



GLEN EIRA CITY COUNCIL

ORDINARY COUNCIL MEETING

MINUTES

21 SEPTEMBER 2015

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- 12.1 under s89 (2)(d) “contractual” which relates the awarding of the contract for internal audit services

Number of tenders received	Six (6)
Number of evaluation criteria tenders assessed against	Three (3)
Estimated contract value	\$120,000 per annum

- 12.2 under s89 (2)(d) “contractual” which relates the awarding of the contract for Tender 2015.048, Provision of Traffic Management Services, various locations within the City of Glen Eira

Number of tenders received	Eleven (11)
Number of evaluation criteria tenders assessed against	Three (3)
Estimated contract value	\$300,000.00 per annum

- 12.3 under s89 (2)(d) “contractual” which relates to Council approved contracts.

13. CLOSURE OF MEETING



**MINUTES of the ORDINARY MEETING OF THE
GLEN EIRA CITY COUNCIL held on MONDAY, 21 SEPTEMBER 2015**

The meeting opened at 7.30 pm in the presence of:

**His Worship the Mayor, Councillor Jim Magee
Councillor Margaret Esakoff
Councillor Jamie Hyams
Councillor Michael Lipshutz
Councillor Oscar Lobo
Councillor Karina Okotel
Councillor Neil Pilling
Councillor Thomas Sounness**

1. ACKNOWLEDGEMENT

On behalf of Council the Mayor read the following acknowledgement.

In the spirit of respect Council acknowledges the people and elders of the Kulin Nation who have traditional connections and responsibilities for the land on which Council meets.

2. APOLOGIES - Cr Delahunty

Crs Sounness/Lipshutz

That the apology be received and noted.

The MOTION was put and CARRIED unanimously.

3. OATH OF OFFICE AND DISCLOSURES OF INTERESTS

The Chairperson reminded Councillors that we remain bound by their Oath of Office to undertake the duties of the office of Councillor in the best interests of the people of the municipal district of Glen Eira and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act or any other Act, to the best of their skill and judgement.

The Chairperson also reminded Councillors of the requirement for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda, or which are considered at this meeting, in accordance with Sections 77 to 79 of the Local Government Act.

No Councillor disclosed any interest in any of the agenda items.

4. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS

Copies of Minutes previously circulated.

Crs Lipshutz/Hyams

That the minutes of the Ordinary Council Meeting held on Tuesday, 1 September 2015 be confirmed.

The MOTION was put and CARRIED unanimously.

5. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS – Nil

6. DOCUMENTS FOR SEALING – Nil

7. REPORTS BY DELEGATES APPOINTED BY COUNCIL TO VARIOUS ORGANISATIONS

- i. Metropolitan Transport Forum, 5 August 2015

Cr Sounness reported on the recent meeting of the MTF.



PO Box 89, Elwood, VIC 3184
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 Contact: mtf@mtf.org.au MTF website: www.mtf.org.au

Minutes – General Meeting

Wednesday, 5th August 2015

6.00 pm refreshments, meeting starts at 6.15 pm
 Meeting Room, 2nd Floor, Melbourne Town Hall

Councillors

Chair: Cr Tom Melican

1. Welcome / Attendance / Apologies

Present:

Cr Tom Melican	City of Banyule
Bailey Byrnes	City of Banyule
Steve Carson	City of Bayside
John Tanner	City of Brimbank
Cr Amanda Stapledon	City of Casey
Paul Hamilton	City of Casey
Cr Oliver Walsh	City of Darebin
Stephanie Preston	City of Darebin
Nicola Belcher	City of Glen Eira
Patricia Fitzsimons	City of Hobsons Bay
Cr Paul McLeish	City of Manningham
Malcolm McDonald	City of Maribyrnong
Cr Martin Zakharov	City of Maribyrnong
Damon Rao	City of Melbourne
Terry Tillotson	City of Monash
James Paterson	City of Monash
Cr Andrea Surace	City of Moonee Valley
Bryan Lancaster	City of Moonee Valley
Cr Lenka Thompson	City of Moreland
Cr John McMorrow	City of Stonnington
Tom Haysom	City of Stonnington
Ian Goodes	City of Whitehorse
Cr Glenn Goodfellow	City of Wyndham
David Suder	City of Wyndham
Cr Jackie Fristacky	City of Yarra
Jane Waldock	City of Yarra
Craig Rowley	Leadwest
Fahim Zafar	Town and Country Planning Association
Ian Woodcock	RMIT / University of Melbourne
Kevin Peachey	MAV

David Stosser	Rail Futures Inc
Rachel Carlisle	VicRoads
Clive Mottram	VicRoads
Susie Strain	Metropolitan Transport Forum

Apologies

Peter Cash, MTF

Cr Jason Price , City of Hobsons Bay

Cr Thomas Sounness, City of Glen Eira

Cr Roberto Colanzi, City of Yarra

Cr Micaela Drieberg, City of Monash

Anthea Jennings, City of Kingston

Cr Carl Marsich, City of Hobsons Bay

Steven White, City of Bayside

Kathleen Kemp, City of Port Phillip

Clare Davey, City of Boroondara

Peter Bain, City of Kingston

2. Minutes of previous meeting, Wednesday 1st July

MOTION: that the minutes of the previous meeting Wednesday 3rd June 2015 be accepted

Proposed: Cr Lenka Thompson, City of Moreland

Seconded: Cr Glenn Goodfellow, City of Wyndham

Carried

3. Presentation: Grade Separations, Ian Goodes, City of Whitehorse

Ian Goodes, Manager, Engineering and Environmental Services, City of Whitehorse, spoke about the council's experience with grade separations since the first one at Box Hill station in 1983. Ian has worked at City of Whitehorse for 18 years and has participated in 4 grade separations in the past 8 years, with two more scheduled for this year.

Ian felt that a grade separation in the municipality provides an excellent opportunity for many aspects. From the transport point of view it is important for public transport, safety and congestion relief, but also offers opportunity to improve the urban environment and provide economic and social benefits.

City of Whitehorse has strongly advocated over many years for level crossing removals which always featured in council plans. Ten years ago the council initiated a campaign to remove the Springvale Road level crossing where 50,000 vehicles per day and hundreds of trains intersected. The City of Whitehorse CEO, Noeleen Day, advocated to both federal and state governments, a commitment was received from the federal government and the state followed suit. Council received \$1 million for a feasibility study.

Ian provided an outline of each level crossing removal

1. Station Street, Box Hill, which took place in 1983

2. Middleborough Road, Box Hill, 2007

Council did not have a proactive position at that time, and could only react to issues emerging during construction. Residents suffered significant noise and disruption and, following Council approach to the Premier, were given alternative accommodation. Council also had to repair damaged ovals which held building materials, and integrate cycling facilities later.

3. Springvale Road, 2010

Council tried to get a structure plan in place, and considered as part of the project, but overall precluded by the scope of the project and limited budget. The grade separation was seen as an engineering exercise independent of broader planning issues, and without capacity to respond to the major disruptions to business and residents. At the time Council supported local businesses with business kits, training, local advertisements and banners. Longer term legacies of the project were

- New nearby development, as encouraged by the structure plan, has been slow to evolve. Nearby land use and development opportunity is an issue that VicTrack (as responsible for land near the station) could support;
- A local street within the grade separation precinct needed redevelopment at Council's expense;
- State policy is that there be no net loss of parking which can result in free parking taking up much valuable space, rather than a solution more integrated with Council plans considering nearby land use;
- No consideration of cycling facilities nearby, despite Council advocacy;
- A smart bus introduced at the time, but difficult to access.

4. Rooks Road, Nunawading, 2014

Rooks Road is a local road and the project was synchronised with Mitcham grade separation. Council was able to advocate successfully for a bicycle path to be included in the project.

5. Mitcham Road, Mitcham, 2014

To influence better outcomes for the municipality, Council prepared built form and public realm guidelines which were attached to the project consultant brief. Proposals included using VicTrack land, multi-deck car park instead of large at-grade parking, cycling and redesign of Station Street, Mitcham, to improve the station entrance and pedestrian facilities. Despite consultation and community support, no integrated parking solution was adopted, and the Station Street upgrade is at the Council expense. However a cycle path and parking were included.

To come - Blackburn Road, Blackburn and Heatherdale Road, Mitcham

Work starts in October 2015, and Council has been working closely with VicRoads, there have been consultation sessions and the Premier is willing to talk to traders.

Ian outlined the critical factors for councils engaged in a level crossing project

City of Whitehorse has learned to prepare a formal internal process to best manage the many interactions with multiple agencies. Council nominated a full-time staff member as the sole contact person with VicRoads (as the responsible authority at the time) and who also coordinated with the various council departments via regular working group meetings of up to 30 council personnel.

Ian encouraged councils to be prepared ahead of time, and be willing to commit staff to liaise and coordinate on behalf of council.

The Council role covers

- Advocacy and political influence
- Land planning and economic development
- Community representation
- Council assets
- Liaison during construction
- As a land owner
- VicRoads / Council coordination

Council's interests for the municipality and community are

- Integration of transport and land use
- Development opportunities and built form
- Land acquisition for community facilities
- Key local roads redevelopment
- Residential interface impacts
- Impacts on road network and community facilities during and after construction
- Parking during and after construction
- Integrated transport –walking, cycling, public transport, traffic

And the framework for success

- Roles clearly understood–Council, VicRoads, Level Crossing Removal Authority
- Strong Council / VicRoads / LCRA working relationships early
- Integrated whole of Council approach and interface with other agencies
- Communication with Councillors and VicRoads, Senior Council and VicRoads officers, community
- Early council strategic planning and integrated planning
- Proactive search for development opportunities
- Actively engage VicTrack as land owners
- Integrate development opportunities into project planning and delivery

Finally Ian reminded the meeting that Councils' role in these projects is soundly based in the Transport Integration Act, which states

11 Integration of Transport and Land Use

(1) The transport system should provide for the effective integration of transport and land use and facilitate access to social and economic opportunities.

4. MTF Strategic Public Transport Advocacy

- John Merritt, CEO VicRoads, has agreed to present to the September meeting. An invitation to be issued to all metropolitan councils. The AGM will be postponed to October.
- MTF executive members have met with Minister Jacinta Allan's Chief of Staff, and are due to meet with Minister Luke Donnellan in the near future
- MTF executive members attended a workshop organised by Roger Taylor, Transport in Melbourne, to explore the topic of developing a public transport manifesto as an advocacy document. The workshop included a presentation on developing more integrated solutions to major transport infrastructure decisions through a more collaborative decision-making approach by the many participating agencies.

5. MAV Report

Kevin Peachey, MAV, informed the meeting that the MAV is hosting a presentation by Kevin Devlin of the Level Crossing Removal Authority at the MAV offices, Wednesday 2nd September, 3-5 pm. The presentation will provide an overview and also discuss the consultation process. There is also a transport forum being planned for councils to share transport innovation.

6. Regular reports:

- **Treasurer's report**

The Treasurer, Cr. Jackie Fristacky, reported an apology from Dina Lynch who has accepted the position of finance officer from October 2015.

The Treasurer's report was presented as follows:

1. Balances at Bank

Cheque account	\$3,713.64
2 month term deposit	\$76,651.58
Total	\$80,365.22
2. Subscriptions
 - Member subscription invoices for 2015/2016 issued
 - Associate membership subscription invoices not issued as yet
3. Invoices

S. Obliubek audit fee	\$350.00
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MOTION: that the Treasurer's report be accepted

Proposed: Cr. Jackie Fristacky, City of Yarra

Seconded: Cr. Andrea Surace, City of Moonee Valley

Carried

7. Council Information Sharing

- Ride to Work Day

Further discussion and consideration of Mayors on Bikes as part of Ride to Work Day has led to the plan to invite the Minister of Transport to a bicycle ride during bike week.
- Cr Martin Zakharov reported a new truck curfew in Yarraville. Five years of monitoring truck volumes show positive results following the introduction of curfews.
- Craig Rowley, LeadWest, advised the MTF of a forum 'Jobs Go or Jobs Grow' on economic development in Melbourne's west on 21st August
- Cr Paul McLeish, City of Manningham, reported that Matthew Guy was promoting the extension of the 48 tram route from North Balwyn to Doncaster. The Council was advocating for Phase 2 of the Doncaster Rail Study.
- Cr Jackie Fristacky reported a 'Race to the Town Hall' on Tuesday 11th August.
- Cr Tom Melican reported a truck ban in Rosanna Road

8. Meeting close.

8. REPORTS FROM COMMITTEES

a. Advisory Committees

- i. Community Consultation Committee, 19 August 2015
- ii. Audit Committee, 21 August 2015
- iii. Community Grants Committee, 15 September 2015

Crs Lipshutz/Hyams

That the minutes of the above Committees be received and noted.

That the recommendations of the Committees be adopted.

The MOTION was put and CARRIED unanimously.

b. Records of Assembly

- i. 25 August 2015
- ii. 1 September 2015

Crs Lipshutz/Pilling

That the Record of the above Assembly be received and noted.

The MOTION was put and CARRIED unanimously.



**Minutes
Community Consultation Committee Meeting
19 August 2015**

Purpose:

To make recommendations to Council in relation to the ways in which Council consults with residents, ratepayers and other stakeholders in the community to ensure maximum participation, communication and value to the community.

1. Meeting commenced at 6:37pm

Present

Cr Jamie Hyams	Chairperson
Cr Oscar Lobo	
Cr Mary Delahunty	(left meeting at 7:24pm)
Gregor Ptok	Community representative
Rosemary McClean	Community representative
Mark Holding	Community representative
Susan McKenna	Community representative
Peter Jones	Director Community Services
Gaye Stewart	Manager Community Development

Apologies

Cr Karina Okotel

2. Matters considered

- i. Keeping participants informed of the outcome of community engagement activities
- ii. Quarterly update of community engagement undertaken by Council between April and June 2015
- iii. Review of the Community Engagement Strategy implementation across Council one year on
- iv. Overview of information from presentations by Iain Walker and John Fien
- v. General business items as listed

- 3.** The Chair welcomed the new community representative, Susan McKenna, to the meeting and made introductions.

4. Keeping participants informed of the outcome of community engagement activities

A report was presented which outlined a range of processes used by Council to keep the community informed and to provide feedback following a community consultation process. The focus of discussion was on the adequacy of feedback after community

consultation and the mechanisms utilised by Council to ensure that issues raised are tracked.

Motion: Officers to review the extent to which contributors to Council consultations are being advised about outcomes of consultations and present the finding at the next Committee meeting.

**Moved: Cr Delahunty, Seconded: Cr Hyams
Motion passed unanimously**

5. Quarterly update of community engagement undertaken by Council between April and June 2015

A report was presented which identifies engagement activities which have been undertaken by Council between 1 April and 30 June 2015. The report utilised the four drivers for engagement that have been presented in the Community Engagement Strategy.

The report was noted and the value of monitoring community engagement to establish a benchmark for improvement was discussed. Measures of community satisfaction are measured annually in the Statewide Community Satisfaction Survey for Councils'.

Action: A summary of the 2015 Community Satisfaction survey and the parts relating to community engagement to be presented at next meeting of the committee.

6. Review of the Community Engagement Strategy implementation across Council one year on

At the Community Consultation Committee meeting on 8 October 2014, the committee requested that Officers '*Undertake an internal review of the Community Engagement Strategy implementation across Council after 12 months and report to the committee.*

The review focussed on how Council Officers have utilised the *Strategy* to support Community consultation and engagement with the community

The review indicated that there is general familiarity with the strategy but this could be enhanced by promotion. Since implementation a wider range of consultation methods have been utilised, particularly online consultations. Surveys were the most common consultation tool used. Members highlighted that the Community Engagement Strategy is Council Policy and should be utilised by all Business Areas that engage with residents to improve their practice.

The committee considered that the use of social media could enhance community engagement and that an increased use of social media would be of benefit to Council.

Motion: Officers to prepare a paper setting out how other Councils use social media for consultation and how Councils approach could be enhanced

**Moved: Cr Hyams, Seconded: Cr Lobo
Motion passed unanimously**

Cr Delahunty left the meeting at 7:24pm

7. Overview of information from presentations by Iain Walker and John Fien

An overview of key themes in presentations the committee received by Iain Walker on 19 February 2015 and John Fien on 27 May 2015 was tabled. The information was noted and further discussion about improving community engagement through participatory projects ensued. The option of incorporating participatory budgeting in the future was discussed in the context of rate capping.

Action: Officers to explore how participatory budgeting is used here and overseas and advise about any statutory obstacles which may impede implementation

8. Other business

- 8.1 Booran Road Reservoir:
Susan McKenna sought information regarding which households were involved in the conditions assessment process for the Booran Road Reservoir development. She was advised that the process was determined by engineering/major projects and that her query would be addressed by the head engineer involved.
- 8.2 Acknowledgement of retiring community representative:
The Chair thanked retiring community representative Rosemary McClean for her contributions to the committee.
- 8.3 Consideration for new community representative to be confirmed at next meeting

Next meeting: Wednesday November 18th 2015

Meeting closed at: 7:57pm

Audit Committee Minutes of Meeting held 21st August 2015

Present:

Members: David Gibbs, Chairman
Dr Craig Nisbet, Independent Member
Lisa Woolmer, Independent Member
Councillor Mary Delahunty

In attendance: Councillor Oscar Lobo

Officers: Andrew Newton, Chief Executive Officer
Peter Swabey, Chief Financial Officer
John Vastianos, Manager Finance
Rachel Ollivier, Group Manager, Environmental Strategy and Services (Item 5)
Mark Judge, Group Manager Major Projects (Item 8)
Amarita Kinnoo, Manager Public Relations and Marketing (Item 8)

Internal Auditor: Jason Agnoletto, PricewaterhouseCoopers (Items 3-4)
Nick Burjorjee, PricewaterhouseCoopers (Items 3-4)

External Auditors: Tim Loughnan, Sector Director, Local Government, Victorian Auditor-General's Office (Item 7)
Ivy Ly, Victorian Auditor-General's Office (Item 7)

Apologies: Councillor Michael Lipshutz and John Doyle, Auditor-General, Victorian Auditor-General's Office

Minutes: Alon Milstein, Financial Accountant

The Committee met at 8am in-camera in discussion of broad issues facing Council and the risk elements thereof.

At 8.40am, the Chairman welcomed Councillors, Officers, Messrs Agnoletto and Burjorjee from PricewaterhouseCoopers and Mr Loughnan and Ms Ly from the Victorian Auditor-General's Office.

1. Matters for Agenda

The Chairman asked whether any person present was aware of any breaches of any Act or any other irregularity which should be brought before the Committee. No breach or irregularity was reported.

2. Confirmation of Minutes and Action Items

The minutes of the previous Audit Committee meeting held on 29th May 2015 were confirmed.

It was noted that the action items arising from the previous meeting had been attended to.

3. Internal Audit Activity

Mr Agnoletto presented the Internal Audit Activity Report. It was noted that the plan for 2014/15 had been completed and that a refreshed Strategic Audit Plan for 2016-2018 would be provided as part of the tender process.

A paper covering *Fighting Fraud in the Public Sector III* will be distributed via email to Audit Committee Members.

4. Internal Audit Reviews

Follow Up Review 2015

Mr Burjorjee noted that the results from the seven reports identified ten findings. Of those ten, seven had been completed with another three still in progress. One of these related to the tendering review with the remaining two relating to the contract management review.

The Chairman requested a paper briefing the Audit Committee on the status of the new contract management system. He also requested that the results of any post implementation review that may be undertaken be provided as an information item when completed.

Park Services Maintenance

Mr Agnoletto confirmed that the results were good and that no control breakdowns existed.

Two "B" and two "C" ratings were identified and these recommendations were agreed to by Management.

Ms Ollivier also confirmed that the scope of the review was appropriate and that the results of the findings would be distributed back to Parks Management.

At this stage Messrs Agnoletto and Burjorjee left the meeting.

5. Clayton South Regional Landfill

Mr Loughnan confirmed that the accounting treatment of the Joint Operation was in line with the Victorian Auditor-General's Office's expectations and consistent with that used by the other owner councils. He also confirmed that the numbers used in the 2014/15 Financial Statements relating to the Joint Operations were

complete and that the Landfill's 2014/15 Accounts were due to be signed off with an unqualified audit opinion.

The CFO noted that the post closure costs and provisions would continually be updated through annual valuations and regular meetings with the Management Committee.

Councillor Lobo and Ms Ollivier left the meeting at 9:40am.

6. Information Items

The Committee noted all information items that were tabled.

Ms Woolmer asked Mr Loughnan to convey a request that the Victorian Auditor-General's Office consider the future needs of Local Government recreational facilities when conducting the Recreational Facilities Audit.

The Chairman requested that the CFO distribute the IBAC Internal Review as well as PWC's paper covering *Fighting Fraud in the Public Sector III* to Management.

7. 2014-15 Financial Statements

The Committee considered the 2014-15 Annual Financial Statements and Performance Statements in detail.

The Committee discussed various matters in the financial statements including, but not limited to, the following:

- Accounting for the Clayton Landfill site including treatment of estimated post-closure costs and provision for environmental rehabilitation;
- Disclosure of the service performance indicators within the performance statement;
- Treatment of the carbon tax refund from the Landfill site;
- Leave provision calculations;
- GESAC result;
- Related Party transactions (responsible persons); and
- Residential Aged-Care facilities.

The Audit Committee requested some editorial changes to the year-end accounts as well as some minor commentary changes to the Performance Indicators.

Mr Loughnan presented the Closing Report which confirmed that there were no material business or audit risks identified.

Mr Loughnan also commended Glen Eira Council for a clean and well-presented set of accounts.

Following a review of the 2014-15 Annual Financial Statements and Performance Statements the Audit Committee recommended that Council adopts, in principle, the Financial Statements and Performance Statement, subject to adjustments

requested by the Committee at this meeting and subject to no significant changes by the Victorian Auditor-General's Office (VAGO).

Mr Loughnan and Ms Ly left the meeting at 10:50am.

8. Risk Management Rolling Progress Reports

At 10:55am, the Chairman welcomed Mr Judge and Ms Kinnoo to the meeting.

Mr Judge (Group Manager, Major Projects & Infrastructure Renewals) and Ms Kinnoo (Manager, Public Relations & Marketing) presented their respective departmental risk management reviews.

Mr Judge and Ms Kinnoo left the meeting at 11:30am.

9. Close of Meeting

The meeting concluded at 11:40 am.

10. Next Meeting

Friday, 27 November 2015

Audit Committee Action Items

Meeting Date Requested	Item	Responsibility	Proposed Completion Date
29 May 2015	Clayton Landfill be included as a standing agenda Audit Committee item with respect to any future risk updates	Group Manager, Environmental Strategy and Services	Ongoing
21 August 2015	Paper on the status of the new Contract Management System	Corporate Counsel	November 2015
21 August 2015	Post implementation review of the new Contract Management System	Corporate Counsel	April 2016
21 August 2015	Distribute the IBAC Internal Review as well as PWC's paper covering <i>Fighting Fraud in the Public Sector III</i> to Management.	Chief Financial Officer	November 2015

Schedule of meeting dates for 2015

- 27 November 2015



Community Grants Committee Meeting Minutes

Tuesday 15 September 2015

Purpose:

To support and assist not-for-profit community-based groups to meet identified community priorities and strengthen the Glen Eira community.

Aims:

- Strengthen community connections.
 - Encourage new initiatives that respond to community needs
 - Build a community that is inclusive of all people
 - Support the community in the planning and delivering of services.
-

Assembly of Councillors Record

Meeting commenced at 5:45 pm.

1. Present

Cr Jim Magee (chairperson)
Cr Margaret Esakoff
Cr Thomas Sounness
Peter Jones - Director Community Services

Apologies

No apologies

2. Matters considered

- i. 2015-2016 Community Service Grants Applications for facility hire
 - (a) The Caribbean Association of Victoria (CaribVic);
 - (b) Bentleigh Chinese Seniors Support Group; and
 - (c) Russian Cultural & TV Association Sputnik.

i. **2015-2016 Community Service Grants Application for facility hire**

- *The Caribbean Association of Victoria*

CaribVic has applied for a facility hire grant to use Packer Park Pavilion on Saturday 10 October 2015 and Thursday 31 December 2015. As the group is small and the majority of members are not Glen Eira residents approval for use of the Packer Park Pavilion on one occasion was considered appropriate.

Recommendation: The Committee recommend funding a facility hire grant of \$367.20 to the Caribbean Association of Victoria for the hire of Packer Park Pavilion on 10 October 2015.

**Moved Cr Esakoff
Seconded Cr Thomas Sounness
Motion carried unanimously**

- *Bentleigh Chinese Seniors Support Group*

Bentleigh Chinese Seniors Support Group has applied for a facility hire grant of \$1,350 to use the Auditorium on 7 October 2015 for a Seniors Week function.

Recommendation: The Committee recommend funding a facility hire grant of \$1,350 for the Bentleigh Chinese Senior Support Group to use the Auditorium on 7 October 2015.

