 2019 to present Councils advocacy work to date and provide guidance to the public on preparation of submissions to the public review. Panel hearings to assess submissions are expected to be held in mid-2019.

It is proposed that a revised position statement on the North East Link is adopted as follows:

'Council is opposed to the North East Link through Banyule as it does not provide the best transport outcome for the future needs of Melbourne. As the state government has now decided to implement this route, Council will continue to advocate for changes to protect our natural environment, preserve our local neighbourhoods, avoid dividing our community and provide for real solutions to the transport issues in the north.'

An urban design consultant has been appointed to develop a Watsonia Precinct Concept Plan to capture opportunities afforded by the proximity of the North East Link. The work is jointly funded by Council and the North East Link Project.

An international tunnelling consultant has been appointed to provide expert technical advice to Council on the options for extending the North East Link tunnel through Banyule. The North East Link Project has provided some technical background information to assist this work.

In order to effectively respond to the continued development and future construction of the North East Link, significant Council staff resources will continue to be required. This need will be accommodated by the use of existing staff resources, the appointment of temporary contract staff and with the use of consultants as required.

It is intended to request funding for Council's role in responding to the North East Link Project for a second 12 month period.

Reimbursement from the State Government to cover Council's incurred costs in assisting in the development of the project will continue to be sought. The North East Link Project has indicated that it will consider the reimbursement of some costs.

Resolution (CO2019/20)

That Council:

1. Continue to strongly advocate for improved North East Link outcomes for Banyule including:
 - a. Significant improvements to the design of the project around Watsonia including improved access to Watsonia Station and Village.
 - b. Design changes at the Lower Plenty Road interchange to protect the environment of Banyule Creek, reduce the number of home acquisition and preserve as much as possible of the vegetation in the Simpson Army Barracks
 - c. Examining design options for extending the North East Link tunnel north of Watsonia.
 - d. Minimising environmental impacts.
 - e. Enhancing urban design and land use outcomes.
 - f. Management of local traffic impacts.
 - g. Inclusion of complementary projects.
2. Adopt a revised position statement:

'Council is opposed to the North East Link through Banyule as it does not provide the best transport outcome for the future needs of Melbourne. As the state government has now decided to implement this route, Council will continue to advocate for changes to protect our natural environment, preserve our local neighbourhoods, avoid dividing our community and provide for real solutions to the transport issues in the north.'
3. Prepare a submission to the North East Link Environment Effects Statement (EES) public review and panel hearing.
4. Conduct a community forum on 27 March 2019 and invite the Department of Environment, Land, Water and Planning, along with Planning Panels Victoria to provide advice on the EES process at the community forum.
5. Write to the North East Link Project, Minister for Transport Infrastructure and local State Members of Parliament to:
 - a. Request funding support to resource Council input to the North East Link Project for the 2019/20 financial year.

- b. Continue to request further reimbursement to Council to cover its incurred resourcing expenses in 2018/19 for preparation of feedback in the development of the Environment Effects Statement
- c. Request the inclusions of the complementary projects
- d. Advocate for immediate improvements for pedestrian access across Rosanna Road and other safety improvements.

Moved: Cr Tom Melican
Seconded: Cr Peter Castaldo

CARRIED

5.2 HERITAGE OVERLAY FOR 22 ARDEN CRESCENT ROSANNA - AMENDMENT C151 AND C152

Andrew Everett, Nick Sutton and Ross Spirou spoke on this item.

EXECUTIVE SUMMARY

Council has received approval for an interim Heritage Overlay (Amendment C151) for 22 Arden Crescent, Rosanna. The interim Overlay applies until 1 November 2019.

Planning Scheme Amendment C152 proposes to apply the Heritage Overlay to 22 Arden Crescent, Rosanna in the Banyule Planning Scheme on a permanent basis.

Public exhibition for Amendment C152 commenced on 29 November 2018 and concluded on 15 January 2019. Council received a total of thirteen (13) submissions, eleven (11) in support and two (2) objecting to the amendment.

In line with the *Planning and Environment Act 1987* Council is required to review submissions and consider its response to those which request a change to the amendment. Given that the opposing submissions cannot be resolved, referral to an Independent Planning Panel is appropriate.

