

GLEN EIRA CITY COUNCIL

ORDINARY COUNCIL MEETING

TUESDAY 19TH DECEMBER 2017

AGENDA

Meeting to be held in the Council Chambers, Corner Hawthorn & Glen Eira Roads, Caulfield At 7.30 pm

> "The primary object of a Council is to endeavour to achieve the best outcomes for the local community having regard to the long term and cumulative effects of decisions."

> > - s3c(1) Local Government Act

Councillors: The Mayor, Councillor Tony Athanasopoulos Councillor Clare Davey Councillor Mary Delahunty Councillor Margaret Esakoff Councillor Jamie Hyams Councillor Jim Magee Councillor Joel Silver Councillor Dan Sztrajt Councillor Nina Taylor

Chief Executive Officer: Rebecca McKenzie

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- 5. RECEPTION AND READING OF PETITIONS
- 6. DOCUMENTS FOR SEALING
- 7. REPORTS BY DELEGATES APPOINTED BY COUNCIL TO VARIOUS ORGANISATIONS

8. **REPORTS FROM COMMITTEES**

8.1 Advisory Committees

- a. Sustainability Advisory Committee 26 October 2017
- b. Community Grants Committee 16 November 2017
- c. Arts and Culture Advisory Committee 20 November 2017
- d. Audit Committee 24 November 2017
- e. Community Consultation Committee 29 November 2017
- f. Community Grants Committee 5 December 2017

8.2 Records of Assembly

- a. 14 November 2017
- b. 21 November 2017
- c. 28 November 2017 (pre-meeting)

9. **PRESENTATION OF OFFICER REPORTS**

9.1	VCAT Watch
9.2	3 Rigby Avenue Carnegie
9.3	2 Newman Avenue Carnegie
9.4	233-247 Glen Huntly Road, Elsternwick and 14 Ripon Grove, Elsternwick
9.5	1110-1112 Dandenong Road, Carnegie
9.6	Caulfield Village – Planning Scheme Amendment C151: Social and Affordable
	Housing
9.7	450 Dandenong Road, Caulfield North - Planning Scheme Amendment C153
9.8	New Public Toilet, East Bentleigh Shopping Centre
9.9	Foch Street, Ormond Road Discontinuance
9.10	Access for people over 70 years of age to Glen Eira Leisure Facilities
9.11	Deed Of Surrender of Lease - EE Gunn Scout Hall
9.12	Lease to East Bentleigh Sporting and Recreation Club
9.13	Lease 6 Aileen Avenue, Caulfield South
9.14	Lease of 1134 Glenhuntly Road, Glen Huntly
9.15	Community Gardens
9.16	Advocacy Strategy
9.17	Foundation For Youth Excellence Committee Grant Applications
9.18	Citizenship Ceremony January 2018
9.19	Audit Committee – 2016-17 Annual Report
9.20	Financial Management Report for the Period Ending 30 November 2017
9.21	Appointment of Acting Chief Executive Officer

10. **URGENT BUSINESS**

11. **ORDINARY BUSINESS**

- 11.1 Requests for reports from Officers
- 11.2 Right of reply
- 11.3 Councillor questions11.4 Public questions to Council

12. CONSIDERATION OF IN CAMERA ITEMS

That pursuant to Section 89(2) of the Local Government Act 1989, the Council resolves that so much of this meeting be closed to members of the public, as it involves Council consideration of matters coming within some or all of the following categories listed in Section 89(2) of such Act.

- (a) Personnel matters;
- (b) The personal hardship of any resident or ratepayers;
- (c) Industrial matters;
- (d) Contractual matters;
- (e) Proposed developments
- (f) Legal advice
- (g) Matters affecting the security of Council property'
- (h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person;
- (i) A resolution to close the meeting to members of the public.