**Moved Cr Esakoff
Seconded Cr Thomas Sounness
Motion carried unanimously**

- *Russian Cultural and TV Association Sputnik*

Russian Cultural and TV Association Sputnik has applied for a facility hire grant to use the Auditorium on 29 October 2015 for a cultural and informative function.

Action: Officers to present further information on the proposed use of the Auditorium at the Community Grants meeting of 29 September.

Next meeting – 29 September 2015 5.45pm

Meeting closed at 6:00 pm

Assembly of Councillors

25 August 2015

Record under S 80 A (2)

Meeting commenced at 6.47PM

A. Present

Cr Jim Magee, Mayor	Peter Jones
Cr Mary Delahunty (Arr. 7.36PM)	Peter Swabey
Cr Jamie Hyams	Peter Waite
Cr Michael Lipshutz	Ron Torres
Cr Oscar Lobo	Paul Burke
Cr Neil Pilling	
Cr Thomas Sounness	

Apologies

Cr Margaret Esakoff
Cr Karina Okotel
Andrew Newton, CEO

B. Matters considered.

- (i) Council Papers for the 1 September 2015 Council Meeting comprising fourteen officer reports together with standing items on the Agenda.
 - (a) Agenda Item 9.1 – Quarterly Reporting.
 - (b) Agenda Item 9.2 – Open Space Opportunities.
 - (c) Agenda Item 9.3 – Park Benches.
 - (d) Agenda Item 9.4 – Violence against women.
 - (e) Agenda Item 9.5 – Trans Pacific Partnership.
 - (f) Agenda Item 9.7 – Finance Report.
 - (g) Agenda Item 9.9 – VCAT Watch.
 - (h) Agenda Item 11.1 – Request for Reports, Cr Magee.

- (i) Agenda Item 12.1 – under s89(2)(d) contractual which relates to the awarding of the contract for Booran Rd Reserve, Construction of New Shelters and Associated Works.
 - (j) Agenda Item 12.2 - under s89 (2)(d) contractual which relates to the awarding of the contract for Booran Rd Reserve New Buildings to House Automated Toilets.
 - (k) Agenda Item 12.4 - Under section S89 (2) personnel which relates to the appointment of persons to the Citizen of the Year Awards Advisory Committee.
 - (l) Agenda Item 12.5 - Under section S89 (2)(e) proposed developments Open Space Strategy – gap areas. This report does not recommend any acquisition of any housing.
- (ii) Rate capping and variation framework, draft report by the Essential Services Commission. Response by Glen Eira City Council.

7.36PM Cr Delahunty entered the briefing room.

- (iii) Sustainable Transport.
- (iv) Records of Assembly.
- (v) General Business raised by Councillors.
 - (a) Cr Lobo – noise complaint about a bar in Bentleigh.
 - (b) Cr Lobo – complaint about the noise in Bentleigh Library.
 - (c) Cr Delahunty – Myrtle Street, parking arrangements.
 - (d) Cr Lipshutz – Myrtle Street, parking arrangements.
 - (e) Cr Delahunty – Ministerial statement on Local Government.

Fin 8.43PM

Council Pre-Meeting

1 September 2015

Record under S 80 A (2)

Meeting commenced at 6.46PM

A. Present

Cr Jim Magee, Mayor
Cr Margaret Esakoff
Cr Jamie Hyams
Cr Michael Lipshutz
Cr Oscar Lobo
Cr Karina Okotel
Cr Neil Pilling
Cr Thomas Sounness

Andrew Newton, CEO
Peter Jones
Peter Swabey
Peter Waite
Ron Torres
Paul Burke

Apologies

Cr Mary Delahunty

B. Matters considered.

- (i) Council Papers for 11 August 2015 consisting of fourteen Officer reports together with standing items on the Agenda.
 - (a) Agenda Item 9.3 - Public Parks and Private Memorials.
 - (b) Agenda Item 9.5 - Trans-Pacific Partnership.
 - (c) Agenda Item 11.1 – Requests for Reports, Cr Magee, Pavilion.
 - (d) Agenda Item 11.4 – Public Questions.
 - (e) Agenda Item 9.4 - Violence Against Women in Glen Eira.
- (ii) General Business by Councillors.
 - (a) Myrtle Street parking – Cr Lipshutz

- (b) Response to Essential Services Commission – Cr Hyams.
- (c) Review of Planning Zones – Cr Magee.
- (d) Review of Planning fees and charges – Cr Hyams.

Fin 7.17PM

9. PRESENTATION OF OFFICERS REPORTS

- 9.1 483-493 Glen Huntly Road, Elsternwick
- 9.2 294 Glen Huntly Road, Elsternwick
- 9.3 VCAT Watch September 2015
- 9.4 11 Mile End Road and 93 Mimosa Road, Carnegie
- 9.5 Booran Road Reserve - Electricity Infrastructure Agreements
- 9.6 Rate Cap and Variations
- 9.7 Local Government Performance Reporting Framework
- 9.8 Reconciliation Action Plan
- 9.9 Smart Cities
- 9.10 South East Water Elster Sewer Safe Upgrade Program – Creation of Easements
- 9.11 ECO-Buy Program – 2014-15
- 9.12 Financial Report For The Period Ending 31 August 2015

Item 9.1

483 - 493 Glen Huntly Road ELSTERNWICK
APPLICATION NO. GE/PP-25209/2012/A

File No: GE/PP-25209/2012/A
Enquiries: Karoline Ware
Manager Statutory Planning



APPLICATION SUMMARY

PROPOSAL	Amendments to an existing permit that allows a seven storey mixed-use building to provide for; <ul style="list-style-type: none"> • The construction of four roof terraces (to Level 7) • An increase in overall building height by 3.28m
RECOMMENDATION	Notice of Decision to Grant an Amended Planning Permit
KEY ISSUES	<ul style="list-style-type: none"> • Overlooking • Visual bulk • Intent and objectives of the Urban Village Policy
MUNICIPAL STRATEGIC STATEMENT	Urban Village Policy
APPLICANT	Wincropp Pty Ltd
PLANNING SCHEME CONTROLS	<ul style="list-style-type: none"> • Mixed Use Zone
EXISTING LAND USE	Vacant (basement currently under construction)
PUBLIC NOTICE	<ul style="list-style-type: none"> • 24 properties notified • 186 notices sent (owners and occupiers) • 2 signs erected on site • 1 objection received
Application fee payable (fee increased by the State Government in 2009)	\$604.00

Item 9.1 (cont'd)**1. Community Plan**

- **Town Planning and Development:** to manage the rate and extent of change to the built environment consistent with State and Local Planning Policies to achieve a diversity of housing as sympathetic as possible to neighbourhood character.

2. Recommendation

That Council:

- Issues a Notice of Decision to Grant an Amended Permit for Application No. GE/PP-25209/2012/A allowing the use of shop with a floor area over 150sqm and development of a mixed use, multi storey building with a reduced car parking provision and waiver of loading bay requirements

3. Applicable Policies and CodesState Government

- Plan Melbourne
- Guidelines for Higher Density Residential Development

Glen Eira City Council

- Municipal Strategic Statement – Adopted by Council on 17th May 1999 and approved by the Minister on 5th August 1999.
- Urban Villages Policy – Adopted by Council on 18th October 2003, approved by the Minister on 28th October 2004

4. Reasons For Recommendation

In recommending that Council determines to approve the proposal, consideration has been given to:

- The written objection and matters raised at the planning conference
- Council's MSS
- Guidelines for Higher Density Residential Development

Background

In February 2013, Council resolved to approve a Notice of Decision to grant a Planning Permit for a multi storey mixed use building above basement car park. Council imposed conditions to reduce the building in height from eight storeys to six storeys.

The applicant appealed conditions to VCAT and through mediation the height was reduced to seven storeys. The development approved allows for the construction of a seven storey building above basement car park and four shops at ground floor level.

Works associated with the basement of the development have commenced.

Item 9.1 (cont'd)Comparison with the Current Endorsed Plans (refer to attached plans)

The proposed amendments can be summarised as follows;

- Construction of four roof terraces (to Level 7)
- Increase in overall building height by 3.28m (total of 25.84m to the top of the terraces – 27.15m to the top of the plant enclosure)

Streetscape

The inclusion of roof terraces to the building is considered reasonable given that setbacks have been proposed from all boundaries (10.7m from Glen Huntly Road, 11.2m from Yorston Court, 9.72m from the residential property to the north and 6.6m from the mixed use development to the west).

The terraces comprise of timber pergolas which are open to the sky and 1.2m high glazed balustrades. Given their lightweight nature, height above natural ground level and the setbacks proposed, the structures will not create visual bulk when viewed from the street.

Amenity Impacts

The roof terraces proposed are for the use of apartments 1-4 on Level 6. Their inclusion will add to the total area of private open space for future occupants. The terraces are not communal areas for all residents of the complex.

Given the orientation of the site, any additional overshadowing created by the increase in height is restricted to the street and will not affect the residential properties to the north.

Due to the height of the terraces above natural ground, and setbacks proposed from the residential property to the north (9.72m), there will not be any unreasonable overlooking opportunities created to habitable room windows or private open space areas of the residentially zoned land to the north. Any views created will be restricted to the roof of the subject site or the wider commercial area.

Parking and Traffic

No increase in the number of dwellings is proposed nor is the car space allocation proposed to be amended as part of this application. Access to the car park continues to be from Yorston Court as previously approved.

Item 9.1 (cont'd)**APPENDIX**

ADDRESS: 483-493 Glen Huntly Road ELSTERNWICK
APPLICATION NO: GE/PP-25209/2012/A

1. Proposal

Amendments to the approved seven storey mixed use building to allow for;

- The construction of four roof terraces (to Level 7)
- An increase in overall building height by 3.28m (total of 25.84m to the top of the terraces – 27.15m to the top of the plant enclosure)

2. Public Notice

- 24 properties notified
- 186 notices sent (owners and occupiers)
- 2 signs erected on site
- 1 objection received

The objector's concerns are summarized as follows:

- Increase in building height will set an undesirable precedent

3. Planning Conference

The Conference, chaired by Cr Pilling, provided a forum where all interested parties could elaborate on their respective views. The objector did not attend.

4. Conditions

- No change to permit preamble or conditions
- Endorsement of amended plans

Crs Pilling/Sounness

That the recommendation in the report be adopted.

The MOTION was put and CARRIED unanimously.

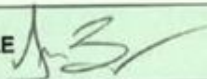
**PLANNING PERMIT****GLEN EIRA PLANNING SCHEME****RESPONSIBLE AUTHORITY: GLEN EIRA CITY COUNCIL**

PLANNING PERMIT NUMBER:	GE/PP-25209/2012
ADDRESS OF THE LAND:	483 - 493 Glen Huntly Road ELSTERNWICK VIC 3185
APPLICANT:	Wincropp Pty Ltd
THE PERMIT ALLOWS:	Use of shop with a floor area over 150sqm and development of a mixed use, multi storey building with a reduced car parking provision and waiver of loading bay requirements in accordance with the endorsed plans.

This Permit was issued at the direction of the Victorian Civil and Administrative Tribunal pursuant to Section 85(1)(b) of the Planning and Environment Act 1987

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Before the commencement of the development, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. The plans must be drawn to scale with dimensions and must generally accord with the application plans but modified to show:
 - a) The ground floor 'retail' uses redefined as 'shop'.
 - b) North facing habitable room windows and balconies on level 1 and level 2 are to have fixed screens or fixed obscure glazing to 1.7 metres above finished floor level, or otherwise treated to prevent downward overlooking to the satisfaction of the responsible authority.
 - c) The intercom for visitor parking located on the north side of the car park entry, not less than 3.5 metres from the eastern property boundary.
 - d) Details and location of any traffic signal system to access the basement car parking.
 - e) Car park column locations designed to accord with either clause 52.06 of the Glen Eira Planning Scheme or Australian Standard 2890.1, or otherwise agreed by the responsible authority.
 - f) The vehicle clearance heights accommodated within the car stacker systems must be in accordance with Design Standard 4 of Clause 52.06 of the Glen Eira Planning Scheme.
 - g) Notation of five (5) car spaces for visitor use.
 - h) The 'Cora Expo' bicycle parking frames replaced with a type that accords with Clause B5 of Australian Standard 2890.3 or Clause 52.34 of the Glen Eira Planning Scheme.
 - i) The verandah dimensioned to have a setback of 750 mm from the face of the kerb to both Glen Huntly Road and Yorston Court.

DATE ISSUED: 22 August 2013
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AUTHORITY**

**IMPORTANT – REFER TO
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PLANNING PERMIT
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Conditions Continued –

- j) A landscape plan in accordance with Condition 8.
- k) A schedule of construction materials, external finishes and colours.
- l) Level 7 deleted.
- m) A disabled car parking space.
- n) Subject to confirmation in a traffic engineering statement prepared by a suitably qualified traffic engineer or consultant to the satisfaction of the responsible authority that it is practicable and appropriate to do so, reduce on site car parking from four levels (ground floor and three basement levels) to two levels (Ground floor and one basement level) generally in accordance with plans ATP20002 Rev 7 and ATP 20008 Rev 8, both dated 14 June 2013, prepared by Buchan Architects as tabled at VCAT at hearing on 5 August 2013.

2. The layout of the site and size, design and location of buildings and works as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

Note: This does not obviate the need for a permit where one is required.

3. The layout and description of the use(s) as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

Note: This does not obviate the need for a permit where one is required.

4. Construction or carrying out of buildings and works associated with the development (excluding remediation works for the purpose of the environmental audit) hereby approved must not occur until, to the satisfaction of the Responsible Authority:

- A certificate of environmental audit is issued for the land in accordance with Part IXD of the Environment Protection Act 1970;
- or
- An environmental auditor appointed under the Environment Protection Act 1970 makes a statement in accordance with Part IXD of the Act that the environmental conditions of the land are suitable for the sensitive use.

A copy of the certificate or statement must be supplied to the Responsible Authority. The certificate or statement will be read in conjunction with this Permit and all conditions of the statement will form part of this permit. The certificate or statement may be open to peer review at a cost to the permit holder/owner of the land at any time.

Where there are conditions on a Statement of Environmental Audit that require ongoing maintenance and/or monitoring, the applicant must enter into a Section 173 Agreement under the Planning and Environment Act 1987 (unless deemed unnecessary by the Responsible Authority) to give effect to the ongoing maintenance and/or monitoring

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PLANNING PERMIT
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Conditions Continued –

conditions contained in the Statement of Environmental Audit. The Agreement must be executed on title

Prior to the commencement of the use and prior to the issue of a Statement of Compliance under the Subdivision Act 1987. The applicant must meet all costs associated with drafting and execution of the Agreement, including those incurred by the responsible authority. A memorandum of the Agreement is to be entered on Title and the costs of the preparation and execution of the Agreement and entry of the memorandum on Title are to be paid by the owner.

All the conditions of the Statement of Environmental Audit must be complied with to the satisfaction of the responsible authority, prior to commencement of use of the site. Written confirmation of compliance must be provided by a suitably qualified environmental professional or other suitable person acceptable to the responsible authority. In addition, sign off must be in accordance with any requirements in the Statement conditions regarding verification of works.

5. Prior to the commencement of any site works including demolition and excavation, the owner must submit a Construction Management Plan to the Responsible Authority for approval. No works including demolition and excavation are permitted to occur until the Plan has been approved in writing by the Responsible Authority. Once approved, the Construction Management Plan will be endorsed to form part of this permit and must be implemented to the satisfaction of the Responsible Authority. The Plan must be to the satisfaction of the Responsible Authority and must provide details of the following:
 - (a) delivery and unloading points and expected frequency;
 - (b) a liaison officer for contact by owners / residents and the Responsible Authority in the event of relevant queries or problems experienced;
 - (c) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
 - (d) any requirements outlined within this permit as required by the relevant referral authorities;
 - (e) hours for construction activity in accordance with any other condition of this permit;
 - (f) measures to control noise, dust, water and sediment laden runoff in particular to neighbouring land to the site's south;
 - (g) measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;
 - (h) any construction lighting to be baffled to minimise intrusion on adjoining lots.

6. Prior to the occupation of the approved development, the permit holder must prepare and have approved in writing by the Responsible Authority a Waste Management Plan (WMP) for the site with respect to the collection and disposal of waste and recyclables associated with the proposed uses on the site to the satisfaction of the Responsible Authority. The WMP must provide for the following:

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PLANNING PERMIT
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Conditions Continued –

- (a) The collection of waste associated with the uses on the land, including the provision of bulk waste collection bins or approved alternative, recycling bins, the storage of other refuse and solid wastes in bins or receptacles within suitable screened and accessible areas to the satisfaction of the Responsible Authority. Commercial waste bins being placed or allowed to remain not in view of the public, and receptacles not emitting any adverse odours.
- (b) Designation of methods of collection including the need to provide for private services. If private collection is used, this method must incorporate recycling services and must comply with the relevant EPA noise guideline relating to the time of collection.
- (c) Appropriate areas of bin storage on site and areas of waste bin storage on collection days.
- (d) Details for best practice waste management once operating.

Once approved the WMP must be complied with to the satisfaction of the Responsible Authority and must not be varied except with the written approval of the Responsible Authority.

- 7. Prior to the completion of the development the permit holder must pay to the Responsible Authority the reasonable costs associated with the installation, line marking and signage associated with the creation of a Loading Zone on the Glen Huntly Road frontage.
- 8. Prior the commencement of buildings and works, a detailed Landscape Plan to the satisfaction of the Responsible Authority must be submitted to, and approved by the Responsible Authority. When the Landscape Plan is approved, it will become an endorsed plan forming part of this Permit. The Landscape Plan must incorporate:
 - (a) A survey, including botanical names, of all existing vegetation to be retained.
 - (b) Buildings and trees (including botanical names) on neighbouring properties within 3 metres of the boundary.
 - (c) A planting schedule of all proposed vegetation including botanical names; common names; pot sizes; sizes at maturity; quantities of each plant; and details of surface finishes of pathways and driveways.
 - (d) Landscaping and planting within all open space areas of the site.
 - (e) Advanced canopy trees (minimum 3.0 metres tall when planted unless otherwise agreed to in writing by the Responsible Authority) in appropriate locations.

Trees are not to be sited over easements.

All species selected must be to the satisfaction of the Responsible Authority.

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PLANNING PERMIT
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RESPONSIBLE AUTHORITY: GLEN EIRA CITY COUNCIL

PLANNING PERMIT NUMBER: GE/PP-25209/2012

Conditions Continued –

9. Prior to the commencement of the buildings and works (including demolition), a tree protection fence must be erected around all trees on the adjoining property to the north at a radius of 1.5 metres from the base of the trunk to define a 'tree protection zone'. This fence must be constructed of star pickets and chain mesh (or similar) to the satisfaction of the Responsible Authority.

The tree protection fence must remain in place until the construction within the tree protection zone is required. The tree protection zone for that component of the development not required for construction must remain fenced until construction is complete. No vehicular or pedestrian access, trenching or soil excavation is to occur within the tree protection zone.

No storage or dumping of tools, equipment or waste is to occur within the tree protection zone.

The ground surface of the tree protection zone must be covered by a protective 100mm deep layer of mulch prior to the development commencing and be watered regularly to the satisfaction of the Responsible Authority.

10. The landscaping as shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority before the occupation of the development and/or the commencement of the use or at such later date as is approved by the Responsible Authority in writing.
11. The landscaping as shown the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the landscaping plan to the satisfaction of the Responsible Authority.
12. Prior to the commencement of the development, a fee must be paid to the Responsible Authority for the removal and replacement of the existing street tree. Removal of the street tree may only be undertaken by the Responsible Authority.
13. Areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
- (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all weather sealcoat;
 - (d) drained;
 - (e) line-marked to indicate each car space and all access lanes;
 - (f) clearly marked to show the direction of traffic along the access lanes and driveways

to the satisfaction of the Responsible Authority.

Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.

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PLANNING PERMIT
GLEN EIRA PLANNING SCHEME
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Conditions Continued –

14. Vehicular crossing(s) must be constructed to the road to suit the proposed driveway(s) to the satisfaction of the Responsible Authority and any existing crossing or crossing opening must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.
15. The car parking allocation for the approved development must be:
 - Not less than one (1) car space per one and two bedroom apartment;
 - Not less than two (2) car spaces per three (3) or more bedroom apartment;
 - Not less than 5 car spaces allocated to the shops, with at least one car space per shop; and
 - Not less than five (5) dedicated visitor car spaces.
16. Prior to the occupation of the approved development, the owner/permit holder must prepare and have approved in writing by the Responsible Authority, a car stacker system management plan including but not limited to the following:
 - a) Allocation of car spaces according to vehicle size and type;
 - b) Ongoing maintenance of the car stacker system;
 - c) Instructions to owners/occupiers about the operation of the car stacker system; and
 - d) Communicating to prospective residents about the availability of car stacker spaces and sizes.

Once approved this document must be complied with to the satisfaction of the Responsible Authority and must not be varied except with the written approval of the Responsible Authority.
17. The mechanical car stackers must be maintained by the Owner's Corporation in a good working order and be permanently available for the parking of vehicles in accordance with their purpose to the satisfaction of the Responsible Authority. Should no Owner's Corporation be established, then the lot owner must bear responsibility for ongoing maintenance of the car stacker.
18. Prior to the completion of the basement floor construction, written confirmation by a Licensed Land Surveyor must be provided to the Responsible Authority verifying that the basement floor has been constructed in accordance with the endorsed plans (prior to the construction of the levels above being commenced.)
19. Prior to the completion of the ramp to the basement, written confirmation by a Licensed Land Surveyor must be provided to the Responsible Authority verifying that the basement ramp has been constructed in accordance with the endorsed plans.

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PLANNING PERMIT
GLEN EIRA PLANNING SCHEME
RESPONSIBLE AUTHORITY: GLEN EIRA CITY COUNCIL
PLANNING PERMIT NUMBER: GE/PP-25209/2012

Conditions Continued –

20. The permit holder must inform all purchasers about this planning permit, particularly drawing attention to Note D.
21. Prior to the occupation of the approved development, a permanent sign must be erected by the permit holder in a prominent position on the subject land stating that "Residents of this development will not be issued Residential Parking Permits (including visitor parking permits)". The sign must measure approximately 0.2 square metres in area, to the satisfaction of the Responsible Authority.
22. No plant, equipment, services and substations other than those shown on the endorsed plans are permitted without the prior written consent of the Responsible Authority.
23. Privacy screens must be in accordance with the endorsed plans and must be installed prior to the occupation of the development. The privacy screens must be maintained to the satisfaction of the Responsible Authority.
24. No buildings or works are to be constructed over any easement or other restriction on the land or any sewers, drains, pipes, wires or cables under the control of a public authority without the prior written consent of the relevant authority and the Responsible Authority.
25. This Permit will expire if:
 - * The development and use does not start within two (2) years from the date of this Permit; and
 - * The development is not completed within four (4) years of the date of this Permit.

The Responsible Authority may extend the times referred to if a request is made in writing before this Permit expires or within three (3) months after the expiry date.

Conditions End

NOTES: *(The following notes are for information only and do not constitute part of this permit or conditions of this permit)*

- A. The amendments specified in Condition 1 of this Permit and any additional modifications which are "necessary or consequential" are those that will be assessed by Council when plans are lodged to satisfy that condition. Any "necessary or consequential" amendments, in addition to those required by this condition, should be specifically brought to the attention of Council for assessment.

If other modifications are proposed, they must be identified and be of a nature that an application for amendment of permit may be lodged under Section 72 of the Planning and Environment Act 1987. An amendment application is subject to the procedures set out in Section 73 of the Planning and Environment Act 1987.

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PLANNING PERMIT
GLEN EIRA PLANNING SCHEME
RESPONSIBLE AUTHORITY: GLEN EIRA CITY COUNCIL

PLANNING PERMIT NUMBER: GE/PP-25209/2012

Conditions Continued –

- B. This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Glen Eira City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this Planning Permit.
- C. This Planning Permit represents the Planning approval for the development of the land. Side and rear boundary fences do not form part of this Planning approval. The approval for building on a "title boundary" enables the building to be sited precisely on the boundary (as determined by a licensed land surveyor) or within 150mm of the title boundary as per the definition in Clause 55.04-2 of the Glen Eira Planning Scheme. All matters relating to the boundary fences shall be in accordance with the provisions of the Fences Act 1968, i.e. Council will not deliberate on which option prevails but rather the permit holder and adjoining owners will need to cooperatively resolve which of the above outcomes is mutually acceptable.
- D. Residents of the dwellings allowed under this permit will not be issued Residential Parking Permits (including visitor parking permits).
- E. Nothing in the grant of this permit should be construed as granting any permission other than planning permission for the purpose described. It is the duty of the permit holder to acquaint themselves, and comply, with all other relevant legal obligations (including any obligation in relation to restrictive covenants and easements affecting the site) and to obtain other required permits, consents or approvals.
- F. Prior to the commencement of any demolition and/or building works, an Asset Protection Permit must be obtained from Council's Engineering Services Department. The existing Telstra pit/s at the frontage of the site are to be relocated and/or modified to the satisfaction of the relevant Authority. Please call Telstra on ph: 1800 810 443. The written permission from the relevant Authority regarding the relocation and/or modification of the Telstra pit/s must be provided to Council.