Resolution (CO2019/21)

That Council:

1. Note the approval of Banyule Planning Scheme Amendment C151 to apply an interim Heritage Overlay to 22 Arden Crescent, Rosanna.
2. Receive and note the submissions to Amendment C152 to the Banyule Planning Scheme in accordance with Section 22 of the *Planning and Environment Act 1987* as shown in the table at Attachment 1.
3. Refer submissions to Planning Scheme Amendment C152 to an Independent Planning Panel in accordance with Section 23 of the *Planning and Environment Act 1987*.

Moved: Cr Tom Melican
Seconded: Cr Peter Castaldo

CARRIED

5.3 325 GRIMSHAW STREET, WATSONIA - USE OF LOYOLA COLLEGE HOSPITALITY CENTRE AS A FUNCTION CENTRE (P292/2018)

Noel Dovey, Kevin Biaggini, Sam Forsyth, Henk van Roon, and Lorenzo Rigoni spoke on this item.

EXECUTIVE SUMMARY

The proposal is for use of the existing hospitality centre at Loyola College as a public function space, catering for up to 150 patrons. The proposed hours of operation include Fridays from 4:00pm to 11:00pm, Saturdays from 8:30am to 12:00am and Sundays from 9:00am to 10:00pm. The proposal caps the total number events to 15 per year and no overlap would be permitted with the use of the existing performing arts centre.

Sixteen objections were received on the grounds of noise, traffic congestion, on-street parking, security, increased use of the site beyond normal school hours, loss of amenity, failure to adhere to previous permits, failure to meet planning scheme requirements (Clause 53.06) and potential for anti-social behaviours.

The proposal is considered appropriate as it will make use of an existing facility within an established non-residential use. Conditions are recommended which will limit the number of events to a maximum of 10 over a trial period of 12 months. This can assess the effectiveness of acoustic engineering recommendations and a venue management plan before consideration is given to any further request for functions use beyond the trial period.

Resolution (CO2019/22)

That Council having complied with Section 52, 58, 60, 61 and 62 of the Planning and Environment Act 1987, issue a Refusal to Grant a Planning Permit in respect of Application No. P292/2018 for Use of the land for a place of assembly (function centre) at 325 Grimshaw Street WATSONIA on the following grounds.

Strategic Context

1. The site is not considered appropriate for the use of a function centre contrary to Clause 22.04 - Non-Residential Use and Development in Residential Zones Policy and Clause 32.08 – General Residential Zone of the Banyule Planning Scheme.

Residential Amenity

2. The use of the function centre and outdoor courtyard would have an adverse impact upon local residential amenity by reason of noise and disturbance contrary to Clauses 21.04 – Land Use, 22.04 - Non-Residential Use and Development in Residential Zone Policy and Clause 32.08 – General Residential Zone of the Banyule Planning Scheme.

Moved: Cr Rick Garotti
Seconded: Cr Craig Langdon

CARRIED

ADJOURNMENT

The Acting Chair called for a short break.

The meeting was adjourned at 9.01pm.

The meeting resumed at 9.08pm.

5.4 BELLFIELD URBAN DESIGN GUIDELINES AND COMMUNITY CONSULTATION REPORT

Paul Morland, David Mulholland, Dennis O'Connell and Kirsty Edwards spoke on this item.

EXECUTIVE SUMMARY

Council acquired three decommissioned school sites from the Victorian State Government in 2012. At the time of purchase it was made clear that the decision to acquire these properties was for the purposes of promoting best-practice residential infill development at these locations. It was also communicated that these projects seek to generate revenue to allow Council to continue to invest in local communities, maintain its capital works program and advance ongoing asset improvements.

The former Banksia La Trobe Secondary College site is the third and final remaining redevelopment parcel of these school sites. The Draft Bellfield Urban Design Guidelines were produced in 2018 to guide future development at this location. To demonstrate one way that the urban design guidelines could be realised on site, a Draft Bellfield Master Plan was also produced which illustrates how the guidelines could be developed.

Consultation was undertaken for ten weeks between August and November 2018 on the Draft Bellfield Urban Design Guidelines and Draft Bellfield Master Plan. The consultation program utilised both a community consultation program and a stakeholder engagement program. Both programs adopted a number of tools and techniques to reach a large and varied audience.