12.1 Tender 2018.41 Provision of Drainage Maintenance Services (Minor Works)

Local Government Act 1989 Section 89(2)(d) given it relates to a contractual matter

Number of tenders received	Five (5)
Number of evaluation criteria tenders assessed against	Three (3)
Estimated contract value	Over \$700,000 (Excl.GST)

12.2 Tender 2018.108 – Duncan McKinnon – Netball Courts Upgrade

Local Government Act 1989 Section 89(2)(d) given it relates to a contractual matter

Number of tenders receivedTwo (2)Number of evaluation criteria tenders assessed againstThree (3)Estimated contract valueMore than \$650,000.00

12.3 Tender 2018.115 – Duncan McKinnon – Athletics Track Upgrade

Local Government Act 1989 Section 89(2)(d) given it relates to a contractual matter

Number of tenders received	One (1)
Number of evaluation criteria tenders assessed against	Three (3)
Estimated contract value	More than \$1,600,000

12.4 Young Citizen of the Year

Local Government Act 1989 Section 89(2)(h) any other matter which the Council or Special Committee considers would prejudice the Council or any person

13. CLOSURE OF MEETING



AGENDA for the ORDINARY MEETING OF THE GLEN EIRA CITY COUNCIL to be held on TUESDAY 19th DECEMBER 2017

1. ACKNOWLEDGEMENT

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

2. APOLOGIES

3. OATH OF OFFICE AND DISCLOSURES OF INTERESTS

Councillors are reminded that we remain bound by our 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 us under the Local Government Act or any other Act, to the best of our skill and judgement.

Councillors are also reminded 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.

4. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS

Copies of Minutes previously circulated.

Recommendation

That the minutes of the Ordinary Council Meeting held on 28th November 2017 be confirmed.

5. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

A joint letter containing 582 signatures was submitted to the meeting.

The joint letter read as follows:

"Petition for inclusion of Western side of Weeroona Road into existing Neighbourhood Character overlay."

Recommendation

That Council receives and notes the joint letter.

6. DOCUMENTS FOR SEALING

7. REPORTS BY DELEGATES APPOINTED BY COUNCIL TO VARIOUS ORGANISATIONS

8. **REPORTS FROM COMMITTEES**

8.1 Advisory Committees

- a. Sustainability Advisory Committee 26 October 2017
- b. Community Grants Committee 16 November 2017
- c. Arts and Culture Advisory Committee 20 November 2017
- d. Audit Committee 24 November 2017
- e. Community Consultation Committee 29 November 2017
- f. Community Grants Committee 5 December 2017

Recommendation

That the minutes of the committees below be received and noted and that the recommendations of the Committees be adopted.

- a. Sustainability Advisory Committee 26 October 2017
- b. Community Grants Committee 16 November 2017
- c. Arts and Culture Advisory Committee 20 November 2017
- d. Audit Committee 24 November 2017
- e. Community Consultation Committee 29 November 2017
- f. Community Grants Committee 5 December 2017

8.2 Records of Assembly

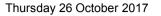
- a. 14 November 2017
- b. 21 November 2017
- c. 8 November 2017 (pre-meeting)

Recommendation

That the Records of the Assemblies as shown below be received and noted.

- a. 14 November 2017
- b. 21 November 2017
- c. 28 November 2017 (pre-meeting)

SUSTAINABILITY ADVISORY COMMITTEE – MINUTES





Yarra Yarra Room, Glen Eira Town Hall

Invitees	Councillors Cr Mary Delahunty (MD)
	Cr Nina Taylor (NT)
	Cr Clare Davey (CD)
	Council Staff
	Rachel Ollivier, Group Manager Property, Environment and Sustainability (RO) Michelle van Gerrevink, Sustainability Co-ordinator (MVG)
	Community Representatives Julian Donlen (JD)
	Shane Genziuk (SG)
	Yann Decourt (YD)
	Apologies
	Phil Thompson (PT) Samantha Krull, Director Infrastructure, Environment and Leisure (DIEL)

1. Welcome

1.1. Declaration of Conflict of Interests – No conflict of interests

2. Confirmation of minutes

2.1. Minutes of meeting 22 June 2017 were confirmed (moved CD, seconded NT)

3. Reports on previous actions and recommendations - Attachment A

4. Food waste recycling update

MVG provided a brief update on the introduction of food waste into our kerbside collection service. Officers are preparing to introduce food waste recycling in autumn 2018 and are working on developing communications material and finalising arrangements with contractors and facilities. Residents will be offered an opt-in kitchen caddy.

MD - raised importance of the multi-unit developments (MUDs).

RO – MUDs are not the primary target at this stage but those that are keen will be able to take start food waste recycling. A project to drive more recycling in MUDs and commercial precincts has started and will progress through 2018-19. There are opportunities to improve recycling in this sector, but it is also time intensive and needs a solution that addresses recycling as well as other service issues including truck movements and bin storage.