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PLANNING PERMIT

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

(Note: This is not a Permit granted under Division 5 of Part 4 of the Planning and Environment Act 1987)

WHEN DOES A PERMIT BEGIN?

A permit operates:

- from the date specified in the permit, or
- if no date is specified, from:
 - (i) the date of the decision of the Victorian Civil & Administrative Tribunal, if the permit was issued at the direction of the Tribunal, or
 - (ii) the date on which it was issued, in any other case.

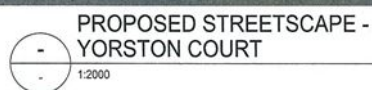
WHEN DOES A PERMIT EXPIRE?

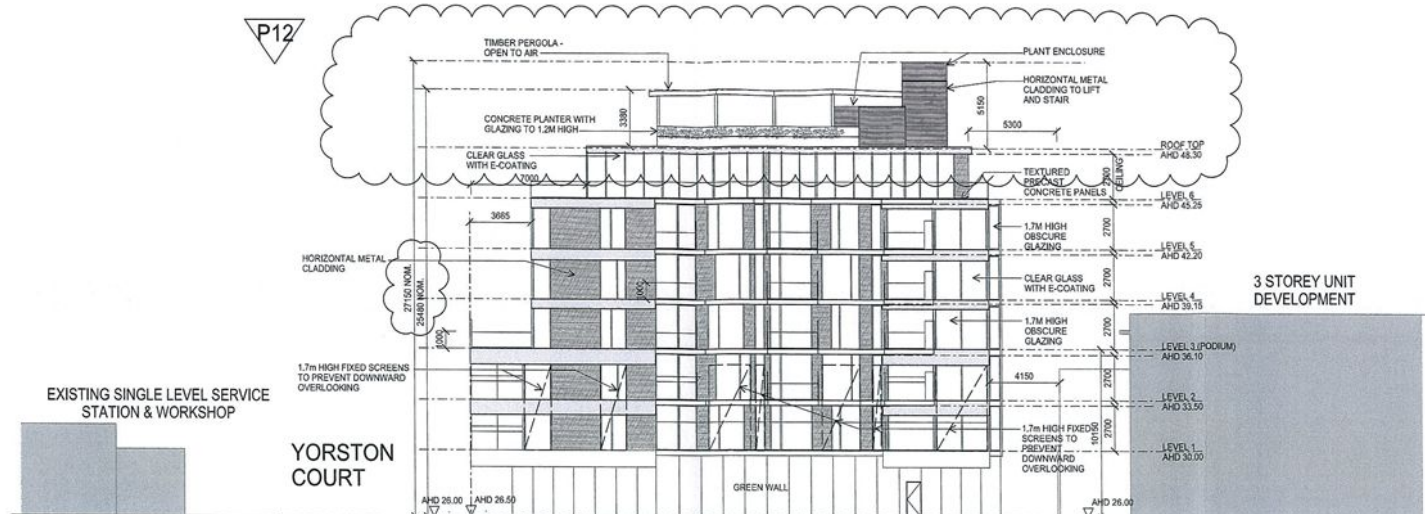
1. A permit for the development of land expires if: -
 - the development or any stage of it does not start within the time specified in the permit, or
 - the development requires the certification of a plan of subdivision or consolidation under the *Subdivision Act 1988* and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
 - the development or any stage is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan or subdivision or consolidation under the *Subdivision Act 1988*.
2. A permit for the use of land expires if -
 - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit, or
 - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if -
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development or any stage of it is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development, or
 - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in Section 6A(2) of the *Planning and Environment Act 1987*, or to any combination of use, development or any of those circumstances requires the certification of a plan under the *Subdivision Act 1988*, unless the permit contains a different provision -
 - the use or development of any stage is to be taken to have started when the plan is certified; and
 - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under the permit before the expiry.

WHAT ABOUT APPEALS?

- The person who applied for the permit may appeal against any condition in the permit unless it was granted at the direction of the Victorian Civil & Administrative Tribunal where, in which case no right of appeal exists.
- An appeal must be lodged within 60 days after the permit was issued, unless a Notice of Decision to grant a permit has been issued previously, in which case the appeal must be lodged within 60 days after the giving of that notice.
- An appeal is lodged with the Victorian Civil & Administrative Tribunal.
- An appeal must be made on a Notice of Appeal form which can be obtained from the Victorian Civil & Administrative Tribunal, and be accompanied by the prescribed fee.
- An appeal must state the grounds upon which it is based.
- An appeal must also be served on the Responsible Authority.
- Details about appeals and the fees payable can be obtained from the Victorian Civil & Administrative Tribunal.
- The address of the Victorian Civil and Administrative Tribunal is Level 7, 55 King Street, Melbourne 3000. The telephone number is 03 9628 9777.

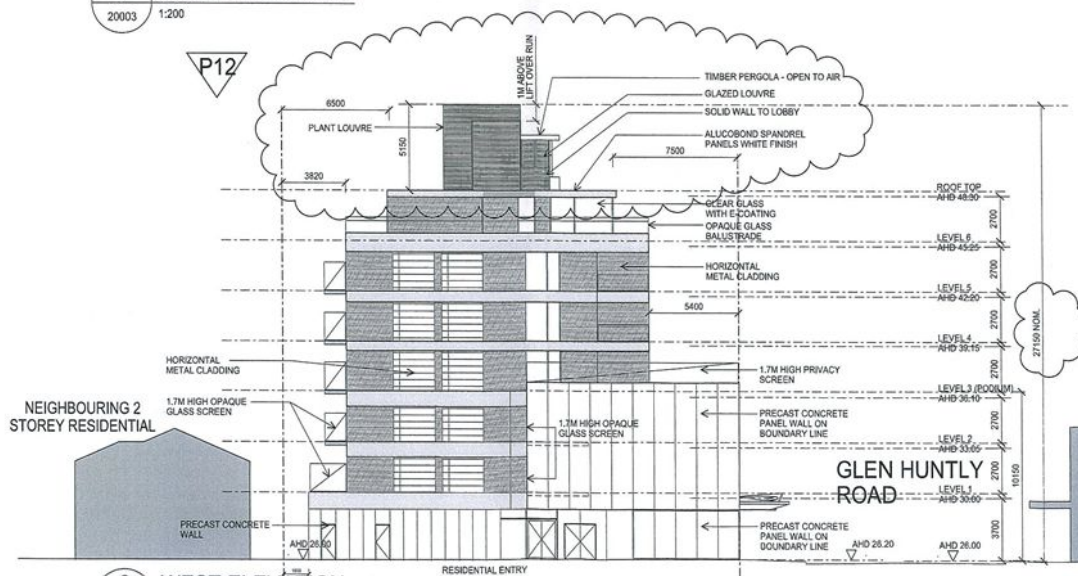
(LAST PAGE OF PERMIT)





1 NORTH ELEVATION

20003 1:200



2 WEST ELEVATION

20003 1:200

GLEN EIRA COUNCIL
RECEIVED
29 MAY 2015
STATUTORY PLANNING
DEPARTMENT

PROJECT
483 GLENHUNTLY ROAD

PROJECT NUMBER
312068
DATE
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THE BUCHANAN

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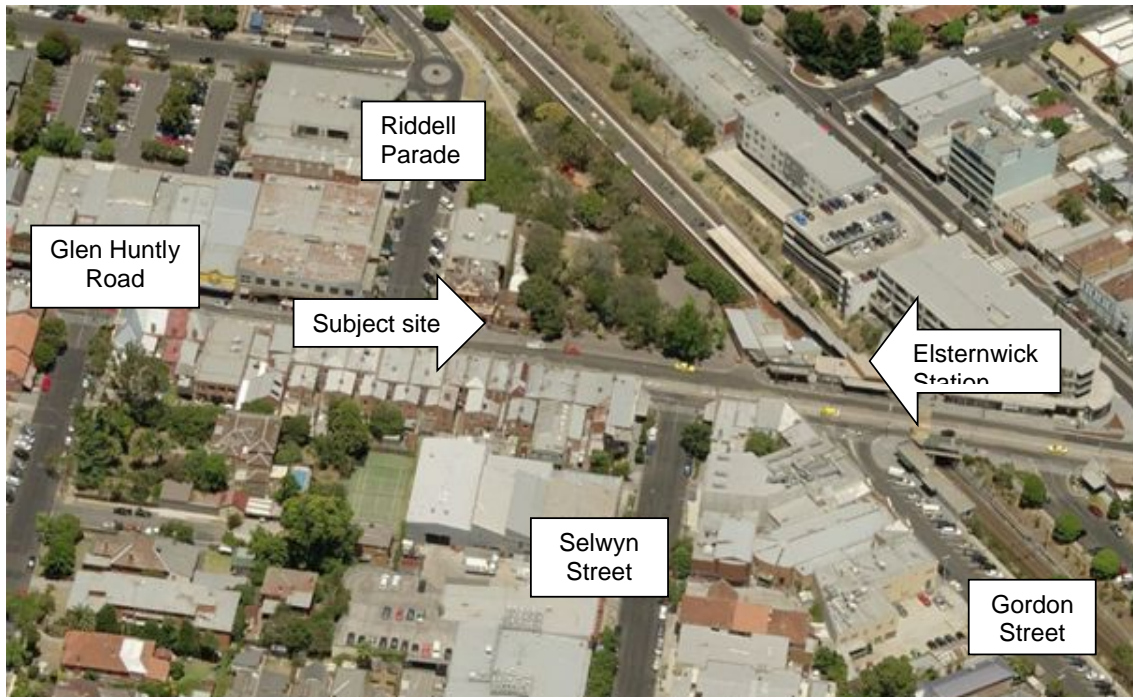
DRAWING NUMBER
ATP-40002

REVISION
P12

Item 9.2

294 Glen Huntly Road ELSTERNWICK
APPLICATION NO. GE/PP-27631/2015/A

File No: GE/PP-27631/2015/A
Enquiries: Karoline Ware
Manager Statutory Planning



APPLICATION SUMMARY

PROPOSAL	Amended application to approved food and drink premises to allow; <ul style="list-style-type: none"> Increased operating hours Modified conditions relating to potential contamination
RECOMMENDATION	Amended Permit
KEY ISSUES	<ul style="list-style-type: none"> Amenity Impacts Potential for contamination
MUNICIPAL STRATEGIC STATEMENT	Open Space Strategy Urban Village Policy
APPLICANT	VicTrack
PLANNING SCHEME CONTROLS	<ul style="list-style-type: none"> Public Park and Recreation Zone Heritage Overlay (Elsternwick Estate and Environs)
EXISTING LAND USE	Single storey brick building (vacant) previously Caulfield Rifle Range
Application fee payable (fee increased by the State Government in 2009)	\$502.00

Item 9.2 (cont'd)**1. Community Plan**

- **Town Planning and Development**
- **Recreation and Open Space:** to enhance recreation facilities and open space to meet current and future needs of the local community

2. Recommendation

That Council:

- Issues an Amended Permit for Application No. GE/PP-27631/2015/A allowing the land to be used and developed for the purpose of a food and drink premises, the sale and consumption of liquor, partial demolition and construction of alterations and additions to land affected by the Heritage Overlay and a waiver of car parking and loading bay requirements in accordance with the amended conditions contained in the Appendix.

3. Applicable Policies and CodesState Government

- Plan Melbourne

Glen Eira City Council

- Open Space Strategy – Adopted by Council on 8th April 2014
- Municipal Strategic Statement – Adopted by Council on 17th May 1999 and approved by the Minister on 5th August 1999.
- Dealing With Planning Applications and Planning Scheme Amendments Which Affect Council Owned Properties – Adopted 3rd March 2003

4. Reasons For Recommendation

In recommending that Council determines to approve the proposal, consideration has been given to:

- Council's MSS
- Council's Open Space Strategy
- Other relevant considerations of the planning scheme

Background

Planning Permit GE/PP-25975/2013 was originally approved by Council on 5 May 2015. The permit allows a café to be built.

No objections were received to the original application.

The development and use must commence by 5th May 2017.

There are no changes to the endorsed development plans. The proposed changes to permit conditions are discussed below:

Item 9.2 (cont'd)**Increased operating hours**

Condition 2 of the permit currently allows for the use to operate from;

- 7am – 11pm Sunday – Thursday
- 7am – 1am Fridays and Saturdays.

This condition is consistent with the hours proposed by the applicant as part of the original application.

It is proposed to amend this condition to allow for the following hours of operation;

- 6am – 11pm Sunday – Wednesday (excluding 20 prebooked functions or events per calendar year to conclude at 1am)
- 6am – 1am Thursday – Saturday

Essentially the request is to allow for the use to commence at 6am each morning, to extend Thursday evening hours until 1am and to allow for 20 occasions within the year whereby prebooked functions can conclude at 1am on Sunday – Wednesday evenings.

The additional hours proposed are considered reasonable given the location of the subject site on a main road, within the heart of the Elsternwick Urban Village, surrounded by other commercial uses. It is not considered that the extension of hours will result in any conflicts with the surrounding commercial area. There are no direct residential abutments which would have the potential to be impacted by noise.

No amendments are proposed to the number of patrons or staff members previously approved, therefore there will be no impact on car parking generated by the use.

Item 9.2 (cont'd)**Conditions relating to potential contamination**

Given the former use of the site (rifle range), there is potential for contamination on the land. Condition 7(a) of the permit requires an environmental auditor to make an official statement that the use of the land as proposed is appropriate and does not require an audit or statement, or that an audit/statement is required.

It is proposed to amend this condition to state that a suitably qualified environmental assessor (rather than an auditor) can provide this advice. The applicant has advised that this condition cannot legally be implemented by an environmental auditor (as they can only issue statements or audits).

The applicant has also requested the inclusion of a Construction Soil Management Plan (which will be within the Construction Management Plan) and an Environmental Management Plan, due to advice provided from their environmental assessor.

Advice from a qualified environmental assessor has been provided as to how contamination will be adequately addressed by these conditions. Given this, it is considered that the proposed amendments are reasonable and will ensure any site contamination is appropriately managed by conditions. A letter provided to Council on 13th July 2015 confirms this advice.

Ultimately the outcome of this condition will be that the potential contamination on the site is suitably treated to allow the use of the land as a café.

VicTrack (as landowners) will be responsible for ensuring conditions are adhered to and for on-going management of the site.

Item 9.2 (cont'd)**APPENDIX**

ADDRESS: 294 Glen Huntly Road, Elsternwick
APPLICATION NO: GE/PP-27631/2015/A

1. Proposal

Features of the proposal include:

- Amend Condition 2 to allow for the use to open everyday at 6am, extend opening hours on Thursday to from 11pm - 1am and allow for 20 functions a year to operate until 1am from Sunday-Wednesday.
- Amend Condition 6 (Construction Management Plan) to require a Construction Soil Management Plan)
- Inclusion of an additional condition to require for an Environmental Management Plan
- Amend Condition 7 (Environmental Audit/Statement) to replace the words 'environmental auditor' with 'suitably qualified assessor'

2. Public Notice

Advertising was not required because the amendments would not cause material detriment to any person for the following reasons:

- The site is located in the heart of the Elsternwick Village, surrounded by other non-residential uses. The additional two hours of operating time for Thursday evenings (from 11pm-1am) is considered reasonable and given there are no residential abutments, will not create adverse amenity impacts to the surrounding neighbourhood. The nearest residential property is over 200m away and is separated by parkland, other commercial properties and roadways.
- The number of functions requested (20 per year) which could extend until 1am is again considered reasonable given the location of the site. No amendments are proposed to the number of patrons or staff. It is noted there were no objections received to the original application (which included over 200 notices).
- Changes proposed to Conditions 6 and 7, and the inclusion of an Environmental Management Plan are technical matters which were not included within the original advertised documents and as there were no objectors (and therefore did not form part of a Notice of Decision sent to parties), would have no impact on surrounding properties or the general public.

3. Conditions

The permit be amended as follows

- Condition 2 of the Permit be replaced with the following;
 2. The use must operate only between the hours of
 - 6am – 11pm Sunday – Wednesday (excluding 20 prebooked functions or events per calendar year to conclude at 1am)
 - 6am – 1am Thursday – Saturday
- Replace Condition 6 with the following;

Item 9.2 (cont'd)

6. Prior to the commencement of any site works including demolition and excavation, the owner must submit a Construction Management Plan to the Responsible Authority for approval. No works including demolition and excavation are permitted to occur until the Plan has been approved in writing by the Responsible Authority. Once approved, the Construction Management Plan will be endorsed to form part of this permit and must be implemented to the satisfaction of the Responsible Authority. The Plan must be to the satisfaction of the Responsible Authority and must provide details of the following:
 - (a) Delivery and unloading points and expected frequency;
 - (b) A liaison officer for contact by owners / residents and the Responsible Authority in the event of relevant queries or problems experienced
 - (c) An outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services
 - (d) Any requirements outlined within this permit as required by the relevant referral authorities
 - (e) Hours for construction activity in accordance with any other condition of this permit
 - (f) Measures to control noise, dust, water and sediment laden runoff;
 - (g) Measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan
 - (h) Any construction lighting to be baffled to minimise intrusion on adjoining lots
 - (i) Measures and methodology to undertake all works specified in the Construction Soil Management Plan (CSMP), Contractors will be contractually required to ensure that all works will be conducted in strict accordance with the requirements of the CSMP
- Inclusion of a new Condition 7 as follows;
7. Prior to the occupancy of the site, the owners must submit an Environmental Management Plan (EMP) to the Responsible Authority for approval. Once approved, the Environmental Management Plan (EMP) will form part of the permit and must be implemented to the satisfaction of the Responsible Authority
- Re number remaining conditions and update Condition 8(a) as follows;
8. Construction or carrying out of buildings and work associated with the development (excluding remediation works) hereby approved must not occur until, to the satisfaction of the Responsible Authority:
 - (a) A suitably qualified environmental assessor appointed under the Environment Protection Act 1970 states that the use of the land(subject to conditions 7 and 8) as proposed is appropriate and does not require an audit or statement as outlined below;

Item 9.2 (cont'd)

Crs Lipshutz/Hyams

That the recommendation in the report be adopted.

The MOTION was put and CARRIED.

Item 9.3

VCAT WATCH
September 2015

Enquiries: Michael Henderson
Supervising Planner (VCAT)

1. Purpose

To report to Council recent VCAT decisions.

The VCAT process allows appellants to amend their proposal between the time that Council makes a decision and the time VCAT considers the matter. Section 84B of the Planning and Environment Act requires VCAT to “take into account” any relevant Planning Policy, not necessarily apply it.

2. Decisions

ADDRESS	64-66 BENT STREET, MCKINNON
PROPOSAL	CONSTRUCTION OF A PART THREE AND PART FOUR-STOREY BUILDING COMPRISING THIRTY-ONE (31) DWELLINGS
COUNCIL DECISION	REFUSAL (RESOLUTION)
PROPOSAL CONSIDERED BY VCAT	THE PROPOSAL WAS AMENDED BY THE APPLICANT PRIOR TO THE VCAT HEARING BY THE SUBSTITUTION OF DIFFERENT PLANS TO THAT ORIGINALLY CONSIDERED BY COUNCIL. THE KEY CHANGES TO THE PROPOSAL WERE AS FOLLOWS: <ul style="list-style-type: none"> • ALTERATIONS TO THE VEHICLE ACCESSWAY; & • MODIFICATIONS TO DWELLING LAYOUTS AND SIZES.
VCAT DECISION	PERMIT
APPELLANT	PITTARD KNOWLES PTY LTD (APPLICANT)

“I am satisfied that the scale and massing of the development responds appropriate to the emerging character of the McKinnon Neighbourhood Centre, and as a response to the zoning and policy for the site.” VCAT Member – Christina Fong

- The subject site is located within the General Residential Zone. A number of similar scaled developments are interspersed within the area.
- Council determined to refuse the application on grounds relating to excessive building bulk and mass, compatibility with neighbourhood character, inadequate setbacks and insufficient car parking. The application also failed to satisfy a number of ResCode Standards.
- In determining the application, the Tribunal held that the scale and massing of the proposed development is site responsive and provides a suitable response having regard to the zoning and policy direction for the site.

Item 9.3 (cont'd)

- The Tribunal noted that a number of the prescriptive measures of ResCode were not complied with, such as; site coverage and side and rear setbacks. However, the Tribunal was satisfied that the proposal meets the overall objectives of ResCode. Further, the Tribunal determined that adequate on-site car parking was provided within the development and therefore authorised a reduction of three visitor car spaces.
- On that basis, the Tribunal overturned Council's decision and directed that a planning permit be issued.

ADDRESS	1A ORRONG CRESCENT & 632 INKERMANS ROAD, CAULFIELD NORTH
PROPOSAL	CONSTRUCTION OF A FOUR-STOREY BUILDING COMPRISING EIGHTEEN (18) DWELLINGS AND THREE SHOPS.
COUNCIL DECISION	PERMIT (RESOLUTION)
PROPOSAL CONSIDERED BY VCAT	THE PROPOSAL WAS NOT AMENDED PRIOR TO THE VCAT HEARING
VCAT DECISION	PERMIT
APPELLANT	DAVSAR ADMINISTRATORS PTY LTD

“Thus, as far as the zoning of the site is concerned, it is the overlooking and overshadowing impact of the development on adjoining dwelling/s in a residential zone that has to be considered, as well as whether the proposal can meet Clause 54. It is not about a development having to reflect the lower scale development of adjoining dwellings. VCAT Member – Christina Fong

- The subject site is located within the Commercial 1 Zone on the corner of Orrong Crescent and Inkermans Road.
- Council determined to support the application, subject to the deletion of the third floor (top level) and increased setbacks at second floor to ensure that the built form outcome was appropriate having regard to the adjoining and surrounding area within the Neighbourhood Residential Zone. Council also determined that a minimum of two visitor car spaces must be provided at grade and not within a car stacker. Council's conditions resulted in approval for 16 dwellings.
- In determining the application, the Tribunal held that the uppermost level was well setback from all elevations and utilised appropriate construction materials to alleviate any visual bulk. Further, the Tribunal determined that the built form of the second floor provided an appropriate level of transition of scale and mass to adjoining properties.

Item 9.3 (cont'd)

- The Tribunal noted that the provision of two visitor car spaces on site would result in the loss of at least four dwellings (if each dwelling is to be provided with car parking). Therefore, the Tribunal determined that there is ample on-street car parking spaces to justify the waiver of on-site visitor car parking.
- On this basis, the Tribunal allowed a four-storey building with up to eighteen dwellings, as originally proposed.

3. Recommendation

That Council note:

1. The reported planning decisions of the Victorian Civil and Administrative Tribunal (VCAT).
2. VCAT and officer comments.

Crs Lipshutz/Hyams

That the recommendation in the report be adopted.

The MOTION was put and CARRIED unanimously.

VCAT WATCH**NEW APPEALS LODGED*****PLANNING AND ENVIRONMENT LIST***

HEARING DATE	APPEAL NO.	PROPERTY	PROPOSAL	ZONE	COUNCIL DECISION	APPEAL AGAINST
13 November 2015	P1400/2015	32 Newstead Street, Caulfield	Construction of two double-storey attached dwellings	NRZ	Permit (DPC)	Conditions (Applicant)
21 October 2015	P1581/2015	1100 Dandenong Road, Carnegie	The construction of a four-storey building comprising of twenty-two (22) dwellings	RGZ	Permit (Resolution)	Conditions (Applicant)
22 February 2016	P1593/2015	337-343 Balaclava Road, Caulfield North	Construction of a three-storey building comprising thirty-two (32) dwellings	GRZ	Permit (Resolution)	Conditions (Applicant)
17 February 2016	P1568/2015	409 Glen Huntly Road, Elsternwick	Partial demolition of the existing building and construction of a three-storey building comprising three dwellings and a shop	C1Z	Refusal (Manager)	Refusal (Applicant)
17 February 2016	P1575/2015	257-259 Alma Road, Caulfield North	Modification to the existing permit which allows for the construction of a four-storey building comprising one shop and nine dwellings. The proposed changes to the permit are: <ul style="list-style-type: none"> • Increase number of dwellings to 19; • Modifications to basement and provision of additional car spaces; • Inclusion of a food and drink premises. 	MUZ	Permit (Resolution)	Conditions (Applicant)

24 February 2016	P1648/2015	5 Lord Street, McKinnon	Construction of two double-storey attached dwellings	NRZ	Permit (DPC)	Conditions (Applicant)
25 February 2016	P1614/2015	3 Alder Street, Caulfield South	Construction of a two-storey building comprising three dwellings	GRZ	Permit (DPC)	Conditions (Applicant)

Item 9.4**11 MILE END ROAD AND 93 MIMOSA ROAD,
CARNEGIE
PLANNING SCHEME AMENDMENT C140
PUBLIC ACQUISITION OVERLAY**

Enquiries: Hannah Pascoe
Strategic Planner

**1. Community Plan**

Recreation and Open Space: To enhance recreation facilities and open space to meet current and future needs of the local community.