The results of the community consultation and stakeholder engagement program are represented in both this report and the attached Bellfield Urban Design Guidelines Consultation Report provided as Attachment 1. Some changes to the Bellfield Urban Design Guidelines have been recommended following responses received throughout the community consultation and stakeholder engagement period.

Council should now adopt the Bellfield Urban Design Guidelines with amendments. The Bellfield Urban Design Guidelines will direct future development at the former Banksia La Trobe Secondary College site in Bellfield.

It is further considered that Council progress this project by endorsing the commencement of three tranches of work; a Planning Scheme rezoning process, a commercial and governance process to guide the sale and development of the land, and commencement of the design process of the new community precinct development.

Resolution (CO2019/23)

That Council:

1. Note the community consultation and stakeholder program that was conducted for ten weeks from August to November 2018 and thank all contributors of the community and stakeholders who participated in this process.
2. Note the results of the community consultation and stakeholder engagement program that is reflected in the Bellfield Urban Design Guidelines Consultation Report (Attachment 1).
3. Approve the recommended alterations contained herein, noting these outcomes will deliver a diversity of high-quality built form and environmental sustainability in line with Council's Climate Action Policy, and endorse these guidelines as the Bellfield Urban Design Guidelines which will guide future development at this location.

These guidelines are described in detail herein and include:

Park and Village Precinct

- a) Visual diversity: amend the 'visual diversity' urban design guideline within the Park and Village Precinct as follows:
 - i. confirm that any apartment buildings should have the appearance of several smaller buildings to break up visual mass.
 - ii. pedestrian access shall be provided between buildings to enable light and tree planting.
- b) Height: Amend the 'height' urban design guideline within the Park and Village Precinct as follows:
 - i. to ensure that if apartments are to be built in future along Oriel Road, that a maximum height of five storeys only can be reached.
 - ii. the built height on the corner of Banksia Street and Oriel Road can only reach a maximum height of four storeys.
 - iii. the built height on the corner of Perkins Avenue and Oriel Road must only reach a total height which is the higher of either the equivalent to the heights presently proposed within the 3081 Urban Design Framework for Perkins Avenue, or four storeys.
- c) Plot ratio and deep soil areas
- d) Ford Park interface
- e) Banksia Street interface
- f) Perkins Avenue interface
- g) Precinct Street interface (internal)
- h) Key vistas
- i) Pedestrian interfaces
- j) Ground floor detail
- k) Material diversity
- l) Material composition
- m) Material selection

Neighbourhood Precinct

- n) Permeable open space
- o) Plot width
- p) Garage massing
- q) Building height and solar access
- r) Corner sites
- s) Primary pedestrian interface
- t) Transition interface
- u) Rear lane interface
- v) Material diversity
- w) Material composition
- x) Material selection

4. Ensure that the following elements of development are included in any future development outcome across the site:

a) Urban Farm

- i. Provide support for and consider an allocation of \$100,000 in the 2019/20 budget to commence the delivery of 'Farm Raiser' – the Urban Farm at Waratah, along Perkins Avenue.

This project is reliant upon formal agreement between the Waratah School and the Department of Education.

b) Community Precinct

Community Garden

- i. With the delivery of a new urban agricultural facility on Perkins Avenue, relocate the Bellfield Community Garden to Perkins Avenue (facing north) to complement the services provided by each of the community garden and urban farm.
- ii. The new location of the community garden is to include access to a community kitchen, to toilet facilities, barbeque facilities, contain a greenhouse, and a small play area. Work areas should be away from the Perkins avenue interface.
- iii. Where possible, existing infrastructure constructed at the existing community garden will be relocated to the new garden location.
- iv. Work will be undertaken with the existing membership base of the Bellfield Community Garden to ensure a positive changeover to the new premises.

c) Community Hub

- i. Ensure that the new community hub will be a genuine multi-purpose community hub with a wide offering to community groups and associations.