MD - Is there an opportunity/need to review the recycling and waste conditions in planning permits?

ACTION: RO to talk to Planning about waste management planning for MUDs and provide advice.

5. Discussion - Community Partnerships -

ACTION: Deferred to the next meeting (MVG)

6. Regular reports

- 6.1. ESS Action Plan update Attachment B
- 6.2. Sustainability Indicators
 - 6.2.1.1. 2016-17 annual report is in Attachment C

Discussion included the significant reduction in carbon emissions mostly due to increased solar power generation and corresponding decrease in electricity. The significant reduction of copy paper usage was also noted.

MVG – advised that the copy paper used is 100% recycled and carbon neutral.

6.3. Community Education

6.3.1.1. An update on events and participation is in Attachment D

YD – Suggested that Council engage Graeme Lorimer to present his findings in a community presentation.

JD – Suggested officers look into Port Philip Eco-centre's Living Water Workbees

7. Presentation by Dr Graeme Lorimer – Biodiversity in Glen Eira

- Graeme recently completed a study of biodiversity in Glen Eira that includes public and private areas. He has drafted a report which is currently with officers, who will shortly put the report, with advice on actions arising, to Councillors for consideration. In this presentation, Graeme ran through what he found in his study.
- Discussion included:
- The importance of ponds and water in the City for supporting birds and other fauna was noted.
- The depth of Graeme's assessment and some of the really interesting animals and plants that he has identified.
- The significant role that non-Council property in the City plays as habitat for local flora and fauna, in particular the roles of the lakes at the centre of Caulfield Racecourse and Rippon Lea Estate.
- The challenges of integrating biodiversity needs with other needs including dog off leash areas and SEPTED principles.

RECOMMENDATION: That Council consider a report on the recommendations and actions arising from Dr Graeme Lorimer's study 'Biodiversity in Glen Eira' as soon as practicable.

8. Other business

9. Next Meeting (Chair)

- 9.1. Thursday 14 December 2017, 6.30pm 8.00pm
- 9.2. Future meetings: Tentatively planned for the third Thursday March, June and September.

10. Draft forward agenda

Meeting	Proposed strategic discussion topics
December 2017	Advocacy Priorities & Community Partnerships
March 2018	Future recycling and waste services
June 2018	Divestment (including speaker; EAGA report on opportunities to be circulated prior)

Action or recommendation	Report and discussion	Further Action
RECOMMENDATION: That the term for Phil Thompson be extended to until 5 April 2018 to align with the other community representatives terms.	Council endorsed this recommendation at the 25 July meeting	No further action required.
ACTION: MVG to circulate submissions to Climate Change Policy Review.	MVG circulated submission to Climate Change Policies Review.	No further action required.
RECOMMENDATION: That Council consider report on Take2 Pledge and Compact of Mayors.	Council resolved to join the Compact of Mayors program and join the TAKE2 Pledge at the 15 August 2017 meeting. Council has now signed up for both programs.	No further action required.
RECOMMENDATION: That a report be prepared for Council outlining the options for solar and energy efficiency programs to help the community reduce greenhouse gas emissions.	This report went to council Assembly Meeting on Tuesday 10 October. Priority options will be incorporated into the draft 2018-19 budget for further Council consideration.	

ATTACHMENT B – ESS Action Plan update

Environmental Sustainability Action Plan 2016-17

The status of the actions in the plan as at 30 June 2017 is:

- Completed or ongoing 93 (85%)
- Partially completed 6 (6%)
- Deferred 6 (6%)
- Not going ahead 3

The three actions which are not going ahead all relate to the Fosbery Avenue open space proposal. Following community consultation, Council decided not to proceed with the proposed park.

Some of the highlights of 2016-17 were:

- the completion of Booran Reserve with significant sustainability features;
- a varied program of community events that received excellent community feedback;
- roll-out of our solar and energy efficiency program in buildings which has translated into significant cuts in energy use at a number of buildings;
- joining Eastern Alliance for Greenhouse Action; and
- the development of a comprehensive communications plan for the upcoming introduction of food waste recycling.