Development and Planning

2. Proposal

To apply a Public Acquisition Overlay (PAO) to the properties at 93 Mimosa Road and 11 Mile End Road, Carnegie.

3. Recommendation

That Council:

- Notes the three submissions received; and
- Requests the Minister for Planning to refer Amendment C140 to an independent panel to consider submissions.

Item 9.4 (cont'd)**4. Open Space Strategy**

Glen Eira has an acknowledged deficiency in public open space. Council's *Open Space Strategy* identifies "gap" areas that are poorly served by public open space.

The strategy identifies two "gap" areas in Carnegie.

Gap Area C1 is located in the north-west of Carnegie and Gap Area C2 is located south of Neerim Road and between Koornang and Murrumbeena Roads.

The strategy recommends a new small local open space in Gap Area C1 on the west side of Koornang Road and North of Neerim Road. The subject sites are located in Gap Area C1.

5. Submissions

Three submissions were received.

The owners of the subject sites were notified of the proposed PAO. No objection was received from either owner.

Support (two)

- A new park would create a great space for the local community.
- Traffic calming measures should be considered.
- The park should be fenced from the road and well lit.
- Request that the owners are not kicked out of their home.

Oppose (one)

- Parks have a reputation for being unsafe.
- Concerned for the safety of elderly residents.

6. Planning Conference

The Conference, chaired by Cr Pilling, provided a forum where all interested parties could elaborate on their respective views. One submitter supporting the amendment attended. It is considered that the main issues arising from the discussions were:

- Support for the proposal to increase public open space in the area.
- Small open space is good for young children.
- Hopes that resident parking issues to be resolved as a part of the process.

Item 9.4 (cont'd)**7. Public Acquisition Overlay**

A Public Acquisition Overlay (PAO) is a mechanism under the Planning Scheme which identifies land that is proposed to be acquired by a public authority for a future public purpose. In this case the land is being identified by Glen Eira City Council for future use as a public park.

Only through a four stage planning scheme amendment process can Council seek to apply a PAO and final approval can only be given by the Minister for Planning. The owner of the land or any affected person can object and have their concerns heard before a Panel.

It is common for Councils who use a PAO to work with the owner on a suitable time frame for the sale. There are dozens of examples where an overlay is established and an agreement reached that the overlay will not be activated while the present residents continue to reside in the property.

Owners who have a PAO over their land can be accepting of the overlay because they know they either have a purchaser, namely Council, by compulsory acquisition or by agreement, or alternatively, they have rights to compensation under the Planning and Environment Act. At the time of acquisition, Council is obliged to pay market value and compensation relating to impacts associated with the acquisition of the land.

8. Planning Scheme Amendment Process

The application of a PAO must go through the following fixed statutory steps:

1. The Minister for Planning must firstly authorise preparation of the amendment before exhibition can occur. Following this, notice (exhibition) of the amendment will commence, inviting public submissions.
2. If there are no submissions Council can 'adopt' the amendment and forward it to the Minister for approval. It only becomes law if it is formally approved and gazetted.
3. If there are submissions opposed to the amendment, the Council has three options – abandon the amendment, change the amendment in accordance with the submitters' request, or request the Minister to appoint an Independent Panel to hear the submissions. (Amendment C140 is at this stage in the process)
4. If a Panel is appointed, submissions are heard and the panel reports its findings in the form of a recommendation to Council.

The Panel may make a recommendation to:

- adopt the amendment
- abandon the amendment
- modify the amendment

Item 9.4 (cont'd)

5. Council then considers the panel report and makes its own decision. Council is not bound by the panel's findings. Again Council's options are to either abandon or adopt the amendment (with or without modifications).
6. If Council adopts the amendment, it is then referred to the Minister for Planning for approval.

Crs Pilling/Esakoff

That the recommendation in the report be adopted.

The MOTION was put and CARRIED unanimously.

Item 9.5**BOORAN ROAD RESERVE - ELECTRICITY
INFRASTRUCTURE AGREEMENTS**

File No:
Enquiries: Noel Kiernan
Manager Buildings and Properties

1. Purpose

To seek Council approval to enter into various agreements with the Crown and United Energy Distribution Pty Ltd for the installation of electrical connection services at Booran Road Reserve.

2. Community Plan

Community Facilities and Assets: to ensure that Council assets meet community requirements and are funded in a sustainable manner.

3. Background

As part of the Booran Road Reserve redevelopment into public open space, a new kiosk electrical substation is required to be installed at the end of Alamar Avenue, within the park.

The substation requires various agreements to be finalised, including both a lease and licence with United Energy Pty Ltd.

4. Proposal

It is proposed that Council execute the Agreement to Lease, the Business Customer Connection Agreement and the Substation Lease/Licence with United Energy Distribution Pty Ltd on the following terms:

- i. costing for the equipment supply and installation of the substation is \$105,090, of which Council's contribution will be \$50,215 (Inc. GST);
- ii. a term of 9 years commencing when the lease and licence are executed;
- iii. a nominal rental charge of \$0.10 per annum (if demanded); and
- iv. the grant of associated easement rights to United Energy.

5. Consultation

Under the Crown Land (Reserves) Act 1978 Council acts as Committee of Management for Booran Road Reserve and is responsible for ensuring compliance with governance standards.

Council will be required to obtain consent from the Department of Environment, Land, Water and Planning (DELWP) to enter in to the above agreements, based on the agreements finalised with the same parties for similar electrical infrastructure at Glen Huntly Reserve (also Crown Land).

Item 9.5 (cont'd)

6. Recommendation

That Council:

- i. Finalise all agreements with:
 - United Energy Pty Ltd; and
 - Department of Environment, Land, Water and Planning
- ii. Execute the above agreements in an appropriate manner by affixing the Council Seal.

Crs Okotel/Esakoff

That the recommendation in the report be adopted.

The MOTION was put and CARRIED unanimously.

Item 9.6**RATE CAP AND VARIATIONS****1. Purpose**

To report the current status of implementation of this policy.

2. Community Plan

Theme 4 - Governance

3. Status

At the end of July 2015, the Essential Services Commission (ESC) published its draft report on how it proposed to implement the government's policy. It called for submissions by end of August.

Council's submission is attached. It is self-explanatory.

Council's submission was sent to the ESC and also to
the Premier
the Minister for Health
the Minister for Planning
the Treasurer
the Minister for Industrial Relations and
the Auditor General for Victoria.

The Minister has stated that the Government would introduce legislation to implement its policy.

4. Recommendation

That Council's submission to the draft report of the Essential Services Commission be sent to:

- All State and Federal MPs representing Glen Eira
- All Glen Eira sports clubs and associations
- All community groups which applied for community grants in 2015
- All traders groups in Glen Eira.

Crs Hyams/Lipshutz

That the recommendation in the report be adopted.

8.22PM Cr Sounness left the Chamber.

8.27PM Cr Sounness returned to the Chamber.

The MOTION was put and CARRIED unanimously.

Rate Capping and Variation Framework Draft Report by the Essential Services Commission (ESC)

Response by Glen Eira City Council, August 2015

This submission responds to the Draft Report by the Essential Services Commission (ESC): *Local Government Rate Capping and Variation Framework Review*, 31 July 2015.

It is the third submission by this Council on this subject. It follows

- A Response to the Terms of Reference, March 2015 and
- A Response to the ESC Consultation Paper, May 2015.

This Response should be read in conjunction with Council's two previous submissions.

The proposed “cap and variation” methodology is likely to reduce investment

“Victorian councils manage around \$73 billion of infrastructure assets. Council spending on renewing or replacing existing assets is not keeping pace with their rate of deterioration, resulting in cumulative renewal gaps that grow each year”.

– Report by the Auditor General, Tabled in Parliament on 19 February 2014.

In addition, on 26 February 2015 the Auditor General Tabled his report on the results of the audits of all local governments for 2013-14. Appendix E of the Auditor-General's report contains forecasts for financial years 2014-15, 15-16 and 16-17 against six indicators of financial sustainability. One of the indicators is “*capital replacement*” it compares the rate of spending on infrastructure with the rate of depreciation of infrastructure. For 2016-17, the forecasts for *capital replacement* for the 79 councils are

- 24 low risk
- 43 insufficient spending and
- 12 high risk.

Victorian Councils currently invest approx. \$2 billion pa in asset management.

The single largest use of Rates money is investment.¹

If Rates are to be indexed, the index should reflect changes in Asset Management costs (eg a Construction Index or an “infrastructure backlog factor” derived from

¹ A significant proportion of wage costs is incurred in delivering programs on behalf of other levels of government and funded by government transfers, not Rates.

Auditor General's work). The ESC Report does not do that. It proposes a hybrid index of 60% Consumer Price Index (CPI) and 40% Wage Price Index (WPI). As argued later, the CPI reflects the costs of consumption, not the costs of investment.

The ESC proposal is not consistent with findings and recommendations of successive Reports by successive Auditors General.

If the ESC Draft is accepted, the Index would not provide adequate funding of infrastructure. Councils would need to address their responsibilities for managing community assets by seeking a Variation.

This would portray asset management as non-core (ie outside the Index).

Some councils may face political pressures not to seek any Variations “above” the Index. In these circumstances, to the extent that a Council accepted the cap without variations, it may fail to discharge its responsibilities for infrastructure and community assets.

Investment needs a longer lead time than the cap proposes

Effective asset management requires long term planning and long term Capital works programs.

Section 126 of the Local Government Act requires Councils to develop and approve a Strategic Resource Plan (SRP) each year. The SRP must cover “*at least the next four financial years*” (s126 [2]).

The methodology in the ESC Draft Report does not support that. The Index to apply in a financial year would be notified only seven months before the start of that financial year. That does not provide sufficient lead time or sufficient certainty.

A variation may be approved for one year, increasing to up to four years from 2019-20.

Council's earlier Submission advocated for the Rates framework to apply to Councils' four-year Strategic Resource Plans, not one-year Budgets. Council reaffirms that position.

Major projects often involve expenditure over four years (eg project identification, feasibility, scoping, consultation, concept, business case, costing, detailed design, consultation, contract documentation, tendering, construction and commissioning).

If Rates revenue was subject to greater uncertainty in future years, major projects would assume greater financing risk. This would translate into greater political risk: raising community expectations which could then not be delivered.

It is foreseeable that the composition of the capital works programs would shift with a lower proportion of major projects and a higher proportion of smaller and short-term projects.

An example in this Council would be the Glen Eira Sports and Aquatic Centre (GESAC). The project ran over six years: consultation in 2006, approved in 2008, the construction contract awarded in late 2009 and opened in 2012. GESAC hosts 1.1m visits a year. It has a child care centre and a physio therapy clinic. Membership is 55% female. It has a major partnership with the main local provider of disability services. It is a major contributor to community health and social connectedness. It has been visited by 80 organisations around Australasia.

GESAC cost \$40m to build. It turns over \$13m pa, covers all its operating costs, all repayment of borrowings and all interest on borrowings. Over a forty year life, it is likely to cost Council nothing.

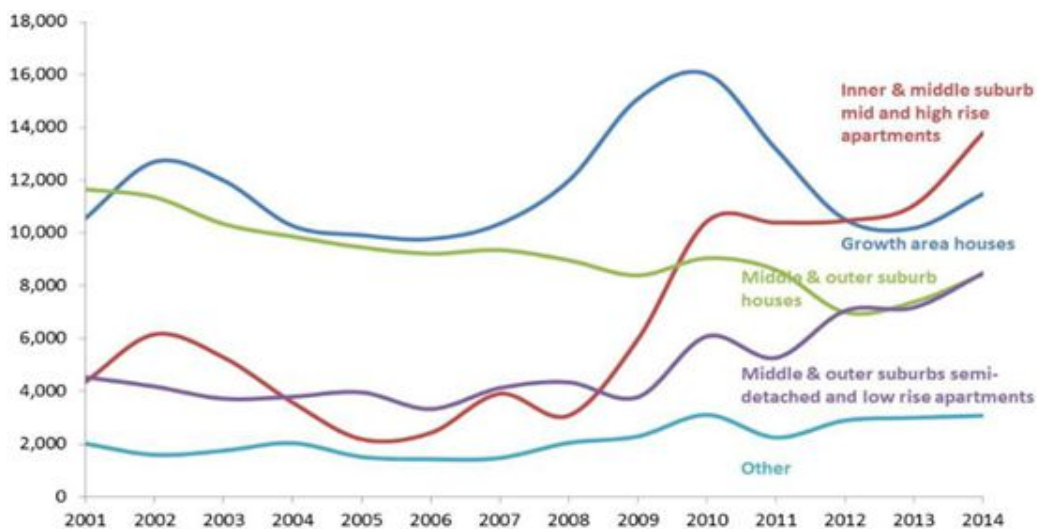
GESAC would not have been attempted if Rates had been capped at CPI and Variations considered on a year-by-year basis.

Capital programs with few major projects would tend to concentrate on managing past assets. It would not do justice to changing or emerging community needs e.g.+

- children's services hubs as a one-stop-shop providing Maternal and Child Health, child care, facilities for networks and groups;
- redeveloping 1960s seasonal pools for young people into all year round recreation centres for all ages and all abilities;
- facilities for both genders to replace facilities disproportionately catering for the sports and activities of one gender;
- transforming book libraries into learning centres.

The cap runs contrary to State policy objectives and future liveability

Victoria, more than any other State, is Australia's growth State. Melbourne alone is forecast to add another three million people in the next thirty years. The main component is apartments in inner and middle Melbourne, including this municipality (see the red line on the following graph).



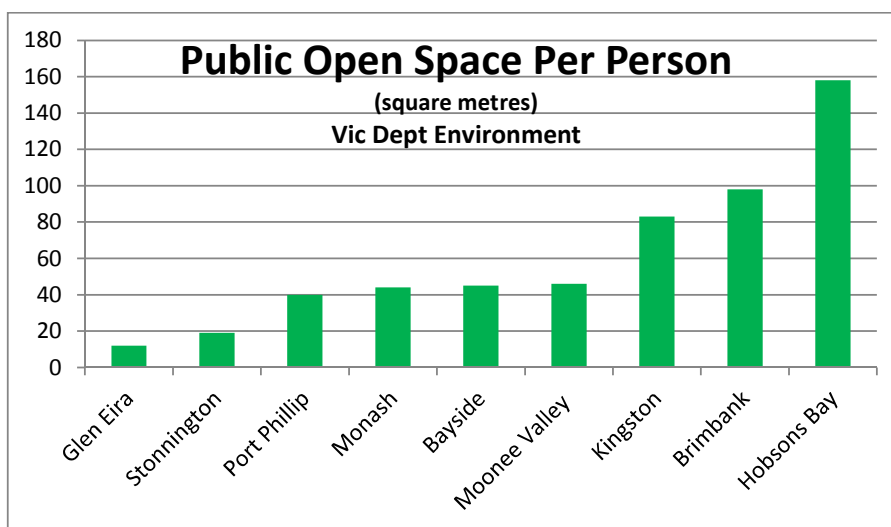
Redirecting Rates investment away from emerging needs and major projects during a period of high growth would detract from State economic performance and future liveability.

It is noteworthy that the State is adjusting its profile of capital works to a larger proportion of major projects (grade separations, new heavy rail lines) and a smaller proportion of small projects. The State's policy on its own capital investment and State policy on Rates investment are not consistent.

Public Open Space

One of the highest needs of apartment dwellers is public open space.

This municipality has the least amount of open space per person of any municipality in Victoria.



Council has adopted a 300 page *Open Space Strategy* following expert analysis and extensive community consultation. Council is implementing the Strategy to the extent that resources allow. Council has secured the highest open space levy rate ever achieved across a whole municipality by any suburban council – a uniform 5.7% of land value. That was supported by an Independent Panel appointed by the Minister for Planning. That is estimated to generate \$5m pa but that is not sufficient given the increasing value of property. Increases in population are outpacing increases in public open space. The ratio per person is not improving.

The Open Space Strategy estimates expenditure of \$201,296,600 over thirteen years (see Attachment A). This requires significant funding from Rates. The Index will not recognise that. Council will need to seek a Variation.

There are other infrastructure needs that are not recognised in the Index including flood mitigation from lack of capacity in Melbourne Water main drains.

If infrastructure needs are not funded by the Index and Variations, it is foreseeable that Councils will issue Refusals for planning applications on grounds that the

infrastructure cannot be provided. In the event that VCAT approves developments notwithstanding lack of funding for infrastructure, it would exacerbate the impact on existing residents and the politics of town planning would become more problematic than they already are.

The Wrong Index

The misalignment is driven by the use of a consumption index for a sector which does not consume.

The CPI is constructed by the Australian Bureau of Statistics (ABS). The CPI:

“measures the change in the prices paid by households for goods and services to consume” (Attachment B).

The main factors in the CPI during 2014 were: *domestic holiday travel, tobacco, fruit, medical and hospital services and pharmaceutical products.*

The proposition that Melbourne’s liveability and residents’ services should be funded according to changes in the prices of *fruit, tobacco* etc is non-strategic.

The ABS has stated in writing that *“all expenditures by business and expenditures by households for investment purposes, are out of scope of a consumer price index”* (Attachment B).

The Draft Report does not say that CPI is an appropriate Index.

Capacity to Pay

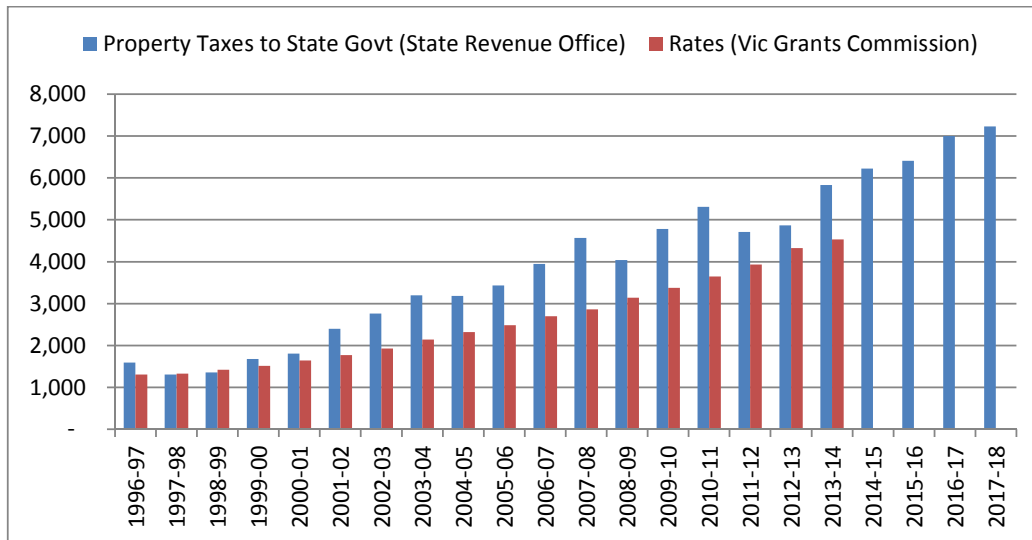
CPI is often used as an indicator of capacity to pay.

If the policy objective was to align Rate increases with capacity to pay, there are more effective methods than capping Rates to CPI.

Firstly, Rates are levied under the Local Government Act. The Act is controlled by the State Government. The Act requires Councils to levy rates on the basis of the value of property, not the capacity to pay of the owners. Councils do not hold any information on owners (eg their income, their age, the number of occupants). The Act could be amended by State government to achieve different objectives or a mix of objectives or to phase changes of Rates over time.

Secondly, the State pays a Rate Rebate to eligible households – currently pensioners. The Rebate was not indexed or increased at all for twenty one years between 1983 and 2004 – see letter from the then Minister for Local Government, Hon. Frank Wilkes MP, 10 October 1983. If the Rebate had been indexed during those twenty-one years, it would now be approximately \$512 pa instead of the current \$208. Tens of thousands of low income households would be \$304 better off each year.

Thirdly, the State's own property taxes (Land Tax, Stamp Duty) have increased by more than Victorian Council Rates and are budgeted to continue to increase by more than Council Rates. State property taxes are paid by the same people who pay Rates.



In 2013 a new property tax was introduced: the Fire Services Property Levy. It increased by approx. 12% in 2014-15. It equates to approx. 16% of Rates.

In 2015 another levy was introduced: the Metropolitan Planning Levy on planning applications of more than \$1m. The Levy will raise more than twice the amount Councils receive for actually processing planning applications. The Levy will form part of the cost of new properties.

State Agencies are levying four property taxes which are not linked to capacity to pay.

Fourthly, State Agencies have taken decisions which have significantly added to Council Rates.

- State and Local government operated public sector defined benefit superannuation schemes. Both were adversely affected by the global financial crisis (GFC). The State decided that its own liabilities would be unfunded and the government would make payments only as they were due. The State decided that Councils' liabilities (under the scheme established by State legislation) needed to be fully funded all of the time. That has required Councils to contribute \$635,310,000 to the scheme in the last five years. At the same time, the State unfunded liability was increased to \$30 billion. The \$635m has been passed on in Rates.
- State Agencies have imposed significant levies on Councils. For example, the State Landfill Levy has increased by fifty times inflation since 2009. It would now represent of the order of \$90m of total Victorian rates and charges each year.

- State Agencies have shifted significant costs onto Rates by not increasing other sources of revenue. For example, planning application fees are set by State Agencies but paid to Council. They have not been increased at all since 2009. Rates are now paying most of the costs of processing developers' applications. This would now comprise of the order of \$100m of total Victorian Rates each year.

The examples set out above account for nearly a billion dollars passed on to Rates and charges (i.e. ratepayers) as a result of decisions made by bodies other than Councils.

If the Rate rebate had been indexed, if the legislation had been modernised and if different decisions had been made by State agencies on the defined benefit superannuation, levies on Rates and Fees payable to Council, the impact of Rates on cost of living would be far lower. The ESC cap and variation process is seeking to contain the consequences of poor decision making by State agencies over a long period of time.

Some Councils will hand back community programs

Council's Response to the Terms of Reference in March 2015 stated:

"Up until now, there has been an 'understanding' under which Councils supplement government funding of social programs in order to achieve better outcomes.

The most important example is Home and Community Care. In all other states the program is delivered by State governments or their contractors. In Victoria, the program is delivered mainly by Councils. Victorian councils contribute approximately \$115m pa to achieve this. It is universally accepted that outcomes are best in Victoria. This council provides care for more than 4,000 elderly and disabled people in their homes.

Other important programs (with this council's volumes in brackets) include

- *maternal and child health (15,000 consultations pa)*
- *immunisation (14,000 in 2014-15)*
- *school crossings (3.4 million crossings pa) including 27 school crossings of roads which are legally the sole responsibility of VicRoads.*
- *pre schools (10 council provided venues)*
- *libraries (more than one million loans each year).*

In each of these areas, the two levels of government have been in a partnership. Rates have been set at a level to supplement government funding of these programs. Rates are higher than they would otherwise be so that outcomes are better than they would otherwise be.

The main service beneficiary of this 'partnership' has been the community, notably, the very old, the very young and those participating in education.

The main financial beneficiary of this 'understanding' has been State agencies.

When one partner puts pressure on the revenue of the other partner, the pressure inevitably comes on the partnership itself. If the partnership is undermined by the capping of rates and if that is initiated by State agencies, the financial benefits which have accrued to State agencies are unlikely to continue. (A council is unlikely to feed the hand that bites it.)

Councils' legal obligations under, amongst others, s136 of the Local Government Act will require priority to be given to Councils' own responsibilities above those of State agencies. It is foreseeable that all these services would move to a fee-for-service basis in which councils:

- deliver the funding that the State agency provides,*
- account for their expenditure*
- and any shortfalls in outcomes would be a matter for the State agency.*

It is foreseeable that waiting lists for these services could blow out and other social outcomes deteriorate before the end of this Parliamentary term."

Council reaffirms this position.

The CPI does not reflect community needs. For example,

- the population does not age by CPI;
- this Council administered 9,000 immunisations in 2010 and 14,000 in 2014-15, an increase of 55%.

In particular, the imposition of a discount of 0.05% in 2017-18, 0.1% in 2018-19, 0.15% in 2019-20 etc on an already inappropriate index would require Councils to make cuts. It would not be rational for Councils to protect State expenditures and cut local expenditures. Some State agency programs in some municipalities would be handed back to the State agency. State agencies would have to provide the services or appoint contractors to provide the services, funded wholly by the State agency. In some cases, this could entail loss of continuity of care, loss of local knowledge and loss of local responsiveness.