- ii. Ensure that the new community hub name is consistent with the existing name 'Bellfield Community Centre', and furthermore that internal rooms of the new community hub are referenced by the existing community room names of the current community centre.
- iii. The community hub shall be in alignment with Council's Climate Action Policy and will be built to a high environmental standard and utilise captured stormwater for use by the community garden.
- iv. Consideration of electricity only appliances for the new community hub will be fully evaluated and considered.
- v. The new community hub will be managed in such a way so that hire and associated fees are kept affordable.
- vi. Opportunities for a café to be run from the new community hub and operated as a social enterprise are to be explored.
- vii. Relocation of the Audrey Brookes Pre-School into the new community hub shall also be explored.

d) Social Housing

- i. Deliver a social housing development at the community precinct located at 230 Banksia Street and note that this development is not a public housing development.
- ii. Housing models are to be explored including opportunities with Nightingale and Murundaka in developing this aspect of the community precinct.
- iii. Further meetings should be sought with the Treasurer of Victoria and Minister for Education about including the Department of Education land located at 228 Banksia Street for the purposes of extending the community precinct land parcel.

e) Access and Movement

- i. Ensure that pedestrian links strongly encourage access to the new community precinct via Banksia Street, Perkins Avenue and through the development to Oriel Road.
- ii. All new internal roads and walkways are to be named after aboriginal or other local war veterans who distinguished themselves while serving our country, and to recognise the site's close proximity to the Austin Repatriation Hospital. This includes recognising the local aboriginal veteran community and acknowledge their contribution towards our country despite not being recognised as citizens at that time.
- iii. Ensure that all car parking requirements are in accordance with independent traffic studies, models and advice to prevent local road congestion and parking issues. Furthermore, ensure that adequate public and visitor car parking is provided on site and associated with the new community facility.

-
- iv. Create improved vehicle access off Banksia Street into the community precinct via tree-lined avenue/s to service the new community hub and precinct.
 - f) Trees
 - i. Where possible all existing high retention value trees on site are retained, including those on the corner of Oriel Road and Banksia Street near the current roundabout.
5. Continue to advocate with the Victorian State Government for the best outcomes for this site.
6. Note the themes that arose throughout the community consultation and stakeholder engagement process and adopt the following responses to these themes as selection criteria to be used in assessing future development proposals:
- a) Address potential traffic and parking concerns through independent traffic studies, modelling and advice. (Note that this criteria also forms part of any Planning Scheme rezoning process.)
 - b) Ensure compliance with the Bellfield Urban Design Guidelines so as to lead to a high quality development.
 - c) Address present, future and ongoing potential infrastructure impacts through additional independent studies and advice as part of any development proposal.
 - d) An increased level of Environmentally Sustainable Design and Water Sensitive Urban Design initiatives across the development.
 - e) Increased pedestrian safety measures, including the relocation of the existing signalised pedestrian crossing located south of the Oriel Road roundabout to a new location north of the Oriel Road roundabout.
 - f) Have the successful proponent partner with Council and continue to advocate with the Victorian State Government and Public Transport Victoria to increase the level of public transport to the area.
7. Endorse progression of this project by undertaking the following three stages of work:
- a) Planning Scheme rezoning process
 - b) Commercial process for the sale and development of land
 - c) Design of the new community precinct

Moved: Cr Craig Langdon
Seconded: Cr Peter Castaldo

CARRIED

5.5 KARINGAL DRIVE TENNIS CLUB - COURT LIGHTING - EMERGENCY WORKS

EXECUTIVE SUMMARY

The Karingal Drive Tennis Club have a lease over the tennis courts located on Karingal drive, Greensborough. Structural maintenance (any maintenance items resulting from structural failure) within the current lease is Council's responsibility.

As a result of a structural audit of the tennis lights, Council was advised on Friday 8 February, that two light poles require immediate removal due to severe corrosion. This has caused a safety issue at the site and the two en tout cas courts involved were closed immediately. The poles were removed on Tuesday 12 February and the courts are available for day time use.

There are a total of nine (9) lighting poles located on the two (2) courts concerned. The other remaining seven (7) poles are severely rusted and close to full corrosion at the base. The audit report recommends all lights and poles be replaced as soon as practical.

Given this is an unexpected result causing immediate closure of the courts due to risk, it is important to take appropriate action to ensure that the courts are available for use as soon as possible

This report recommends Council allocate funding to replace the tennis court lights to contemporary standards which includes LED lamps with capacity to accommodate the 'Book-a-Court' program.

Resolution (CO2019/24)

That Council:

1. Note the report.
2. Acknowledge that since writing the report, the audit of tennis court light poles has been completed and a number of poles at other venues require immediate attention.
3. Allocate \$482,460 from Council's Open Space Reserve to reinstate the tennis court lights at:
 - a) Karingal Drive Tennis Club, Greensborough (9 poles)
 - b) Chelsworth Park, Ivanhoe (9 poles)
 - c) Banyule Tennis Club, Heidelberg (12 poles)
 - d) Eaglemont Tennis Club, East Ivanhoe (9 poles)
4. Arrange for the reinstatement as a matter of urgency.
5. Inform the Clubs of Council's intention to reinstate the light poles and light fittings.
6. Council notes any upgrade to include LED lighting
- 7.

Moved: Cr Mark Di Pasquale

Seconded: Cr Tom Melican

CARRIED

5.6 DEVELOPMENT PLANNING ACTIVITIES REPORT (JULY - DECEMBER 2018) EXECUTIVE SUMMARY

This report presents and provides commentary on the 2018 activities of Development Planning including applications and related requests received and determined, processing timeframes, planning investigations and infringements and planning appeals. Key highlights from 2018 include:

- The number of requests determined has exceeded the number of incoming requests for a second year in a row.
- Over the 6 month review period the total number of live applications has reduced by 47 from 505 to 458 (9.31%).
- Applications for multi dwelling development increased in the 6 month review period year by 21 from 107 to 128 (19%).
- A full complement of staff through the last quarter of the year and a focus on service improvements (discussed below) has assisted in reducing the total number of live applications including tree requests.
- 56% of planning applications were determined within the 60 day statutory timeframe with improving this figure to be a key focus area in 2019.
- Live tree applications have reduced well below the target rate of 30 after an earlier peak of 57 in April.
- The total number of live planning investigations reduced significantly through the last four months of 2018 from a peak in July 2018.

Resolution (CO2019/25)

That Council

1. Note the Development Planning Activities Report for the period July to December 2018.
2. Thank Planning staff for their hard work and dedication in achieving this significant result.

Moved: Cr Tom Melican
Seconded: Cr Rick Garotti

CARRIED

6. PARTICIPATION – COMMUNITY INVOLVEMENT IN COMMUNITY LIFE

Nil

7. PERFORMANCE - USE OUR RESOURCES WISELY**7.1 QUARTERLY FINANCIAL MANAGEMENT REPORT FOR PERIOD ENDING 31 DECEMBER 2018**

Kevin Hill spoke on this item.

EXECUTIVE SUMMARY

The Quarterly Financial Management Report for December 2018 is presented in accordance with section 138 of the *Local Government Act 1989* which requires reporting to Council on the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date.

Operating Surplus:

As at 31 December 2018, year to date income and expenditure is \$3.546m favourable to budget. Banyule City Council has forecasted to deliver an operating surplus of \$6.965m for the year 2018/19. This is \$1.758m favourable to the adopted budget of \$5.207m.

The significant contributions to the favourable forecast variance include:

- Public Open Space Contribution income \$1.650m (note 13)
- Interest Income from holding a higher cash balance than budgeted \$0.460m (note 14)
- Postponed contribution to the La Trobe sports precinct \$0.500m (note 18)
- Postponed capital grant from the last financial year \$2.000m (note 10)

Which is offset by the below noted items under both income and expenditure category:

- Victoria Grants Commission funding of \$2.031m (50% of 2018/19 grant) was brought forward into the 2017/18 financial year (note 9).
- Expenditure associated with unspent grants and initiative projects of \$1.303m has been carried forward into 2018/19 (note 17).
- A Council resolution to allocate \$1.250m unbudgeted funding to Environmental Effects Statement process and advocacy to the North East link Authority was adopted in August 2018 (note 17).

The 2018/19 underlying operating result is forecasted to be \$1.035m in deficit against a budgeted underlying operating surplus of \$1.077m. This underlying result is determined after adjusting for non-recurrent capital grants and capital contributions.

Capital Works Performance:

As at 31 December 2018 a total of \$19.412m has been spent on capital works. The expenditure for Capital Works is now forecast to be \$58.319m including \$8.335m of carry forwards and unbudgeted strategic property acquisitions (the adopted capital budget is \$47.186m).