In many cases, the current arrangements represent the greatest cost benefit approach and the alternative would be more expensive and less effective. For example, when a Council administers a scheduled vaccination, it gets paid \$14.42 by government; when a GP administers the same vaccination to the same child, the GP is paid \$43.05 by government. That is not a criticism of GPs. It is an illustration that Councils are the lowest cost provider.

Mass immunisations by Councils at schools will achieve the highest immunisation coverage than if coverage relies on individual families making appointments with GPs.

Earlier this year there was considerable publicity for the Government making Whooping Cough vaccines available for parents free of charge. The publicity omitted to say that Government would pay for the vaccine and that Rates would pay

the nurses to administer the vaccines. The program is a highly desirable Public Health initiative and a good example of the sorts of partnership in which Councils may be, reluctantly, unlikely to join in future.

Each Council will need to make its own decisions on where the trade-offs will be made. It is foreseeable that

- some programs will be delivered by Council with the Council adding in its own funds;
- some delivered by Council on a fee-for-service basis, spending whatever funds are allocated by the State agency – no more, no less;
- some programs will be transferred back to the responsible State agency.

In a given Region in Victoria you could readily have a situation in which every Council delivered a different mix of programs, funded to different standards.

(It also illustrates that myriad services do not lend themselves to regulation by a single cap.)

This would affect Council employees who were involved in the affected programs.

Government should legislate now to ensure that affected employees could transfer to the new provider (VPS employment or private contractor) without loss of conditions.

Many people in the community are aware that Rates are a progressive tax. The revenue is raised on the basis of wealth and spent on universal services and facilities. There is a likelihood that future service arrangements will be more costly overall and that the costs will be distributed less progressively.

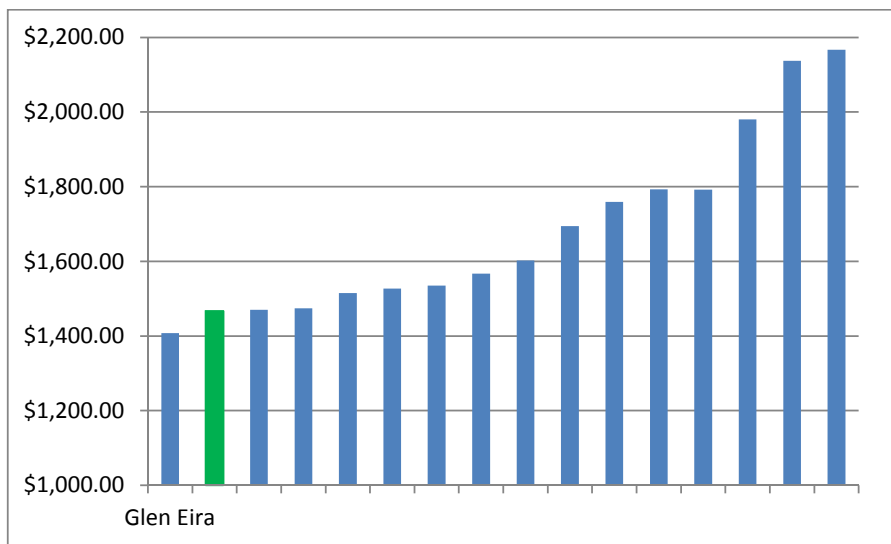
To the extent that Councils were pressured to maintain community services, it would draw more funding away from infrastructure.

The methodology penalises the most economical

Among municipalities, there is about a 50% difference between the highest and lowest average rates and charges per property. The graph below illustrates the range among metropolitan Councils in 2014. This Council is the second-lowest.

A methodology which provides a percentage increase on an existing base will give quite different outcomes. The lowest-cost will be relatively penalised and the highest cost will be relatively rewarded. This approach is unlikely to produce the best results.

Treating all 78 Councils as if they were the same would be like treating all the States and Territories as if they were the same.



Cycle

The Draft proposes that the ESC notifies the % cap in December, Councils notify an intention to seek a Variation in January, lodge variations in March and the ESC determines variations in May.

The effects could include:

- for Rate revenue to be determined separately from other revenue;
- for Rate revenue to be determined separately from expenditure; and
- all to be determined to the exclusion of the community.

There should be an integrated planning process that balances revenue, expenditure and community input.

As previously stated, any regulation should be on the basis of Councils' four year Strategic Resource Plans, not one year Budgets.

If there is to be a Budget focus, the cap and all variations need to be determined in the calendar year prior to the financial year to enable Councils to develop a Budget which integrates revenues with expenditures.

Glen Eira's Performance

Rates in this municipality average \$1.60 per person per day. We have the second-lowest average rates and charges per property in metropolitan Melbourne. Council's ten year Strategic Resource Plan projects increases in average rates and charges of between three and four percent per annum over the whole ten years.

In the annual *Community Satisfaction Survey* conducted by an independent market research firm under contract to the State Government in 2015, this Council received an Approval / Disapproval rating of 72 / 4 and a Satisfaction rating of 94%.

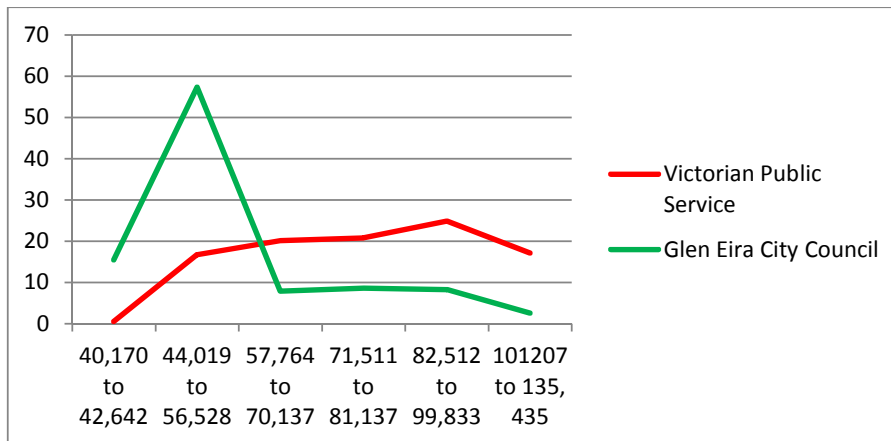
We currently have no waiting list for kindergarten or child care or home care.

This Council's average salary is 14% below Average Australian Earnings and we have one-fifth the proportion of Executives as the Victorian Public Sector.

Council has received favourable assessments in published Reports by the Auditor General and Awards for Governance, major projects, sustainability and customer service.

Wages

There is a lot of ill-informed commentary about labour costs.



In this Council:

- average remuneration is 14% below Australian Average Earnings;
- rates of pay are below the Victorian Public Service – see above graph.²
- the proportion of staff paid more than \$125,000 at 30 June 2014 was 1.2% in this Council compared with 6% for the Victorian Public Sector;³
- all Council CEOs in Victoria are paid less than the Editor of the Herald Sun⁴.

There are alternative approaches which would achieve more benefits at less cost.

Concerns have been raised about some expenditures by some Councils. The tabloid media regularly report this pictorially, especially public art. Such examples are usually of relatively low cost.

Ensuring that capital projects are well selected would be better addressed through better *Business Case* processes and requirements for disclosure (e.g. measure and

² "The State of the Public Sector in Victoria 2013-14", Public Service Commission, p32 The Victorian Public Service includes Secretaries, Executive Officers, Grade staff and "occupation-specific and senior specialist classifications". No aggregate information is published on occupation-specific and senior specialist classifications. See "The State of the Public Sector in Victoria 2013-14", Public Service Commission, p61.

³ "The State of the Public Sector in Victoria 2013-14", Public Service Commission, p11

⁴ See Guthrie versus News Limited, 2010, Victorian Supreme Court 196, page 46. The Editor of the Herald Sun successfully sued News Limited for damages. Lawyers for the Editor told the Supreme Court that the Editor's remuneration in 2009 was \$844,258. Lawyers for News Limited told the Court that the Editor's remuneration in 2009 was only \$514,807.

disclose the “renewal gap” in Budgets, Strategic Resource Plans and Annual Reports). That would eliminate inappropriate projects without the imposition of a short term Index based on consumption, not investment.

An effective Policy Framework for Local Government financial management would concentrate, among other things, on the following.

- a. Building measurement and disclosure of the state of infrastructure into Council Plans and Budgets.
- b. Instituting a Business Case methodology to ensure well-considered expenditures.
- c. Transferring good practice from some Councils to all Councils.
- d. Providing Councils which are experiencing difficulties with direct assistance to restore performance. This could include attention to Councils proposing increases to their Rates which were out of line with the property taxes of other Councils or other levels of government.
- e. Instituting a procedure to identify the impact on ratepayers of decisions by State agencies before those decisions were implemented and with particular regard to the impact on capacity to pay.
- f. In many rural Councils, the rate base is smaller than the asset base which precludes them from being financially self-sufficient. Their viability is dependent on financial assistance grants from the Federal and State governments.

Open Space Strategy

**Table 1. Total value of the open space projects included in the City of Glen Eira
Open Space Strategy 2013 - 2026**

City of Glen Eira Open Space Strategy 2013 - 2026 Total value of the 13-Year Open Space Program					
[1]	[2] City of Glen Eira allocation (existing population apportionment)	[3] % of total	[4] Open space contributions (new population apportionment)	[5] % of total	[6] Total \$ value of the Strategy included in the rate
Value of open space land and capital works projects					
Value of land for open space					
Total over 13 years:	\$70,507,510	57%	\$54,140,990	43%	\$124,648,500
Average per year over 13 years:	\$5,423,655	57%	\$4,164,692	43%	\$9,588,347
Value of capital works					
Total over 13 years:	\$50,873,485	67%	\$25,774,615	33%	\$76,648,100
Average per year over 13 years:	\$3,913,345	67%	1,982,663	33%	\$5,896,008
Total value of all projects					
Total over 13 years:	\$121,380,995	60%	\$79,915,605	40%	\$201,296,600
Average per year over 13 years:	\$9,337,000	60%	\$6,147,354	40%	\$15,484,354



Australian Bureau of Statistics

6461.0 - Consumer Price Index: Concepts, Sources and Methods, 2011

Latest ISSUE Released at 11:30 AM (CANBERRA TIME) 19/12/2011



CHAPTER 2 PURPOSES AND USES OF CONSUMER PRICE INDEXES

WHAT CONSUMER PRICE INDEXES MEASURE

2.1 As the name suggests, a consumer price index measures the change in the prices paid by households for goods and services to consume. All expenditures by businesses, and expenditures by households for investment purposes, are out of scope of a consumer price index. In this regard, expenditure on housing presents particular difficulties as it can be considered as part investment and part purchase of shelter-related services.

2.2 There is currently no single, universally accepted definition of a consumer price index. The often quoted description of a CPI is the following statement from the Resolution concerning consumer price indices released in 2003 by the Seventeenth International Conference of Labour Statisticians convened by the International Labour Organization (ILO) (the Resolution is reproduced in Appendix 4):

"The CPI is a current social and economic indicator that is constructed to measure changes over time in the general level of prices of consumer goods and services that households acquire, use or pay for consumption. The index aims to measure the change in consumer prices over time. This may be done by measuring the cost of purchasing a fixed basket of consumer goods and services of constant quality and similar characteristics, with the products in the basket being selected to be representative of households' expenditure during a year or other specified period."

PRINCIPAL PURPOSES OF A CONSUMER PRICE INDEX

2.3 A consumer price index may serve several purposes. However, three principal purposes are generally recognised, namely to measure:

- changes in the purchasing power of money incomes;
- changes in living standards; and
- price inflation experienced by households.

Item 9.7**LOCAL GOVERNMENT PERFORMANCE REPORTING FRAMEWORK****1. Purpose**

To report on the development of indicators of performance by Councils.

2. Community Plan

Theme 4 – Governance

3. Framework

A set of indicators of performance by Councils was called for in past reports by the Auditor General. Development of a framework commenced during the last Term of Parliament. This Council was one of the first Councils visited owing to the range and quality of reporting already in place (eg Annual Report awards). This Council volunteered as part of a pilot to develop and test possible indicators.

The process has continued under the present Government. Changes have continued to be made in response to what data Councils held.

This Council's position has consistently been

- a. This Council supports transparent indicators of performance and has no objection to comparative information being published. There is always room for improvement and it is good to identify best practice.*
- b. The choice of measures appears to have been unduly influenced by what data existed rather than whether the data reflected performance.*

Attached is a letter from Council to the Minister on these two points and the Minister's response.

4. Reporting

Council's Annual Report will contain data against the official indicators. It will include:

- 30 indicators which are required to be audited by the Auditor General. At the Audit Committee meeting on 21 August, the Auditor General's Office advised that it would be issuing an unqualified opinion on the Performance Statement.
- 41 indicators which Councils report but which are not audited by the Auditor General.
- Comments by the Council in relation to the indicators. (For example, where a Council planning decision is appealed to VCAT, the developer often submits different plans to those on which Council made its decision. An indicator which seeks to measure whether Council's decisions were upheld or not faces the fundamental challenge that VCAT is not being asked to consider the plans on which Council made its decision.)
- A Governance Checklist of 24 items which Councils should have in place. This Council has 100% of items in place.

In addition, the Department will upload much of this information from all Councils onto a website.

Item 9.7 (cont'd)

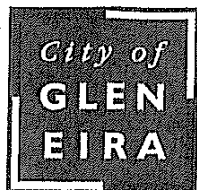
5. Recommendation

That Council note advice from the Auditor General's Office that it proposes to issue an unqualified Opinion on Council's Performance Statement.

Crs Lipshutz/Pilling

That the recommendation in the report be adopted.

The MOTION was put and CARRIED unanimously.



Office of the Mayor Cr Jim Magee

11 March 2015

The Hon. Natalie Hutchins MP
Minister for Local Government, Aboriginal Affairs and Industrial Relations
Level 22 Spring Street
EAST MELBOURNE 3002

Dear Minister,

I refer to the 2014 Local Government (Planning and Reporting) Regulations that were put in place before your appointment.

This Council supports transparent indicators of performance and has no objection to comparative information being published. There is always room for improvement and it is good to identify best practice. The framework that preceded your appointment, however, has significant room for improvement.

The choice of measures appears to have been unduly influenced by what data existed rather than whether the data reflected performance. Some issues of concern are set out in the attachment.

The call for meaningful comparative performance measurement was first made by the Auditor General some years ago. We believe that the Auditor General's Office has reservations about the validity and usefulness of many of the indicators. For example, the Auditor General publishes figures for key financial ratios and the framework is going to use different definitions and publish different figures. This is likely to confuse the public and may be perceived as placing the framework above the Auditor General.

Options include the following:

- Proceed with the current framework with publication in November 2015
- Publish the current indicators in November but announce now that the framework is a first attempt and will be made more valid and meaningful
- Review the current framework, including input from the Auditor General as to the integrity and usefulness of the indicators, with implementation in 2016-17, not 15-16.

Council respectfully recommends option C.

Yours sincerely

Cr JIM MAGEE
MAYOR

Copy Hon Gavin Jennings MLC, Special Minister of State
Auditor General (Attention: Tim Loughnan)
Essential Services Commission (Attention: Andrew Chow)

Glen Eira City Council

80 MCGs of parklands
enough footpaths to reach Sydney
enough drains to reach Mildura
enough roads to reach South Australia
\$500m of town planning projects
2,000 food safety inspections
4,000 off-street car spaces
23,000 tonnes of recycling
32,000 tonnes of waste
one million library loans
care for 4,500 elderly
services for 8,000 children
9,000 immunisations
67 school crossings
46,000 street trees
8,500 street lights
45 sportsgrounds
47 playgrounds
and much more

Glen Eira City Council

Corner Glen Eira and Hawthorn Roads,
Caulfield, Victoria
PO Box 42 Caulfield South 3162
ABN 65 952 882 314

Telephone 03 9524 3333

National Relay Service TTY dial 13 36 77 or
Speak and Listen 1300 555 727 or
www.iprelay.com.au then enter 03 9524 3333
Facsimile 03 9523 0339

Email mail@glenelra.vic.gov.au
Website www.glenelra.vic.gov.au

Page 1 of 3

Bentleigh • Bentleigh East • Brighton East • Carnegie
Caulfield • Elsternwick • Gardenvale • Glen Huntly
McKinnon • Murrumbeena • Ormond • St Kilda East

APPENDIX

The measures for Library services misrepresent the service. The framework measures 'active' library members defined as those who have borrowed a book in the past twelve months. The measure does not include borrowing e-books, the 40,000 people that attend our baby time and story time sessions for children, those who attend one of the 200 programs provided in-house each year, those who visit the library to study, those who use public computers or those who read magazines without borrowing.

Council is required to report the number of requests regarding kerbside collections. The measure purports to measure dissatisfaction with the service. Residents make requests to Council for new bins, additional bins, collection of hard rubbish, replacement of damaged bins and general information about the service. These are not complaints. The data is not an indication of dissatisfaction but rather a measure of Council's interaction with the community about kerbside collection.

The number of animal management prosecutions is not a suitable indicator when Council's primary strategy is focused on communication and education of pet owners. Prosecutions constitute less than 1% of the activities we undertake to regulate the management of domestic animals.

Economic development is proposed to be measured by the change in the number of Australian Business Numbers (ABN). Commonwealth Taxation policy would have more influence over decisions to set up separate legal entities than anything that a suburban Council does. Changes in the number of ABNs are not indicators of local government performance.

Council is required to report on community satisfaction rates with roads. These results are taken from the Community Satisfaction Survey. Main roads within the municipality are the responsibility of VicRoads whilst lesser are the responsibility of Local Government. The community cannot be expected to differentiate between the responsibilities of State and local government. This measure risks measuring satisfaction with VicRoads and attributing it to Councils.

A proposed measure of town planning is the number of planning decisions upheld by VCAT. Applicants can change their plans significantly before they get to VCAT so VCAT may be considering a quite different proposal to the one decided by Council. VCAT is legally required to *take account of* the Council's planning scheme policies but is not legally required to *apply* them. It follows that VCAT is often not making the same decision as the Council. There would be some appeals where it would not be possible for VCAT to uphold Council's decision (eg a four storey decision because the proposal had been reduced to three storeys).

The financial performance indicators should be streamlined and made consistent with the Auditor-General's financial sustainability indicators for Councils. This would simplify the audit requirements under the Local Government reporting regime. For example, the numerator in the renewal gap measurement by the Auditor-General is seen as expenditure on asset renewal and upgrade. The "asset renewal" calculation under the Local Government reporting regime excludes upgrade expenditure from the numerator. The community is likely to be presented with conflicting information purporting to represent the same thing. The framework may be perceived as the Department placing itself above the Auditor General.

Transparency is proposed to be measured by the number of resolutions made at meetings closed to the public as a proportion of the total number of resolutions. Meetings can only be closed to the public in the circumstances prescribed in s89(2) of the Act, for example, to discuss tenders and award contracts, consider confidential legal advice in order to preserve professional privilege or consider job applications for the position of Council CEO. If the Government considers that any of the grounds in s89(2) should be removed, it should amend the legislation. If there is any concern that s89(2) was being misused in any particular Council, it could be investigated or audited. The number of resolutions closed to the public may simply reflect the number of contracts being let (a good thing) or the number of matters on which Council has sought to be guided by legal advice (another good thing). Scores could be increased by delegating more authority to staff to award contracts in which case they would not appear on any Council agenda. It is noted that 100% of State Cabinet meetings are closed to the public and 100% Cabinet documents are strictly confidential. Using the framework, the State Government would be scored 0% for transparency.



The Hon Natalie Hutchins MP

Minister for Local Government
Minister for Aboriginal Affairs
Minister for Industrial Relations

1 Spring Street
Melbourne VIC 3000
DX210292

Ref: CMIN152014R
File: 12/007294

Cr Jim Magee
Mayor
Glen Eira City Council
PO Box 42
CAULFIELD SOUTH 3162

Dear Cr Magee

GLEN EIRA CITY COUNCIL – LOCAL GOVERNMENT PERFORMANCE REPORTING FRAMEWORK

Thank you for your letter of 11 March 2015 regarding the Local Government Performance Reporting Framework (LGPRF). I apologise for the delay in responding.

The Government is supportive of the need for better performance reporting by councils and is committed to acting on the Victorian Auditor-General's recommendations to strengthen local government reporting. In opposition, Labor provided bi-partisan support for the passage of legislation to make this new system of performance reporting mandatory for all councils from 1 July 2014.

I am pleased to report that since coming to office, the Labor Government has streamlined and strengthened the new performance reporting framework to ensure the indicators are both meaningful and not a significant impost on council resources.

Local Government Victoria (LGV) recently wrote to all councils (Circular 4 /2015) to advise that the Government will implement a transitional year for the Home and Community Care and Maternal and Child Health cost indicators to allow the sector time to improve the quality of data in time for the 2015-16 year. In addition, the economic development measures have been removed from the mandatory part of the framework. These changes will be enabled in the Local Government (Planning and Reporting) Amendment Regulations 2015 and will apply to the 2014-15 annual report of council.

I also wish to advise you that I will soon be appointing a steering committee made up of senior local and state government representatives to oversee an annual program of review and continuous improvement for the LGPRF. We look forward to your input to the ongoing governance of the reporting framework.

In relation to the specific matters you raise in your letter, a response is provided in turn below.

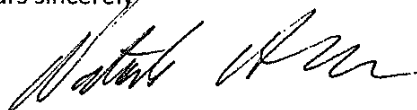
- **Active library members:** LGV has worked closely with Public Libraries Victoria Network (PLVN) to develop the library measures and it is acknowledged that although e-book loans and participation in library programs are important indicators of the library performance, council measurement systems are currently not able to accurately capture this data. LGV has committed to working with PLVN to monitor council data collection systems with a view to improving this measure as systems develop.
- **Kerbside bin collection requests:** significant refinement has been made to the definition of this measure to ensure that it only captures requests relating to council's kerbside collection service and it specifically excludes requests for new bins.
- **Animal management prosecutions:** this outcome indicator measures council performance against the objective 'to protect the health and safety of animals, humans and the environment'. In the absence of other data to better measure this outcome, successful prosecutions have been used as a proxy indicator (i.e. if council has successfully delivered all other animal management activities, the need to enter into legal proceedings is mitigated).
- **Satisfaction with sealed local roads:** the survey question is framed to encourage respondents to differentiate between state and local roads and as such minimise survey error.
- **Financial performance indicators:** LGV has consulted the Victorian Auditor-General's Office (VAGO) extensively in the development of the financial performance indicators. It has been agreed that where the LGPRF measures differ from VAGO's financial sustainability indicators, they will be called by a different name. The LGPRF indicators reflect the specific characteristics of local government whereas VAGO's indicators are standardised across all sectors that they audit and as such are unable to be tailored to the same extent. In relation to the asset renewal calculation, it should be noted that VAGO does not take into account asset upgrade expenditure (despite the reference) and as such there is full alignment between the LGPRF and VAGO asset renewal indicators.
- **Council decisions made at meetings closed to the public:** it is reasonable to expect that councils will make some decisions in the closed part of the meeting. The indicator is concerned with the overreliance of the section 89(2) provisions for matters, which should otherwise be made fully transparent. There is an opportunity for councils to provide a narrative to explain instances where they may be a higher than usual number of decisions made in meetings closed to the public due to circumstances related to contractual, personnel matters or any other matter allowed under section 89(2).

I note that Glen Eira City Council has been an active contributor to the development of the LGPRF through participation in pilot programs, data trials and membership of reference groups. I commend Council on its commitment to improved performance reporting and participation in these forums and hope we can again draw on your expertise in the future.

If you require further information, please contact Mark Grant, Director Sector Performance and Development of the Department of Environment, Land, Water & Planning on telephone (03) 9948 8517 or mark.grant@delwp.vic.gov.au

Thank you for your ongoing interest in the LGPRF.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Natalie Hutchins', written in a cursive style.

HON NATALIE HUTCHINS MP
Minister for Local Government

25 JUN 2015

Item 9.8**RECONCILIATION ACTION PLAN**

File No:
Enquiries: Peter Jones
Title: Director Community Services

1. Purpose

At the Ordinary Council Meeting on 30 June 2015, Council resolved

“that a report be prepared to show the best way for the development of a Reconciliation Action Plan for the City of Glen Eira”.

2. Background

Reconciliation is defined as ‘a process where Aboriginal and Torres Strait Islander (ATSI) peoples, non-Indigenous Australians and Australian governments forge a new relationship based on mutual understanding, recognition and respect.’¹

According to the 2011 Census two hundred and thirty two (232) Aboriginal and Torres Strait Islander (ATSI) people live in the City of Glen Eira with a median age of 29 years. This represents 0.2% of Glen Eira’s population. The ATSI population is spread across the municipality.

Council has engaged with ATSI groups and representatives in, for example, the development of Mallanbool Reserve and Booran Reserve.

A review of 33 (out of a total 79) Local Governments in Victoria showed that:

- 12 had developed *Reconciliation Action Plans* registered with Reconciliation Australia²
- 11 had developed *Reconciliation Action Plans* or *Reconciliation Policies*
- 4 had Aboriginal policies/plans,
- 2 had statements of commitment related to indigenous peoples and
- 4 acknowledged indigenous people as original inhabitants on their websites and through community activities.

3. Options

There are two options to developing Reconciliation Plans or policies.

Option A – The development of a plan registered and approved by Reconciliation Australia

This option requires adhering to the Reconciliation Australia mandatory framework so that the final plan can be approved and registered by Reconciliation Australia.

¹ *Australians for Native Title and Reconciliation* (ANTaR), an independent, national network of organisations and individuals working in support of Justice, Rights and Respect for Aboriginal and Torres Strait Islander peoples in Australia. <http://antar.org.au/campaigns/reconciliation>

² *Reconciliation Australia* is an independent, national not-for-profit organisation promoting reconciliation by building relationships, respect and trust between the wider Australian community and Aboriginal and Torres Strait Islander peoples. <https://www.reconciliation.org.au/about/>

Item 9.8 (cont'd)

Reconciliation Australia stipulates that all *Reconciliation Action Plans* must include actions, timelines and deliverables under four headings; *Relationships*, *Respect*, *Opportunities* and, *Tracking progress and reporting*. There are minimum elements under each heading as stated below:

<p><i>Relationships:</i></p> <ul style="list-style-type: none"> • A RAP working group made up of ATSI staff/stakeholders and other staff/stakeholders • Participation in National Reconciliation Week 	<p><i>Respect:</i></p> <ul style="list-style-type: none"> • Cultural awareness training and development for staff • ATSI cultural protocols • NAIDOC Week celebrations
<p><i>Opportunities:</i></p> <ul style="list-style-type: none"> • ATSI employment • Supplier diversity supporting ATSI businesses 	<p><i>Reporting:</i></p> <ul style="list-style-type: none"> • Annual reporting on achievements and challenges • Share what works in reconciliation and good practice

The steps identified under Reconciliation Australia's framework³ are presented below in a simplified format for the purpose of this report. They include:

- Step 1: Signing up with Reconciliation Australia to develop a plan will provide access to templates through which actions, timelines and deliverables can be formed.
- Step 2: Establishing a RAP working group or advisory committee. At the basic level, a working group must include:
- ATSI employee/s (or external stakeholders where this is not possible);
 - A range of staff from the different businesses units and/or divisions that will be involved in, and take responsibility for, delivering RAP actions; and
 - A RAP champion at the senior executive level who is aware of any political or budgetary issues, conflicts or interests that may stand in the way of reconciliation activities being implemented.
- Step 3: Allow time to build relationships externally and internally to inform and guide future RAP commitments.
- Step 4: Decide on the focus of the *Reconciliation Action Plan* (RAP) which best suits Council. All organisations seeking endorsement of a *Reconciliation Action Plan* are asked to commit to one of four types of RAPs that best suit their organisation; Reflect RAP, Innovate RAP; Stretch RAP; Elevate RAP.
- Step 5: Seek feedback on drafts from Reconciliation Australia and submit the final document to Reconciliation Australia management for endorsement.
- Step 6: Establish annual reporting processes for the RAP.

³ Reconciliation Australia Website; <http://www.reconciliation.org.au/raphub/program/getting-started/>

Item 9.8 (cont'd)

Five LGAs were contacted to ascertain process and structures used to develop their registered RAPs. The LGAs indicated that the relationship building activity was extensive and the development of the plan against the framework was resource intensive: holding working group meetings, identifying agreed actions, writing and reviewing the plan annually as well as implementing activities, under the guidance of Reconciliation Australia.

It was indicated by the councils contacted that they had committed staff resources estimated between 0.5 and 1 EFT to implement their RAP. A larger staff time commitment was required throughout the development phase and some had engaged a consultant to do this.

Option B – The development of a Reconciliation Plan with the same status as other Council plans and/or policies

Under this option, Council's *Reconciliation Action Plan* would have the same status as other Plans within the Council. The content of the Plan would include:

- promoting local ATSI history and traditions,
- celebrating events such as *NAIDOC Week* and *Reconciliation Week* (including Glen Eira-specific elements in relation to Mallanbool Reserve),
- acknowledging traditional custodians of the land,
- implementing cultural awareness training and
- other elements as determined by Council.

Developing a Reconciliation Plan or policy with the same status as other Council plans and/or policies has some resource implications as there will be a need to build relationships with ATSI representative groups. The process could include developing a draft for consultation, distributing and providing a variety of mechanisms for feedback on the draft plan, incorporating community feedback and presenting the plan to Council for endorsement.

4. Recommendation

That Council select Option A or B.

Crs Pilling/Sounness

That this item be deferred to the 4 November 2015 Council Meeting.

The MOTION was put and CARRIED unanimously.

Item 9.9**SMART CITIES**

**Enquiries: Peter Swabey
Chief Financial Officer**

1. Purpose

At the 21 July 2015 Ordinary meeting, Council resolved:

“That a Report be prepared as to the viability and cost of Council joining and implementing Microsoft’s CityNext project if available in Australia and/or implementing Smart City technology to include but not be limited to such matters as:

- (a) Adjusting street lights in real time;*
- (b) Tracking bin levels to avoid unnecessary emptying;*
- (c) Providing smart card to residents to allow residents to pay bills, register children and themselves into Council operated facilities (libraries, child care etc), report streets that require maintenance and receive real time information as to street closures, Council functions etc”*

2. Background

Smart Cities are described by the proponents as a new approach to designing, planning and managing cities globally, aimed to create sustainable economic development and high quality of life. Definitions vary, and the term Smart City generally refers to the combination of urban innovation, human networks and the environment.

A Smart City is one that makes use of all the interconnected information available today to better understand and control its operations and optimise the use of limited resources¹. Cisco defines Smart Cities as those who adopt scalable solutions that take advantage of information and communications technology (ICT) to increase efficiencies, reduce costs, and enhance quality of life.

There are a range of new technologies and software or cloud based services available in the market place. As part of its normal continuous improvement activities and business systems review activities, Council has already adopted a range of new technologies including that many staff now log field reports and job requests directly on mobile devices when they are in the field, and waste vehicle fleets are now tracked live by GPS which Service Centre staff can access live to answer questions from the community.

In July 2013, Microsoft launched CityNext— a global initiative to enable leaders to harness technology to build sustainable cities, primarily by providing the software/web interface that allows various new technologies to be integrated. Over 200 partners are signed on to Microsoft CityNext and actively delivering more than 700 solutions worldwide A number of CityNext projects are underway in Australia but it is unclear how many are successfully delivered in the Government sector possibly due to the relatively recent program launch.

¹ IBM, ‘Smart Cities series: introducing the IBM city operations and management solutions’, 2011

Item 9.9 (cont'd)

While a number of innovations appear conceptually possible, it is still early to identify many instances where returns on investment are clearly positive.

3. Smart Street Lighting

Council has identified that street lighting is a significant user of energy and has been progressively working to reduce energy consumption from lighting. In the current financial year it is preparing to replace high pressure sodium type lights. Council has few mercury vapour lights left, and it is also planning to replace these remaining lights.

Council does not currently employ 'intelligent' street light controls. According to proponents, smart public lighting networks may help drive reductions of more than 10% in street light energy consumption and can help lower maintenance costs by up to 30%. One approach is to investigate intelligent controls at the same time as light bulb replacement. Council owns some lighting in open space and carparks where this technology may also be applicable.

In Victoria, street lights are owned by distribution companies and Council pays a maintenance fee and energy charges to distribution companies. Council has some ability to request new technology, however this requires approval of distribution companies and any maintenance cost savings would be subject to negotiation of a new maintenance fee.

The issues that would need to be investigated include:

- whether smart controls meet Australian lighting standards; and
- whether the distribution companies would approve this technology for use on their public lights.

4. Intelligent Bins

Intelligent bins track waste levels to avoid unnecessary emptying and the potential for it to be used is limited to Council's roughly 700 litter bins or large bins at Council properties. It could not be readily used in community waste collection because if a resident puts a bin out, Council would need to empty it. Council limits visual clutter on bins, including instructional and interpretive signage; this suggests that offsetting waste collection costs through advertising is unlikely.

Smart Bins have intelligent sensors to monitor waste levels and alert the operator when they require service which allows operators to optimise their route. Benefits of the smart bins are reduced emissions, improved security and surveillance. For example, some smart bins can detect explosive devices hidden inside them. Solar powered smart bins with compactors also offer electricity savings and less labour and transportation costs. These solutions promise up to 50% in direct cost savings and a pilot is worth considering.

Item 9.9 (cont'd)

It is possible that sensors could benefit Glen Eira, however this is not regarded as a high priority or urgent because the amount of waste collected in litter bins and at Council properties is small compared to other waste streams Council manages. Also, the litter bin collection vehicle and driver is dedicated to the City and does not work across other areas, which means opportunities for efficiencies are limited. Sensors could help refine information that is used to set the base schedules for the contractor.

5. Smart Card Payments

An example of smart cards being employed at a Local Municipality is *ParraSync*, developed in partnership with Parramatta City Council, STMicroelectronics and SGS Technologie Australia, with partial funding from the New South Wales State Government.

ParraSync was launched in September 2012 and allows participants to use smartcards to pre-order parking, borrow books from the library and shop from participating retailers. Customers can load up to \$100 onto their card via a secure online portal and participating businesses are equipped with an Android Tablet and a Near Field Communication (NFC) card reader. Customers wave the card past the reader or tablet to purchase items or access loyalty programs. The card was successfully piloted with 300 users and a number of retailers. A commercial rollout is yet to be delivered.

Glen Eira Council is continually looking at ways to improve the payment experience for customers with improved or additional payment options. Recent examples of these include:

- Direct debit for rate payments by credit cards;
- Paying car parking fees by credit cards at Council-owned parking machines;
- Currently investigating the payment of library fees using credit cards (paywave) at the new Library fast-track customer service kiosks.

Council is also introducing further facilities to the online functionality for the lodgement of items such as building permits, planning permits, animal registrations, footpath permits, etc which will have the ability to pay online utilising the current platform.

Council's current banking arrangements are serviced by one main supplier (Westpac Banking Corporation) for both general banking services and collection (of payments) services. Council needed to consider the most cost effective means of delivering those services to ratepayers. Council currently supplies a comprehensive range of payment options. These are as follows:

Item 9.9 (cont'd)

- Direct Debit bank account;
- Direct Debit credit card;
- BPay using cheque/savings accounts and credit cards;
- Internet banking payment using credit/debit cards (including BPAY View);
- Over the counter at either Australia Post or Town Hall - payments can be made by cash, cheque or EFTPOS (credit cards Town Hall only);
- Mail (Locked Bag) by Cheque; and
- Over the phone payments using credit cards.

There are many payment options in the market place; the above payment options at Glen Eira give our customers an extensive range. Introducing too many options can become an expensive and time consuming administrative exercise, particularly when existing options such as credit or debit cards are already being provided. In addition, compliance with financial regulations such as the Payment Card Industry Data Security Standards is becoming increasingly difficult and costly for parties providing card payment facilities.

6. Scale

There are twenty-nine municipalities in metropolitan Melbourne. It may be that smart technologies are best implemented on a Regional or metropolitan-wide basis. That could share the costs of investment and lead to lower costs for individual councils.

This may be particularly important if Rates are to be reduced in real terms as part of rate capping.

7. Smart City Projects

A number of Smart City projects are occurring including:

- City of Melbourne – sensors in street bins;
- City of Brisbane – city-wide dashboards to allow residents to monitor energy consumption and traffic flow;
- City of Ballarat – waste management;
- East Gippsland Region – waste management;
- West Gippsland Region – upgrade street lighting;
- Hume Region – investigating waste management changes to street bins.

8. Recommendation

It is recommended that Council:

1. Notes this report;
2. Note that officers intend to investigate sensor technology as part of outdoor lighting replacement activities; and
3. Note that officers intend to investigate bin sensor technology as part of the sustainability strategy which is currently being reviewed.

Item 9.9 (cont'd)

Crs Lipshutz/Sounness

That the recommendation in the report be adopted.

The MOTION was put and CARRIED unanimously.

Item 9.10**SOUTH EAST WATER ELSTER SEWER SAFE
UPGRADE PROGRAM – CREATION OF EASEMENTS**

File No: 6002000034A
Enquiries: Noel Kiernan
Manager Buildings and Properties

1. Purpose

To seek Council approval for the creation of easements associated with the installation of South East Water assets as part of the South East Water Elster Sewer Safe Upgrade Program.

2. Community Plan

To deliver strong local leadership and governance in an open and responsible manner in the best interests of the community.

3. Background

In December 2011 Council resolved to enter in to agreements with South East Water (SEW) to allow them to carry out sewer upgrades by constructing services through four Council parks:

- Allnutt Park
- Halley Park
- Tucker Road/McKinnon Reserve; and
- Bentleigh Hodgson Reserve.

At the Council Meeting of 19 May 2015, Council resolved to accept compensation from SEW of \$190,000 that reflects the impact of the easements over these parcels of land.

Public Notice of these easements is not required as per Section 191 of the *Local Government Act 1989*, these easements being for and on behalf of a public body.

4. Recommendation

That Council:

- i. Authorises officers to create easements in favour of South East Water at:
 - Allnutt Park
 - Halley Park
 - Tucker Road/McKinnon Reserve; and
 - Bentleigh Hodgson Reserve.
- ii. Authorises the Chief Executive Officer to sign all documentation associated with the creation of easements.

Crs Hyams/Pilling

That the recommendation in the report be adopted.

The MOTION was put and CARRIED.

Item 9.11**ECO-Buy Program – 2014-15**

**Enquiries: Peter Swabey
Chief Financial Officer**

1. Purpose

To report on Council's expenditure through the ECO-Buy program in 2014-15.

2. Community Plan

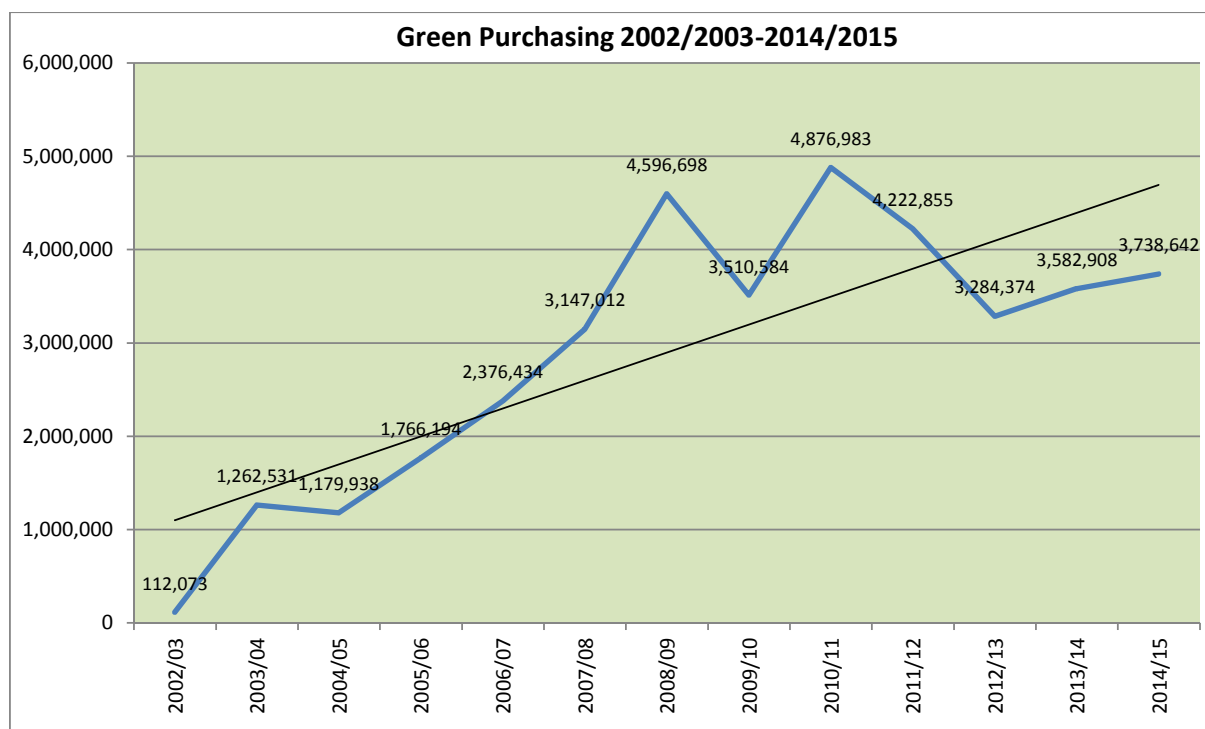
Theme 7 – Sustainable Community Assets and Infrastructure

3. ECO-Buy Green Purchasing Report – 2014-15

As a member of the ECO-Buy program, one of Council's responsibilities is to report on expenditure of environmentally friendly products and services at the end of each financial year. The 2014-15 year saw a total spend of \$3,738,642 compared with \$3,582,908 in 2013-14, an increase of 4%. This increase is largely due to improved procedures to capture re-cycled asphalt and 'green' printing services provided to Council.

It is common for variations or spikes to occur between different reporting periods due to one-off or periodic purchases or Council's capital works program.

The following graph highlights the progress for Glen Eira since 2002-03.



Item 9.11 (cont'd)

Council continues to focus on increasing the range of environmentally friendly products and services purchased, together with improved reporting and not by paying higher prices for the same items.

Some examples of the environmentally friendly products and services purchased are: Copy paper; garbage and recycling bins; energy saving products and appliances; green energy; recycled crushed concrete; recycled tree pruning mulch; soil wetting agents, and recycled rock for backfilling and road trenches and 'green' printing services.

Officers expect to receive an annual report from ECO-Buy later this year.

Council was advised at a meeting on 3 February 2015, that Ernst & Young acquired "Netbalance" (the company that owned ECO-BUY). While there have been minor changes in the nature of services provided, they are not significant and the membership fee includes reporting and networking arrangements with other Councils. Council's Purchasing Manager will monitor developments under the new structure.

4. Recommendation

That the report be noted.

Crs Okotel/Pilling

That the recommendation in the report be adopted.

The MOTION was put and CARRIED unanimously.

Item 9.12

**GLEN EIRA CITY COUNCIL
FINANCIAL REPORT FOR THE PERIOD ENDING
31 AUGUST 2015**

**File No:
Enquiries: Peter Swabey
Chief Financial Officer**

1. Proposal

To receive the Financial Report for the period ending 31 August 2015.

2. Corporate Goal

***Theme 4: Governance** - To deliver strong local leadership and governance in an open and responsible manner in the best interests of the community.*

3. Key Points

The positive operating result year to date is higher than was anticipated when the annual budget was set.

- The balance sheet position is sound.
- The cash position is sound.

4. Liquidity

Working capital is the excess of current assets above current liabilities. This calculation recognises that although Council has current assets, some of those assets are already committed to the future settlement of liabilities in the following 12 months, and are therefore not available for discretionary spending.

Council needs to ensure working capital is maintained such that sufficient cash reserves are available to meet normal cash flow requirements. Council will continue to have a large investment in capital works projects. The liquidity ratio expresses the level of current assets the Council has available to meet its current liabilities.

Council should hold sufficient cash to cover 'Restricted Assets' such as: Residential Aged Care Deposits, Public Open Space Reserve, Contract Deposits and Fire Services Property Levy.

This ratio has been adjusted for residential aged care deposits (refer page 14).

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6. Recommendation

That the report be received and noted.

Item 9.12 (cont'd)

Crs Lipshutz/Hyams

That the recommendation in the report be adopted.

The MOTION was put and CARRIED unanimously.

Executive Summary

for the period ending 31 August 2015

a) Current Month Budget Result

At the end of August 2015, the performance against budget from ordinary activities showed a positive variance of \$1.69M due to lower than anticipated revenue of \$147K and savings in operating expenditure of \$1.84M (refer to page 12 for details of the variances).

Please note that a large amount of the current variances is due to timing differences (i.e. between the scheduling of budgets and timing of actual results). The next few months should reflect whether these variances (particularly the expenditure variances) become more permanent for the 2015-16 financial year.

b) Current Month Forecast Result

The forecast result expected for the financial year is an operating surplus of \$13.91M compared with the original adopted 2015-16 Annual Budget of \$13.28M.

Any surplus from day-to-day operations is used to accelerate capital works projects. Annual budget to forecast movements to date show a decrease in operating revenue of \$1.21M, decrease in operating expenditure of \$1.82M and a net favourable variance in non-operational activities \$21K.

c) Open Space Contributions

Contributions

All multi-unit developers now need to pay a uniform 5.7% of the value of the land (or give Council 5.7% of the area of the land). All money raised by the levy will go into more and better open space.

The uniform rate of 5.7% is the highest rate ever achieved across a whole municipality by any suburban council.

Council formulated the new levy in 2014, based on the analysis in the Open Space Strategy. The 5.7% levy was supported by an independent panel in October 2014 and was approved by the State Planning Department. The higher rate took effect from 12 March 2015.

Open Space Reserve

The balance of the Open Space Reserve as at 31 August 2015 is as follows:

Description	Current Month	Previous Month
Opening Balance <i>as at 1 July 2015</i>	\$3,541,640	\$3,541,640
Open Space Contributions received to date	\$334,475	\$161,735
Open Space Capital Expenditure	(\$93,484)	(\$20,124)
Closing Balance	\$3,782,631	\$3,683,251

Note: the majority of the Open Space Reserve funds are earmarked to be spent on the development of Booran Reserve (formerly Glen Huntly Reservoir).

Executive Summary (continued)

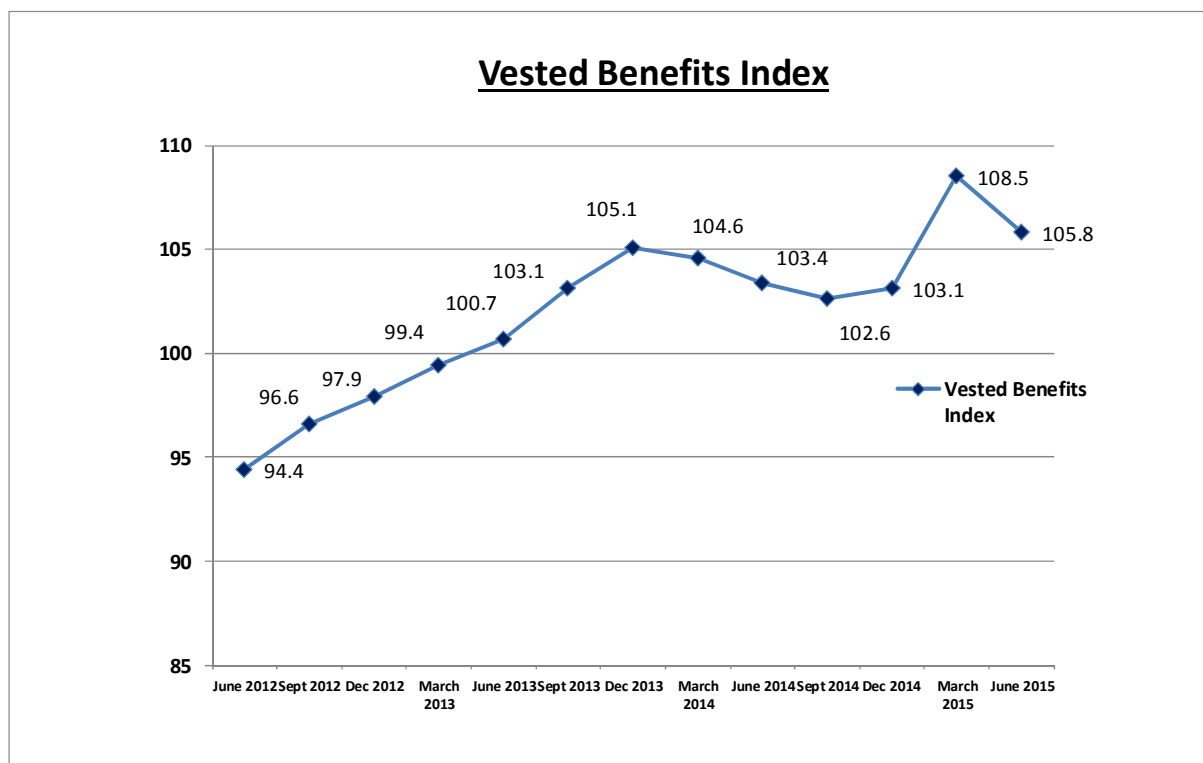
d) Superannuation – Defined Benefits Scheme

Forward Planning

Council has made provision in the Strategic Resource Plan of a total of \$2.5m over two years, 2016-17 and 2017-18, in the event of a future call from the Defined Benefits Scheme.