Resolution (CO2019/26)

That Council:

1. Note and receive the Quarterly Financial Management Report for the period 31 December 2018.
2. Note the forecast to deliver an operating surplus of \$6.965m against the adopted budget of \$5.207m for the year ended 30 June 2019.

Moved: Cr Rick Garotti

Seconded: Cr Tom Melican

CARRIED

7.2 AWARD OF CONTRACT NO: NR-0969-2018 FOR PROVISION OF SECURITY SERVICES - NORTHERN REGION COLLABORATION**EXECUTIVE SUMMARY**

This report is to consider the awarding of Contract No NR-0969-2018 for the Provision of Security Services.

Banyule City Council in collaboration with 4 Northern Region Councils led the tendering process to seek submissions from suitably qualified and capable contractors to provide Security Services to the 5 municipalities.

The 5 participating Councils require the provision of Security Services across approximately 235 sites comprising offices, facilities and reserves, of which Banyule has a total of 49 sites.

Tenderers were also requested to submit a response that delivers social and economic initiatives to the Northern Region Community, providing employment for residents from disadvantaged backgrounds such as young school leavers, new migrants, long term unemployed etc.

The Contract term sought is a 7 year term, with an initial period of 3 years with the option to extend for further periods of any duration up to a maximum period of 4 years.

The tender was advertised in *The Age* and on Council's web site. 15 submissions were received by closing time.

All tenders were analysed by the Tender Evaluation Panel (TEP) comprising officers from each participating Council's Business Operation and Procurement Units.

During the detailed tender evaluation process multiple shortlisting rounds and clarifications to obtain further information about the tender submissions were undertaken. Negotiations were held with shortlisted tenderers who were requested to review their submitted prices and submit their best and final offer after negotiations were conducted with each of them.

The anticipated expenditure on this contract is forecasted to be \$786,456 (for routine and reactive services) over the expected 7 year contract period. It is expected that Council will also save an estimated \$685,040 over the full term of the contract. This contract will also deliver social outcomes by creating employment for 1.5 FTE's from disadvantaged backgrounds in the Banyule Community in partnership with Brotherhood of St Laurence and Specialised Recruitment Service at no further cost to Council.

The Tender Evaluation Panel (TEP) has recommended awarding the contract to Southern Cross Protection Pty Ltd in accordance with the tender and conditions as determined by Council.

Resolution (CO2019/27)

That:

1. Contract No. NR-0969-2018 for the Provision of Security Services be awarded to Southern Cross Protection Pty Ltd for a lump sum of \$412,114.15 for Routine Security Services and on a schedule of rates basis for Reactive Security Services. The contract is over a 3 year period with an extension option for a further 4 year period at Council's discretion.
2. The Common Seal of the Banyule City Council be affixed to the Contract Agreement.
3. Council Officers be authorised to award an extension of this Contract, subject to review of the Contractor's performance and Council's business needs, at the conclusion of the initial 3 year Contract term.

Moved: Cr Tom Melican
Seconded: Cr Craig Langdon

CARRIED

7.3 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

1	Date of Assembly: Type of Meeting: Matters Considered: Councillors Present:	21 January 2019 Councillor Briefing 6.1 Award for Contract 0944-2018 for Construction of a Library, Cultural Hub and associated works at 275 Upper Heidelberg Road Ivanhoe Peter Castaldo Mark Di Pasquale Rick Garotti Craig Langdon Tom Melican
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	Staff Present:	Wayne Phillips Alison Champion Allison Beckwith – Director Community Programs Geoff Glynn – Acting Chief Executive Officer/Director Assets & City Services Gina Burden – Manager Governance & Communications Emily Outlaw – Governance Team Leader Roberta Colosimo – Manager Youth & Family Services Arun Chopra – Manager Major Projects Tania O’Reilly – Manager Finance & Procurement
	Others Present:	Nil
	Conflict of Interest:	Nil

2	Date of Assembly:	2 February 2019
	Type of Meeting:	Councillor Strategic Planning
	Matters Considered:	<ul style="list-style-type: none"> • Long-term Financial Sustainability • Service opportunities / efficiencies going forward • Climate Action • North East Link
	Councillors Present:	Peter Castaldo Mark Di Pasquale Rick Garotti Craig Langdon Tom Melican Wayne Phillips Alison Champion
	Staff Present:	Simon McMillian – Chief Executive Officer Allison Beckwith – Director Community Programs Marc Giglio – Director Corporate Services Geoff Glynn – Director Assets & City Services Scott Walker – Director City Development
	Others Present:	Nil
	Conflict of Interest:	Nil

3	<p>Date of Assembly:</p> <p>Type of Meeting:</p> <p>Matters Considered:</p> <p>Councillors Present:</p> <p>Staff Present:</p> <p>Others Present:</p> <p>Conflict of Interest:</p>	<p>2 February 2019</p> <p>Confidential Briefing - Councillor Strategic Planning</p> <ul style="list-style-type: none"> • Contractual matters <p>Peter Castaldo Mark Di Pasquale Rick Garotti Craig Langdon Tom Melican Wayne Phillips Alison Champion</p> <p>Simon McMillian – Chief Executive Officer Allison Beckwith – Director Community Programs Marc Giglio – Director Corporate Services Geoff Glynn – Director Assets & City Services Scott Walker – Director City Development</p> <p>Nil</p> <p>Nil</p>
4	<p>Date of Assembly:</p> <p>Type of Meeting:</p> <p>Matters Considered:</p> <p>Councillors Present:</p> <p>Staff Present:</p>	<p>4 February 2019</p> <p>Councillor Briefing</p> <p>3.1 Nets Stadium – Additional Courts Project 3.2 Advisory Committee’s Report – December 2018 5.1 17-23 The eyrie, Eaglemont – Tree Removal and Amendments to Dwelling (P172/2017) 5.2 Adoption of Planning Scheme Amendment C114 6.1 Nominees for Council Advisory Committees for 2019 and 2020 – Terms of Reference of Advisory Committees 7.1 3 Wimpole Crescent, Bellfield – Lease Property 7.2 Report on property transactions for the six months ending 31 December 2018 7.3 Audit & Risk Advisory Committee – Minutes 13 September 2018 & 7 December 2018 7.4 Contract No Q763 & Q764 for Supply and Delivery of Two 29m3 Side Loading Recycling Trucks 7.5 Assembly of Councillors 8.1 Rear 162 Main Street Lower Plenty 9.1 Banyule City Council App General Business Adelaide National Conference Internship Program Qwere Street Festival</p> <p>Peter Castaldo Mark Di Pasquale Rick Garotti Craig Langdon Tom Melican Wayne Phillips Alison Champion</p> <p>Simon McMillian – Chief Executive Officer Allison Beckwith – Director Community Programs Marc Giglio – Director Corporate Services Scott Walker – Director City Development</p>

	Others Present:	Gina Burden – Manager Governance & Corporate Services Vivien Ferlaino - Customer Service & Governance Co-ordinator Joel Elbourne – Manager of Building & Planning James Stirton – Manager of Environment & Place Shawn Neilsen – Communications Coordinator
	Conflict of Interest:	Nil

5	Date of Assembly:	11 February 2019
	Type of Meeting:	Councillor Briefing
	Matters Considered:	<ul style="list-style-type: none"> • Belfield Masterplan Consultation Findings • North East Link • Update on Victorian Aboriginal Treaty Developments • Budget Update 2019/20 • Capital Works
	Councillors Present:	Peter Castaldo Alison Champion Mark Di Pasquale Rick Garotti Craig Langdon Tom Melican Wayne Phillips
	Staff Present:	Simon McMillian – Chief Executive Officer Allison Beckwith – Director Community Programs Marc Giglio – Director Corporate Services Geoff Glynn – Director Assets & City Services Scott Walker – Director City Development Kerryn Woods – Executive Assistant CEO & Councillors James Stirton – Manager Environment & Place Amanda Allen – Acting Manager Property Darren Bennett – Manager Leisure, Recreation & Culture Services Paul Bellis – Transport Planning & Advocacy Coordinator Jonathan Risby – Manager Transport Theonie Tacticos – Community & Social Planning Coordinator Nicole Findlay – Reconciliation Developments Projects Officer Lisa Raywood – Manager Health, Aged & Community Planning Catherine Simcox – Senior Community Services Development Officer Tania O'Reilly – Manager Finance & Procurement James Kelly – Manager Delivery & Assets
	Others Present:	Duncan Elliott – North East Link Authority Sebastian Motta - North East Link Authority Mark Ho - North East Link Authority Jennifer Howard - North East Link Authority Charles Pakana – Aboriginal & Torres Strait Islander Advisory Committee
	Conflict of Interest:	Nil

10. GENERAL BUSINESS

10.1 TRIBUTE MAX HALL

Cr Craig Langdon paid tribute to Max Hall who was a local pharmacist at the Macleod Village for approx. 40 years who passed away earlier this year.