Vested Benefits Index (VBI)

The VBI is the key index that the super fund regulator, APRA, considers when assessing the financial position of the Defined Benefit Plan. In simple terms, this measures whether there would be enough assets to meet the liabilities of the Defined Benefit Plan if it became necessary to pay all members their total entitlements on a particular day. For the Plan to be in a satisfactory financial position requires a VBI of 100% or more. Below is the estimated VBI since 30 June 2012:



Executive Summary (continued)

e) Forecast adjustments for August 2015

Income from ordinary activities increase of \$51K

The favourable expenditure forecast movement is mainly due to:

- Statutory fees and fines increase of \$226K due to higher than anticipated parking infringements income \$211K.
- Contributions – reduction of \$270K based on the timing of Council receiving Open Space Contributions.

Expenditure from ordinary activities decrease of \$1.24M

The favourable expenditure forecast movement is mainly due to:

- Employee costs decrease of \$597K due to the timing of staff recruitment and agency costs in GESAC, Parks and Gardens, Human Resources and Accounting Services.
- Contractor payments decrease of \$311K due to the timing of anticipated works for the provision of services provided by external contractors including remedial work \$137K and general contractors \$71K.

f) Capital Works Program

As at the end of August 2015, total capital works expenditure in 2015-16 is expected to be \$36.31M, represented by:

- New capital projects as per the 2015-16 Annual Budget \$30.15M
- Capital works funding \$1.9M
- Carry forward expenditure from the 2014-15 financial year \$3.87M
- Forecast Increase year to date \$351K.

Please note, there are no forecast adjustments to the Capital Works Program for the month of August 2015.

Financial Strategy

Each year, the Auditor-General of Victoria performs an audit of the Local Government sector and produces a report to Parliament of the results of those audits. As part of this process, the Auditor-General assesses the financial sustainability of Councils based on analysis of the trends in some key financial indicators. At the Glen Eira Council Audit Committee meeting in August 2012, the Auditor-General stated that the financial indicators were just indicators rather than absolutes.

The following 3 pages explain and present the financial sustainability risks for Councils in 2013-14.

Risk assessment criteria for financial sustainability indicators




Risk	Underlying result	Liquidity	Indebtedness	Self-financing	Capital replacement	Renewal gap
High	Negative 10% or less Insufficient revenue is being generated to fund operations and asset renewal.	Equal to or less than 1.0 Insufficient current assets to cover liabilities.	More than 60% Potentially long-term concern over ability to repay debt levels from own-source revenue.	Less than 10% Insufficient cash from operations to fund new assets and asset renewal.	Equal to or less than 1.0 Spending on capital works has not kept pace with consumption of assets.	Equal to or less than 0.5 Spending on existing assets has not kept pace with consumption of these assets.
Medium	Negative 10% to zero A risk of long-term run-down to cash reserves and inability to fund asset renewals.	1.0–1.5 Need for caution with cash flow, as issues could arise with meeting obligations as they fall due.	40–60% Some concern over the ability to repay debt from own-source revenue.	10–20% May not be generating sufficient cash from operations to fund new assets.	1.0–1.5 May indicate spending on asset renewal is insufficient.	0.5–1.0 May indicate insufficient spending on renewal of existing assets.
Low	More than zero Generating surpluses consistently.	More than 1.5 No immediate issues with repaying short-term liabilities as they fall due.	40% or less No concern over the ability to repay debt from own-source revenue.	20% or more Generating enough cash from operations to fund assets.	More than 1.5 Low risk of insufficient spending on asset renewal.	More than 1.0 Low risk of insufficient spending on asset base.

Source: Victorian Auditor-General's Office.

Financial Strategy (continued)

The overall financial sustainability risk assessment is calculated using the ratings determined for each indicator.

Overall financial sustainability risk assessment

	High risk of short-term and immediate sustainability concerns indicated by either: <ul style="list-style-type: none">• red underlying result indicator; or• red liquidity indicator.
	Medium risk of longer-term sustainability concerns indicated by either: <ul style="list-style-type: none">• red self-financing indicator;• red indebtedness indicator;• red capital replacement indicator; or• red renewal gap indicator.
	Low risk of financial sustainability concerns – there are no high-risk indicators.

Source: Victorian Auditor-General's Office.

A trend analysis uses actual figures for the previous five years and a trend analysis using forecast figures for the following three years. The sustainability indicators are colour coded in line with the risk assessment criteria. The legend is used in presenting the results of our assessments.

Legend for financial sustainability tables

	Downward trend
	No substantial trend
	Upward trend

Source: Victorian Auditor-General's Office.

Financial Strategy (continued)

Financial sustainability risk assessment results 2013–14

Inner metropolitan councils	Average Underlying result (%)	Liquidity	Indebtedness (%)	Self-financing (%)	Capital replacement	Renewal gap	Sustainability assessment
Banyule City Council	3.59	4.09	56.67	16.61	2.12	1.52	●
Bayside City Council	9.79	2.20	12.37	28.90	1.53	0.97	●
Boroondara City Council	8.68	1.76	33.66	23.58	2.09	1.76	●
Darebin City Council	3.58	1.64	1.24	17.63	1.17	1.08	●
Glen Eira City Council	8.38	1.38	17.97	23.53	2.23	1.77	●
Hobsons Bay City Council	5.62	0.99	0.88	24.61	1.50	1.33	●
Kingston City Council	7.85	1.68	14.00	24.32	1.71	1.45	●
Maribyrnong City Council	4.27	2.62	4.53	25.48	1.26	1.41	●
Maroondah City Council	2.61	1.61	1.65	25.00	1.53	1.03	●
Melbourne City Council	3.19	1.33	0.85	24.50	1.74	1.14	●
Monash City Council	-1.30	1.54	7.92	10.62	1.15	0.86	●
Moonee Valley City Council	3.02	1.61	6.99	16.66	1.25	0.87	●
Moreland City Council	4.39	1.49	35.74	14.90	1.55	0.96	●
Port Phillip City Council	0.24	1.59	2.52	7.89	1.37	0.73	●
Stonnington City Council	10.60	2.10	11.09	28.21	1.88	1.50	●
Whitehorse City Council	4.55	2.13	5.70	19.99	1.67	1.23	●
Yarra City Council	4.76	1.07	24.05	16.28	1.37	1.16	●
Category average	4.93	1.81	13.99	20.51	1.60	1.22	●
Category risk assessment	Low	Low	Low	Low	Low	Low	Low

Source: Victorian Auditor-General's Office.

Glen Eira City Council was assessed as having a low sustainability risk in 2013-14.

Financial Strategy (continued)

Monthly Report Relative to Financial Strategy





























		Objective	2015-2016 Annual Budget as at 30 June 2016	2015-2016 Forecast as at 30 June 2016	Comment
a.	One of a Council's most important functions is to renew community infrastructure. This involves not only maintaining assets but renewing and improving assets (e.g. enlarging drains, providing for all abilities and genders in community facilities, providing for all-year-round recreation at GESAC). Inner metro Councils need to be spending significantly more than depreciation if they are to achieve this.	New Works: Depreciation x 125% = \$27.06m	\$32.1m	\$36.31m	Council adopted a capital works program of \$37.1m (includes \$32.1m of new works and carry forwards from 2014-15 of \$5m). The forecast of \$36.31m includes \$3.87m of carry forwards from the 2014-15 financial year.
b.	Councils must make surpluses on their recurrent operations in order to have more money for capital expenditure.	Operating Surplus to be achieved.	Surplus \$13.28m	Surplus \$13.91m	
c.	Council aims to keep average rates and charges significantly below benchmark Councils and provide a pensioner rate rebate over the State Government's universal rebate. <ul style="list-style-type: none">Average Rates and ChargesPensioner Rate Rebate	Council aims to keep average rates and charges significantly below benchmark Councils and the pensioner rate rebate above the State Government's universal rebate.	\$1,538 \$270	No Change	Average rates and charges are well below the average of inner metropolitan Councils (\$247 per assessment less than the average of inner metropolitan Councils). This means that Council charges \$15.2m p.a. less than inner metropolitan municipalities and has \$15.2m p.a. less for upgrading or providing facilities and services. In addition the Council provides one of the highest pensioner rebates in Victoria.*
d.	Operating costs per property should be kept as low as possible in order to generate <u>both</u> operating surpluses <u>and</u> lower Rates.	Council should aim to keep average operating costs below the average benchmark Councils.	\$1,947	No Change	In terms of operational expenditure (excluding depreciation), Glen Eira ranks as spending \$197 less per assessment (\$12.1m) than the average for the Inner Metropolitan grouping.*
e.	Interest on the money borrowed to build GESAC should be paid for by GESAC. <ul style="list-style-type: none">% of GESAC interest costs paid for by GESAC (before depreciation).	100%	100%	100%	Community participation in GESAC has been ahead of expectations.
f.	Liquidity should be managed so as to cover all obligations as and when they fall due.	Adjusted Liquidity Ratio should be 1.0 or greater.	1.25	1.54	At this point, Council's liquidity ratio is forecast at 1.54.

* Based on audited financial results from 2013-14.

Assurance Map

The assurance map considers the key risks to Council in achieving its objectives and performance expectations, and the assurance activities which have been conducted over the operation of controls that apply to those risks. The Assurance Map is indicative of the type of activity in place to provide Council Management with comfort that the control environment is operating as intended. A formal review of strategic risks is undertaken annually by Executive. The risks have been identified, assessed and ranked in order of risk exposure to Council. The assurance map will be updated after every formal review and when assurance activities are proposed or undertaken.

Council's Strategic Risks	Risk Rating	Type of Assurance						Previous (2011-2014) and proposed IA activity 2014/15-2016/17, and/or other independent reviews/checks
		Management	External Parties				Internal Audit	
		Management Review / self-assessment	Insurance Coverage	LG Investigations / Compliance Inspectorate	VAGO Performance Audits*	Independent Consultants / External party review	Internal Audit	
1. Legislation or Standards – Changes generally	E							Food Safety (2011/12) Statutory Planning (2013/14)
2. Legislation or Standards – Cost shifting	E							
3. Funding – Shortfalls	H							
4. Contracts – consultant errors	H							Tendering (2013/14) Contract Management (2013/14)
5. Insurance – failure to comply with policy	H							
6. Contracts – indemnities beyond insurance coverage	H							Contract Management (2013/14)
7. Contractors - insurances	H							Contract Management (2013/14)
8. Contractors – Council liability for the actions of contractors	H							Contract Management (2013/14) Parks & Open Space Maintenance (2014/15)
9. Terrorist Attack – Lone Wolf	H							Security Protocol Review (2014)
10. IT – security compromised	H							IT Sensitive Information (2011/12) IT Security (2012/13, 2014/15) IT General Controls (2015/16) IT Strategy (management) (2013/14)
11. Advice – incorrect advice provided	H							Statutory Planning (2013/14)

Council's Strategic Risks	Risk Rating	Type of Assurance						Previous (2011-2014) and proposed IA activity 2014/15-2016/17, and/or other independent reviews/checks
		Management	External Parties				Internal Audit	
		Management Review / self-assessment	Insurance Coverage	LG Investigations / Compliance Inspectorate	VAGO Performance Audits*	Independent Consultants / External party review	Internal Audit	
12. Infrastructure – serious deficiency	H							Asset Management (2013/14) Parks & Open Space Maintenance (2014/15) Land and Building Revaluation biennial (ongoing)
13. Contracts – wrong authority / process	H							Tendering (2013/14) Contract Management (2013/14) Financial Compliance transaction analysis (ongoing)
14. Road Management Act / Plan – failure to comply	H							
15. Clayton Landfill – tightening of requirements and fines	H							Clayton Landfill Review (2014/15)
16. Contract Agreements /Partnerships inappropriate relationships entered into	H							Tendering (2013/14) Contract Management (2013/14) Financial Compliance transaction analysis (ongoing)
17. Clayton Landfill – permanent site closure	H							Clayton Landfill Review (2014/15)
18. Health & Safety – safe & healthy workplace not maintained	H							SafetyMAP recertification (2013/14) OH&S Review (2015/16)
19. Embezzlement	H							Fraud Review (2013/14) Financial Controls (2014/15) Financial Compliance transaction analysis (ongoing)
20. Public Liability General	M							

**Reviews performed are ad-hoc and Council may or may not be included in selected sampling Level of coverage provided where not all aspects of the risk may have been addressed by assurance activity.*

Please note that the External Audit process is designed to enable the A-G to express an opinion on the annual financial report. The external audit is not a comprehensive audit of all systems and processes and is not designed to uncover all deficiencies, breaches and irregularities in those systems and processes.

Level of coverage:  Extensive  Partial  None

Income Statement

for the period ending 31 August 2015

	2015-16 Year to Date Actual	2015-16 Year to Date Budget	2015-16 Year to Date Variance	2015-16 Year to Date Variance	2015-16 Last Month Forecast	2015-16 Current Month Forecast	2015-16 Current Month Forecast Movement	2015-16 Annual Budget	2015-16 Budget Forecast Variance	2015-16 Budget Forecast Variance
	\$ 000's	\$ 000's	\$ 000's	(%)	\$ 000's	\$ 000's	\$ 000's	\$ 000's	\$ 000's	(%)
Income										
Income from Ordinary Activities										
General Rates	81,717	81,624	93	0.1%	81,722	81,717	(5)	81,624	93	0.1%
Supplementary Rates	356	350	6	1.8%	547	556	9	550	6	1.2%
Waste and Recycling Charges	13,519	13,474	45	0.3%	14,278	14,277	(0)	14,232	45	0.3%
Grants (Operating and Capital)	4,310	4,608	(298)	(6.5%)	22,263	22,336	73	23,702	(1,366)	(5.8%)
Interest Received	192	150	42	27.7%	925	942	17	900	42	4.6%
User Fees	4,271	4,365	(94)	(2.2%)	25,029	25,035	6	25,129	(94)	(0.4%)
Statutory Fees and Fines	940	607	333	54.8%	4,389	4,615	226	4,282	333	7.8%
Contributions - Monetary	334	605	(270)	(44.7%)	4,997	4,730	(267)	5,000	(270)	(5.4%)
Other Income	244	247	(3)	(1.2%)	1,607	1,601	(6)	1,605	(4)	(0.2%)
Total Income from Ordinary Activities	105,883	106,029	(147)	(0.14%)	155,758	155,809	51	157,024	(1,214)	(0.8%)
Expenses										
Expenses from Ordinary Activities										
Employee Costs	11,215	11,942	727	6.1%	69,157	68,560	597	69,287	727	1.0%
Materials and Consumables	725	1,000	275	27.5%	5,721	5,661	60	5,912	251	4.3%
Contractor Payments	4,292	4,844	551	11.4%	27,051	26,740	311	27,292	551	2.0%
Maintenance	654	825	171	20.8%	7,087	6,926	161	7,097	171	2.4%
Utility Services	550	664	114	17.1%	3,824	3,729	94	3,843	114	3.0%
Insurances	540	595	54	9.1%	1,114	978	137	1,032	54	5.3%
Other Expenses	721	663	(58)	(8.8%)	3,907	4,044	(137)	3,986	(58)	(1.5%)
Grants and Subsidies	183	194	11	5.5%	909	905	4	916	12	1.3%
Borrowing Costs	287	283	(4)	(1.6%)	1,689	1,679	10	1,674	(4)	(0.3%)
Total Expenses from Ordinary Activities	19,169	21,009	1,840	8.8%	120,459	119,222	1,237	121,039	1,817	1.5%
Surplus before non operational activities	86,714	85,020	1,693	2.0%	35,299	36,588	1,289	35,985	603	1.7%
Non-operational Activities										
Proceeds from Sale of Property, Infrastructure, Plant and Equipment	217	90	127	140.6%	612	607	(5)	481	127	26.4%
Written Down Value of Assets Sold/Disposed	402	255	(147)	(57.7%)	1,405	1,678	(273)	1,531	(147)	(9.6%)
Depreciation and Amortisation	3,567	3,608	41	1.1%	21,624	21,609	15	21,650	41	0.2%
Surplus for the period	82,961	81,246	1,714	2.1%	12,882	13,909	1,027	13,284	624	4.7%

Key to Variance - Positive figures relate to an increase in revenue and a decrease in expenditure. Negative figures relate to a decrease in revenue and increase in expenditure.

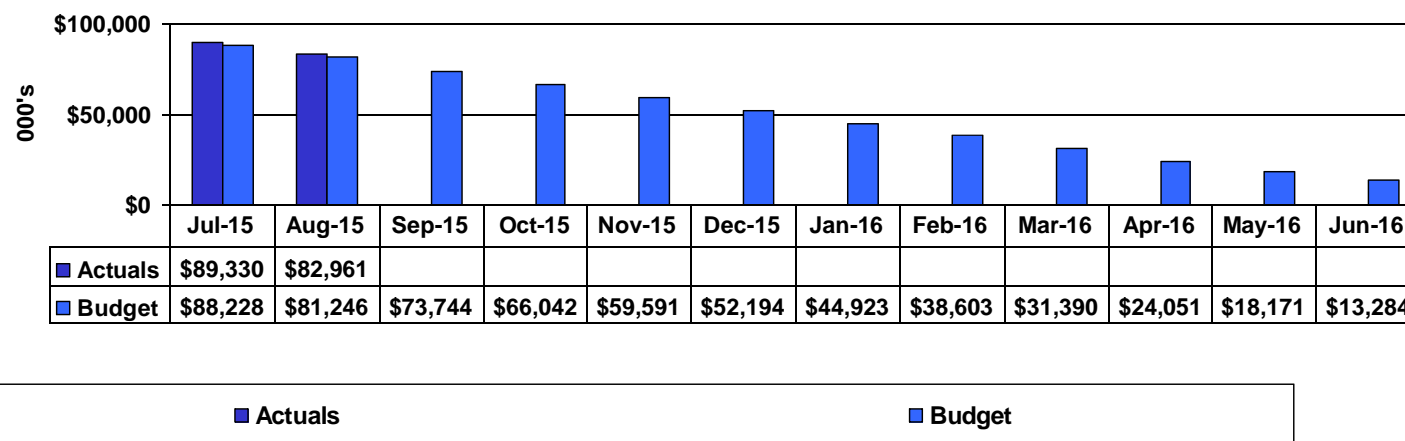
Balance Sheet

for the period ending 31 August 2015

	Actuals 2014-15 \$ 000's	Annual Budget 2015-16 \$ 000's	Annual Forecast 2015-16 \$ 000's	Year to Date Actual 2015-16 \$ 000's	Previous Month's Actuals \$ 000's
Assets					
Current Assets					
Cash and Cash Equivalents	41,404	33,093	42,741	37,890	34,832
Trade and Other Receivables	8,984	8,707	8,984	105,403	113,592
Other Assets	1,309	472	1,309	806	879
Total Current Assets	51,697	42,272	53,034	144,100	149,303
Non-Current Assets					
Property, Infrastructure, Plant and Equipment	1,701,565	1,718,355	1,715,200	1,699,964	1,700,283
Intangible Assets	750	794	750	710	709
Investments in Joint Operations	2,595	2,040	2,595	2,595	2,595
Other Financial Assets	5	5	5	5	5
Total Non-Current Assets	1,704,915	1,721,194	1,718,550	1,703,273	1,703,592
TOTAL ASSETS	1,756,612	1,763,466	1,771,584	1,847,373	1,852,895
Liabilities					
Current Liabilities					
Trade and Other Payables	13,732	11,466	13,732	6,823	7,035
Trust Funds and Deposits	24,670	23,909	24,670	39,684	38,492
Provisions	12,692	12,641	12,692	12,593	12,620
Interest-Bearing Liabilities	1,231	1,263	1,231	1,029	1,138
Total Current Liabilities	52,325	49,279	52,325	60,130	59,284
Non-Current Liabilities					
Provisions	1,187	708	1,187	1,187	1,187
Interest-Bearing Liabilities	20,037	18,955	19,037	20,037	20,037
Other Liabilities - Joint Operations	3,352	-	3,352	3,352	3,352
Total Non-Current Liabilities	24,576	19,663	23,576	24,575	24,575
Total Liabilities	76,901	68,942	75,901	84,705	83,860
Net Assets	1,679,711	1,694,524	1,695,683	1,762,668	1,769,035
Equity					
Accumulated Surplus	878,187	891,216	894,159	960,905	967,372
Asset Revaluation Reserve	797,983	801,213	797,983	797,980	797,980
Public Open Space Reserve	3,541	2,095	3,541	3,783	3,683
Total Equity	1,679,711	1,694,524	1,695,683	1,762,668	1,769,035

Performance Graphs

Financial Performance for the period ending 31 August 2015

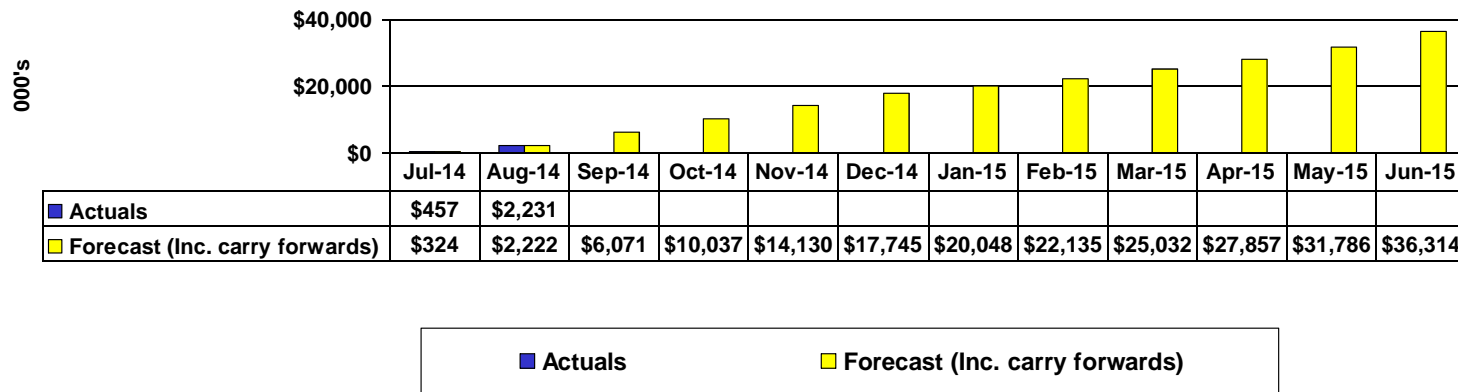


The August 2015 year to date financial performance was \$1.71M better than the year to date budget mainly due to:

- Better than anticipated income received for Statutory Fees and Fines \$333K, Supplementary and General Rates \$93K, Waste and Recycling Charges \$45K and Interest Received \$42K.
- Favourable variances in expenditure items including: Employee Costs \$727K, Contractor Payments \$551K, Materials and Consumables \$275K, Maintenance \$171K, Utility Services \$114K, Insurances \$54K and Grants and Subsidies \$11K.
- Unfavourable variances in Grants (Operating and Capital) \$298K, Contributions-Monetary \$270K, User Fees \$94K and Other Expenses \$58K.

Please note that a large amount of the current variances is due to timing differences (i.e. between the scheduling of budgets and timing of actual results). The next few months should reflect whether these variances (particularly the expenditure variances) become more permanent for the 2015-16 financial year.