Cr Langdon commented that Max was passionate about the local area and President of the Macleod Traders Association for a number of years as well as being on the School Council. His community commitment led him to standing (unsuccessfully) for the City Of Heidelberg Council in the 1980's.

Cr Langdon further noted Max loved playing hockey and was awarded life membership of his club. He was a long standing ALP Member and founded Australian Children's Television Action Committee.

Cr Langdon noted his commitment to helping people, in their's, and his own battle, against Motor Neurone Disease.

Cr Langdon paid condolences to Marg, Tanya & Soph and numerous grandchildren.

10.2 CHINESE NEW YEAR

Cr Di Pasquale noted the Chinese New Year celebrations held on Friday 15 February and thanked the Greensborough Traders Association and Council staff involved in organising the event.

ADJOURNMENT OF MEETING

Resolution (CO2019/30)

That the Meeting be adjourned for Public Question Time.

Moved: Cr Craig Langdon
Seconded: Cr Rick Garotti

CARRIED

The Meeting adjourned for the Public Question Time at 10.41pm.

PUBLIC QUESTION TIME

1	<p>Name & Suburb</p> <p>David Mulholland - Heidelberg Heights</p>
	<p>Question:</p> <p>What is the intention and business case for Council purchasing 1/59 Swanston Street Heidelberg Heights?</p>
	<p>Response:</p> <p><i>Scott Walker – Director City Development</i></p> <p>Council purchases property for a range of strategic and operational purposes. In this case, Council has purchased contiguous land and is also undertaking drainage works near and adjoining the property that may impact on the property owner.</p> <p>The purchase of the property is both strategic and operational. It will facilitate the necessary drainage works nearby and can also be part of a larger strategic opportunity in the future.</p> <p>The ultimate future use of the site is yet to be determined.</p>

2	<p>Name & Suburb</p> <p>Kevin Biaggini - Ivanhoe</p>
	<p>Question:</p> <p>With staff moving from Ivanhoe to Greensborough, could Council use the car park at the old Ivanhoe offices, 275 Upper Heidelberg Road, Ivanhoe, as unrestricted parking for train users?</p>
	<p>Response:</p> <p><i>Scott Walker – Director City Development</i></p> <p>Council has not identified any excess parking availability at the Ivanhoe Town Hall. This carpark is required over the next few years to facilitate the reconstruction of the Ivanhoe Library and Cultural Hub, and after that for users of the new facility and the Centre Ivanhoe.</p> <p>In terms of additional parking for train commuters, the adopted Ivanhoe Parking Plan recommended that Council liaise with VicTrack to explore opportunities to improve parking at the station to cater for current and future demands. We have also requested additional bicycle parking at the station.</p>

3	<p>Name & Suburb</p> <p>Kevan Hill - Ivanhoe</p>
	<p>Question:</p> <p>Has VISY advised Council if it expects to process increased volumes of recycling waste at the Waterdale recycling site that might be diverted from other Council's in relation to the closure of two recycling sites in Melbourne and any expected increase in heavy vehicle traffic and associated noise?</p>
	<p>Response:</p> <p><i>Geoff Glynn - Assets & City Services</i></p> <p>The Visy Material Recovery Facility in Bellfield is currently running at full capacity within the allowed operating hours. Visy has advised that there is no intention of passing more material through their facility at this time and therefore no significant heavy traffic increases and associated amenity impacts are expected.</p> <p>As part of the facility lease with Council, Visy would need to be notify Council should they want to expand the operating hours to accept more material.</p>

The Public Question Time concluded at 10.44pm.

Closure of Meeting

The Meeting was closed at 10.44pm.

DATED: DAY OF 2019

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MAYOR

The next Ordinary Meeting of Council will be held on Monday, .18 March 2019.