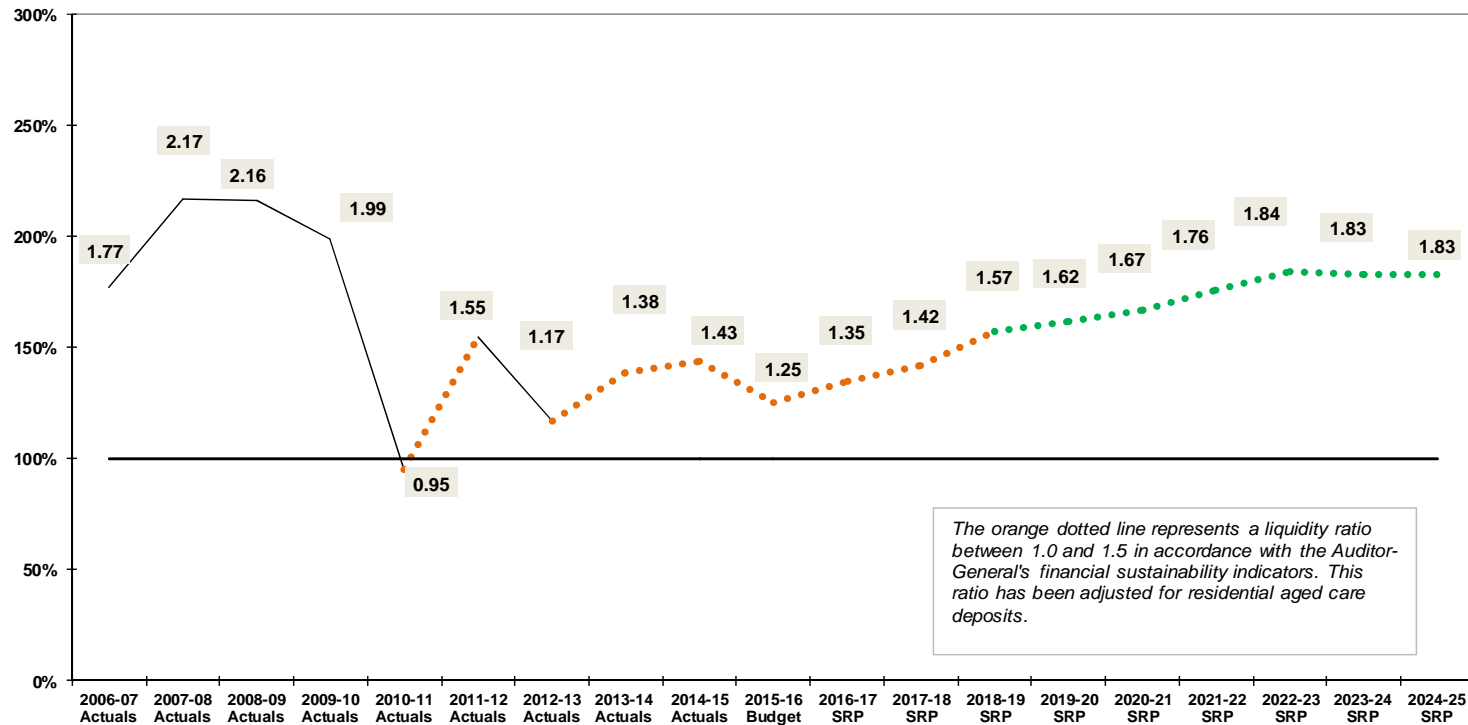
Capital Works Expenditure for the period ending 31 August 2015



Council's capital expenditure is ahead of forecast by \$9K mainly due to Duncan Mackinnon Pavilion Upgrade \$230K, Shopping Centre Car Park Improvements \$151K, Open Space Strategy Initiatives \$134K and Public Toilet Rolling Program \$100K. Offsetting this is later than anticipated expenditure on Road Rehabilitation \$290K, Building Improvements \$173K, Footpath Replacement \$103K and Bicycle Strategy \$93K.

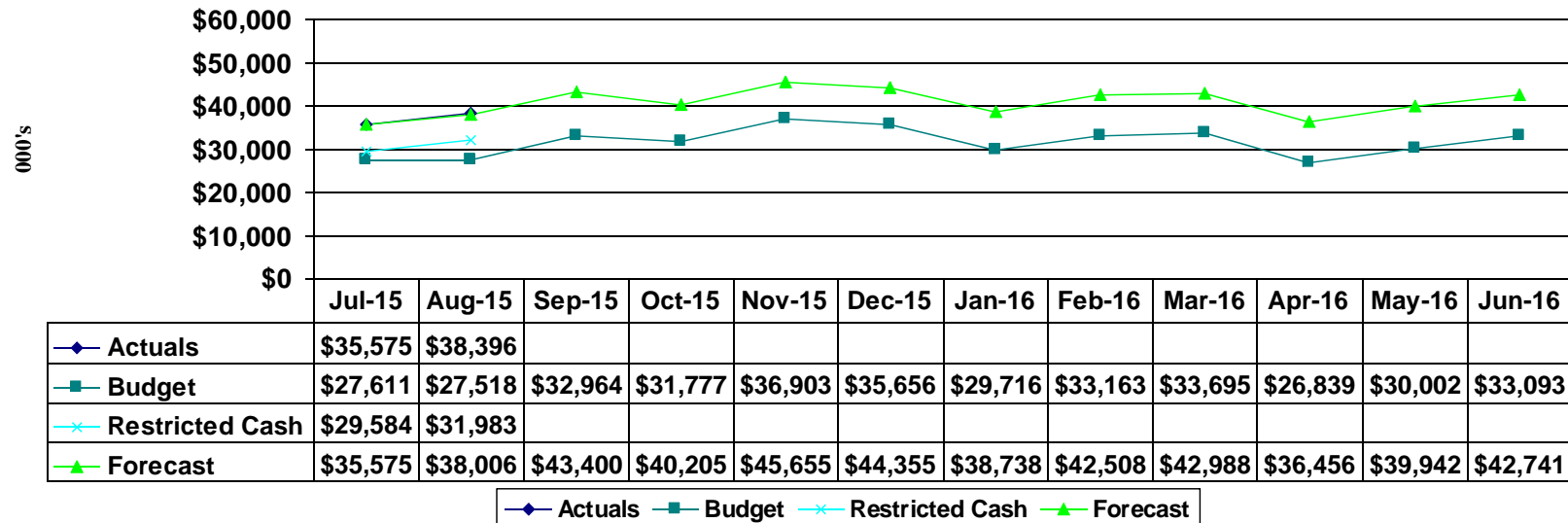
Liquidity Management

Adjusted Working Capital Ratio



Over the last few years, Council has invested heavily in its capital works program by fully utilising cash reserves. Council has fully borrowed \$25m to fund the construction of the Glen Eira Sports and Aquatic Centre (GESAC). Council will continue to have a large investment in capital works projects. The adjusted working capital ratio above expresses the level of current assets the Council has available to meet its current liabilities. This ratio has been adjusted for residential aged care deposits. Council's long-term forecast has the adjusted liquidity ratio remaining around 1 or 100% for the remainder of this Council term and into the next. This means careful monitoring of the cash flow position to ensure current liabilities are adequately covered and that unanticipated or unbudgeted capital or operating expenses are avoided. As at end of August 2015, the Adjusted Working Capital Ratio is 3.42.

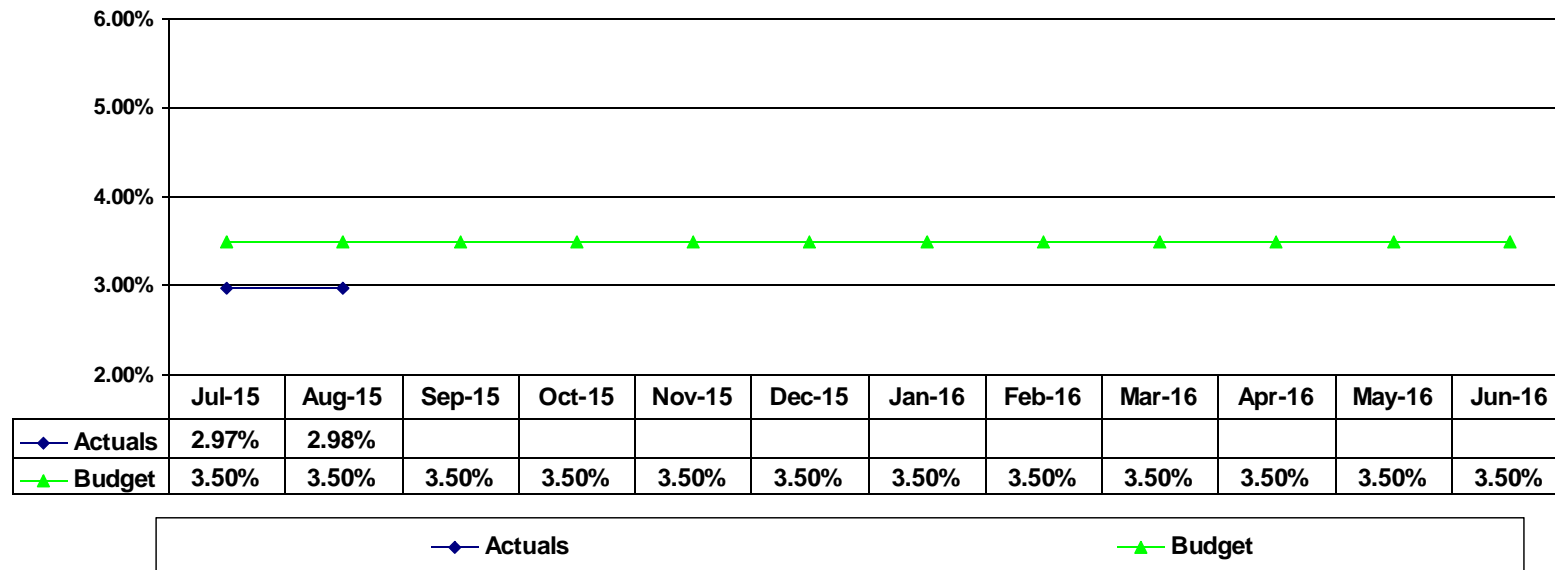
Cash and Investments Balances for the period ending 31 August 2015



Council's year to date cash balance of \$38.40M is higher than budget for the current month. Council's forecast position to June 2016 of \$42.74M has been adjusted to reflect the movements in Council's Income Statement and Capital Works Program forecast adjustments.

Council has cash assets that are subject to restrictions. Restricted funds as at 31 August 2015 include: Residential Aged Care Deposits of \$22.43M, Trust Funds and Deposits \$3.99M (including asset protection permits), Open Space Reserve \$3.78M and Fire Services Property Levy \$1.78M.

Actual Interest Rate vs Budget Interest Rate
for the period ending 31 August 2015



Council achieved a slightly lower return of 2.98% against the budget of 3.50%.

Capital Works Program Expenditure

for period ending 31 August 2015

Description	2015-16 Carry Forwards from 2014-15	2015-16 Adopted Annual Capital Budget	2015-16 Capital Grant Funding	2015-16 Budget Plus 2014-15 Carry Forward	2015-16 YTD Work In Progress	2015-16 YTD Forecast	2015-16 YTD Variance	2015-16 Annual Forecast Projected end of June 2016 expenditure	2015-16 Forecast Adjustments
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
<u>CAPITAL WORKS: MUST DO</u>									
Information Systems	82,271	748,000	-	830,271	56,176	122,271	(66,095)	830,271	-
Vehicle Replacements	-	1,021,091	-	1,021,091	43,144		43,144	1,021,091	-
Footpath Replacement		1,725,000	-	1,725,000	184,930	287,500	(102,570)	1,725,000	-
Kerb and Channel Replacement	-	160,000	-	160,000	4,259	26,000	(21,741)	160,000	-
Road Rehabilitation	-	3,512,000	-	3,512,000	10,498	300,000	(289,502)	3,512,000	-
Drainage Improvement	-	3,500,000	-	3,500,000	93,385	-	93,385	3,500,000	-
Local Road Resurfacing		1,500,000	-	1,500,000	6,616		6,616	1,500,000	-
Right of Way Renewal	-	255,000	-	255,000			-	255,000	-
Traffic Signal Renewal	-	100,000	-	100,000			-	100,000	-
Local Area Traffic Management (LATM) Replacement	-	251,000	-	251,000			-	251,000	-
Car Park Rehabilitation	-	560,000	-	560,000	26,360		26,360	560,000	-
Roads to Recovery	-	-	576,000	576,000	-		-	822,920	246,920
TOTAL MUST DO	82,271	13,332,091	576,000	13,990,362	425,368	735,771	(310,403)	14,237,282	246,920
<u>CAPITAL WORKS: ROLLING ANNUAL</u>									
Building Improvements	123,000	650,000	-	773,000	8,685	51,000	(42,315)	773,000	-
Kitchen Upgrades	-	46,000	-	46,000		20,000	(20,000)	46,000	-
Plant Renewal	-	260,100	-	260,100	4,110		4,110	260,100	-
Roof Replacement	28,500	135,500	-	164,000	(14)	20,000	(20,014)	164,000	-
Shopping Centre Car Park Improvements	333,042	550,000	-	883,042	186,312	35,000	151,312	883,042	-
Traffic Engineering	-	1,081,000	-	1,081,000	2,100		2,100	1,081,000	-
Library Books	-	743,467	61,123	804,590	190,701	178,704	11,997	804,590	-
Building Painting Program	-	128,000	-	128,000		12,800	(12,800)	128,000	-
Recreation	41,000	700,000	-	741,000	15,255	2,000	13,255	741,000	-
Pool Refurbishment	-	50,000	-	50,000			-	50,000	-
Bicycle Strategy	97,000	150,000	-	247,000	4,193	97,000	(92,807)	247,000	-
Upgrade and Replace Aged Park Furniture	-	881,000	-	881,000	36,385	70,000	(33,615)	881,000	-
Sports Ground Lighting	-	90,000	-	90,000			-	90,000	-
Drought Tolerant Grass	-	30,000	-	30,000			-	30,000	-
Park Pathway Lighting	28,000	-	-	28,000	33,850	28,000	5,850	28,000	-
TOTAL ROLLING ANNUAL	650,542	5,495,067	61,123	6,206,732	481,577	514,504	(32,927)	6,206,732	-
Contd. next page									

**Capital Works Program Expenditure
for period ending 31 August 2015 (continued)**

Description	2015-16 Carry Forwards from 2014-15	2015-16 Adopted Annual Capital Budget	2015-16 Capital Grant Funding	2015-16 Budget Plus 2014-15 Carry Forward	2015-16 YTD Work In Progress	2015-16 YTD Forecast	2015-16 YTD Variance	2015-16 Annual Forecast Projected end of June 2016 expenditure	2015-16 Forecast Adjustments
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
<u>CAPITAL WORKS: MAJOR PROJECTS</u>									
Centenary Park Pavilion Upgrade	128,482	-	-	128,482	16,788		16,788	128,482	-
Duncan Mackinnon Pavilion Upgrade	91,281	1,363,000	-	1,454,281	630,193	400,000	230,193	1,454,281	-
Centenary Park Car Park Construction	311,414	-	-	311,414	-	-	-	311,414	-
TOTAL MAJOR PROJECTS	531,177	1,363,000	-	1,894,177	646,981	400,000	246,981	1,894,177	-
<u>CAPITAL WORKS: OPEN SPACE STRATEGY IMPLEMENTATION</u>									
Public Toilet Rolling Program	-	550,000	-	550,000	99,608		99,608	550,000	-
Open Space Strategy Initiatives	35,678	940,000	75,000	1,050,678	183,874	50,000	133,874	1,050,678	-
Elsternwick Plaza Improvements	508,513	215,000	-	723,513	100,601	182,000	(81,399)	723,513	-
Shade Sails Rolling Program	-	270,000	-	270,000			-	270,000	-
Bin Enclosures	-	18,000	-	18,000			-	18,000	-
Booran Reserve	343,539	3,415,000	585,000	4,343,539	89,205		89,205	4,343,539	-
TOTAL OPEN SPACE STRATEGY IMPLEMENTATION	887,730	5,408,000	660,000	6,955,730	473,288	232,000	241,288	6,955,730	-
<u>SHORT TERM PROJECTS</u>									
Furniture & Fittings	22,344	50,000	-	72,344	32,975	30,000	2,975	72,344	-
Information Systems	77,760	-	-	77,760	5,250		5,250	77,760	-
Electronic Variable Message Trailer Sign	-	19,250	-	19,250		19,250	(19,250)	19,250	-
Heating, Ventilation and Cooling Systems Renewal	150,000	-	-	150,000	28,783		28,783	150,000	-
Building Improvements	104,000	2,346,060	-	2,450,060	19,838	192,745	(172,907)	2,464,305	14,245
Upgrade Audio & Visual Equipment	-	15,000	-	15,000		15,000	(15,000)	15,000	-
Refurbishment of ILUs	-	100,000	-	100,000		5,000	(5,000)	100,000	-
Murrumbeena Youth Play Area	-	-	-	-	(86,730)		(86,730)	-	-
Multi-Purpose Sports Court Redevelopment	-	395,000	-	395,000	10,200		10,200	395,000	-
Library Electronic and Cash Payment Hardware	-	74,480	-	74,480	12,015		12,015	74,480	-
Dial Before You Dig (DBYD) automated response process	-	13,000	-	13,000			-	13,000	-
Recreation	71,000	630,000	650,000	1,351,000	6,778		6,778	1,351,000	-
Glen Eira Sports & Aquatic Centre (GESAC)	1,280,373	412,000	-	1,692,373	8,045	12,000	(3,955)	1,692,373	-
Parks Minor Capital Works	-	200,000	-	200,000	127,920	30,000	97,920	290,000	90,000
Outdoor Fitness Stations	-	55,000	-	55,000	23,552		23,552	55,000	-
Glen Works Depot	8,933	-	-	8,933			-	8,933	-
Residential Aged Care	-	220,000	-	220,000	14,958	36,000	(21,042)	220,000	-
Upgrade Vaccination Storage Equipment	-	21,748	-	21,748			-	21,748	-
TOTAL SHORT TERM PROJECTS	1,714,410	4,551,538	650,000	6,915,948	203,584	339,995	(136,411)	7,020,193	104,245
TOTAL CAPITAL WORKS EXPENDITURE	3,866,130	30,149,696	1,947,123	35,962,949	2,230,798	2,222,270	8,528	36,314,114	351,165

Debtors

for period ending 31 August 2015

for period ending 31 August 2016

Description	Current 0-30 days	31-60 days	61-90 days	90 + days	Total Debtors	Provision for Doubtful Debtors	Net Debt Outstanding
(a) General Debtors	(\$'000)	(\$'000)	(\$'000)	(\$'000)	(\$'000)	(\$'000)	(\$'000)
Finance & Valuations	41	4	34	-	79	-	79
Buildings and Facilities	17	4	-	-	21	-	21
Planning & Transport	6	2	-	18	26	5	22
Community Relations	86	66	3	-	155	-	155
Arts & Cultural Services	-	-	7	-	7	-	7
Recreational Services	79	25	-	-	104	-	104
Community Services	7	2	21	-	30	-	30
Child Care Centres	87	1	1	-	89	-	89
Residential Aged Care Facilities	116	21	1	5	143	1	142
Home and Community Care	86	10	4	-	100	-	100
Assets and Facilities	-	-	-	-	-	-	-
General Debtors Total	525	135	71	23	754	6	748
(b) Parking	Current 0-3 months	4-6 months	7-12 Months	12 Months +	Total Debtors	Provision for Doubtful Debtors	Net Debt Outstanding
Parking Infringements - Council	826	102	79	20	1,027	103	924
Parking Infringements - PERIN	155	79	65	1,049	1,349	1,214	135
Other Debtors Total	981	181	144	1,069	2,375	1,316	1,059
Total Debtors	1,506	316	215	1,092	3,129	1,322	1,807
Council's Parking Debtors for the current period comprise of :					\$'000		
Collection by Council					1,027		
Collection by PERIN Court					1,349		
Total Parking Debtors					<u>\$ 2,375</u>		
(c) Rate Debtors			2015-2016 Opening Balance	2015-2016 Year to date			
			\$'000	\$'000			
Arrears Brought Forward			5,235	5,235			
2015-16 Rates & Garbage Generated			95,567	95,567			
2015-16 Fire Services Property Levy			12,735	12,735			
Total Rates & Charges			113,537	113,537			
Adjustments:							
Glen Eira Pension Rebate			(447)	(452)			
State Government Rebate			(1,669)	(1,686)			
Fire Services Property Levy Rebate			(392)	(396)			
Receipts			-	(11,826)			
Interest			-	1			
Supplementary Valuations			-	403			
Adjustments			-	(1)			
Total Adjustments			(2,508)	(13,957)			
Rates & Charges Balance at Month End			111,030	99,580			

10. URGENT BUSINESS – Nil.**11. ORDINARY BUSINESS****11.1 Requests for reports from Officers****(a) Crs Lipshutz/Pilling**

That a report be prepared for the next Council Meeting as to the feasibility and if suitable the implementation for the planting of an extensive rose garden on the site of the former amphitheatre at Caulfield Park. The report should identify an appropriate area and cost of planting.

The MOTION was put and CARRIED unanimously.

(b) Crs Sounness/Lipshutz

That a report be prepared on the suitability, and if suitable, the implementation of an upgraded flower selling station at the western end of the park for the leaseholder currently selling flowers. Options to include root protection to the tree, paving improvements, providing access to electricity, a small permanent booth and/or safety lighting.

The MOTION was put and CARRIED unanimously.

(c) Crs Okotel/Pilling

That Council prepare a report regarding what infrastructure projects Council may consider applying for a grant under the Federal Government's Stronger Communities Programme noting that eligible projects can attract up to \$27,200.00 on the basis that Council match the Federal Government's contribution on a dollar-for-dollar basis.

The MOTION was put and CARRIED unanimously.

11.2 Right of reply – Nil.**11.3 Councillor questions – Nil.****11.4 Public questions to Council**

From: Jim Walker
Subject: Various

- “1/ *Why in the last 2 council meetings were there no building applications for assessment?*
2/ *Why is this council meeting held on Monday rather than Tuesday, and why is there no public explanation?*
3/

The Mayor read Council's response. He said:

- “1. Building Applications are not determined at Ordinary Council Meetings. Council assumes you meant to refer to Town Planning Applications.

The reason no Planning Applications were submitted for a decision at the previous two Council Meetings is because major applications were either refused by Council under delegation or are proceeding through Planning Conferences to a future Council Meeting, including the next Council Meeting on 13 October 2015.

2. Tuesday 22 September 2015 is the Day of Atonement, or Yom Kippur, the holiest day of the year in Judaism. To ensure that all Councillors and residents can participate in the democratic process, the meeting day of Monday 21 September 2015 was unanimously adopted by Council at the Ordinary Council Meeting held on 5 November 2014, over 10 months ago. Ensuring participation in the democratic process has been Council's long standing practice over many years. The Council Meeting dates are publicly listed on Council's website and publicised in the Glen Eira News.
3. On the basis of your own statement in part 3 of your Public Question Part 3 is deemed inappropriate pursuant to Clause 12 (b) of Council's 'Guidelines for Public Question Time' and clause 232(2)(j)(ii) of the Local Law which states: “does not relate to the business of Council or otherwise relates to a Councillor or staff member other than in their Council capacity;”

12. CONSIDERATION OF ITEMS IN CAMERA

Crs Lipshutz/Hyams

That the meeting be now closed to members of the public under Section 89(2) of the Local Government Act 1989 in order to consider:

12.1 under s89 (2)(d) “contractual” which relates the awarding of the contract for internal audit services

Number of tenders received	Six (6)
Number of evaluation criteria tenders assessed against	Three (3)
Estimated contract value	\$120,000 per annum

12.2 under s89 (2)(d) “contractual” which relates the awarding of the contract for Tender 2015.048, Provision of Traffic Management Services, various locations within the City of Glen Eira

Number of tenders received	Eleven (11)
Number of evaluation criteria tenders assessed against	Three (3)
Estimated contract value	\$300,000.00 per annum

12.3 under s89 (2)(d) “contractual” which relates to Council approved contracts.

The MOTION was put and CARRIED unanimously.

OUTCOME OF CONSIDERATION OF CERTAIN CONFIDENTIAL ITEMS**Item 12.1****Crs Lipshutz/Pilling**

1. That Oakton Services P/L, ABN No 31 100 103 268 be appointed as the contractor under contract number 2015.043 - Provision of Internal Audit Services.
2. That contracts be prepared in accordance with the Conditions of Contract included in the tender as amended with the approval of Corporate Counsel.
3. That the contracts be executed in an appropriate manner.
4. That this resolution be incorporated in the public minutes of this meeting.

The MOTION was put and CARRIED unanimously.

Item 12.2**Crs Okotel/Hyams**

1. That Council appoints Go Traffic Pty Ltd, A.C.N 124 150 090 as a panel contractor under Tender number 2015.048 in accordance with the Schedule of Rates submitted.
2. That Council appoints Mollica Consultants Pty Ltd, trading as ATMS – All Traffic Management Services A.C.N 118 496 59 as a panel contractor under Tender number 2015.048 in accordance with the Schedule of Rates submitted.
3. That Council appoints Altus Traffic Pty Ltd. A.C.N 102 768 061 as a panel contractor under Tender number 2015.048 in accordance with the Schedule of Rates submitted.
4. That Council appoints Evolution Traffic Control Pty Ltd. A.C.N 109 656 233 as a panel contractor under Tender number 2015.048 in accordance with the Schedule of Rates submitted.
5. That Council appoints Construct Traffic Pty Ltd A.C.N 120 994 523 as the trustee for Construct Traffic Unit Trust, trading as Construct Traffic Pty Ltd (A.B.N 95 420 793 810) as a panel contractor under Tender number 2015.048 in accordance with the Schedule of Rates submitted.
6. That the contracts be prepared in accordance with the Conditions of Contract included in the tender.
7. That the contracts be executed in an appropriate manner by affixing of the Council Seal.
8. That this resolution be incorporated in the public minutes of this Meeting.

The MOTION was put and CARRIED unanimously.

Crs Lipshutz/Sounness

That the meeting be resumed in open Council.

The MOTION was put and CARRIED unanimously.

13. CLOSURE OF MEETING

The meeting closed at 8.57PM.

CONFIRMED THIS 13 OCTOBER 2015

CHAIRPERSON