Environmental Sustainability Action Plan 2017-18

The 2017-18 draft Action Plan builds on the work done to date. Some of them are part of ongoing programs or multi-year projects that are now at the next stage. Some key initiatives proposed in the draft Action Plan are:

- Introducing food waste recycling
- Roll-out of solar and energy efficiency in Council buildings to continue to transition the buildings and facilities to be energy efficient
- Implementing new solar and energy efficiency program(s) to help the community reduce greenhouse gas emissions
- Developing an Urban Forest Strategy
- Developing an Integrated Transport Strategy

The full Action Plan is available on Council's website

ATTACHMENT C - COUNCIL SUSTAINABILITY INDICATORS REPORT: 2016 – 2017 ANNUAL REPORT

Regular monitoring is used to indicate how Council and the Community are performing in regards to sustainability.

The Environmental Sustainability Strategy identifies the need to develop and regularly report on indicators of performance. To this end, officers monitor key indicators that correspond to the themes of the strategy, refining the indicators over time.

A. COUNCIL PERFORMANCE

1. Climate Change

The ESS prioritises accelerating efforts to reduce emissions including retrofitting buildings to make them more energy efficient and installing solar power. Council has set a target of 'Zero net emissions from Council operations by 2030.'

In 2016-17, Council's carbon footprint (10,831 tonnes CO_2 equivalent (CO_2 ^e) emissions) decreased by 8.8 per cent compared to the previous year (11,879 tonnes CO_2 ^e emissions) (refer to Figure 1(a)). This decrease is due primarily to a 67 per cent increase in solar power generation (refer to Figure 1(c)) and the corresponding decrease in electricity use at these sites. Electricity use decreased at Carnegie Library by 37 per cent, GESAC by 13.5 per cent and Town Hall by 10 per cent.

The overall decrease is also due to the 3.5 per cent reduction in the emission factor of purchased electricity. There were also reductions in emissions from fuel use (11 per cent), street lighting (7.5 per cent), small buildings (9 per cent), large buildings (7 per cent) (refer to figure 1(b)) and refrigerants (28 per cent).

Problems with green power being incorrectly applied by Council's electricity retailer were corrected during the year, however this took some time. Council purchased 300 tonnes of CO_2 ^e offsets to meet the shortfall in the agreed Green Power amount to be purchased.

Despite the decrease in Council's carbon footprint, overall energy demand has increased by 1.8 per cent. Whilst electricity and fuel use were both down from 2015-16 levels gas usage rose 11.22 per cent. Emissions from gas consumption increased by 24 per cent overall, with GESAC contributing to 40 per cent of this increase. It is believed that this increase was due to the particularly cold winter this year, resulting in a 4 per cent increase in gas space/pool heating and a 12 per cent increase in hot water usage.

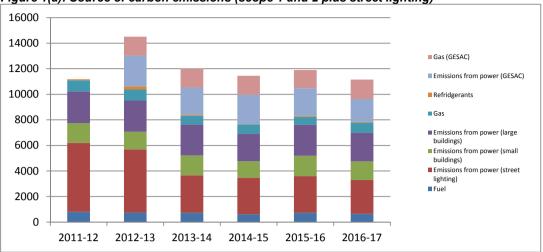


Figure 1(a): Source of carbon emissions (scope 1 and 2 plus street lighting)

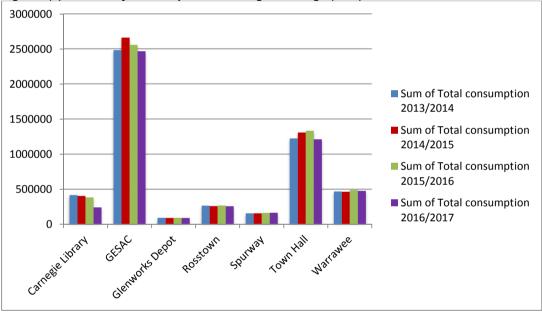
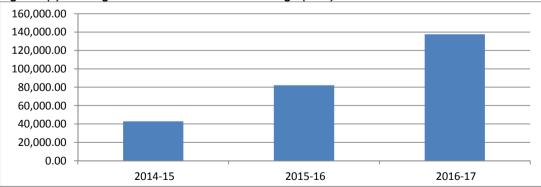


Figure 1(b): Electricity consumption from large buildings (kWh)





2. Recycling and Waste from Council buildings

Sending waste to landfill generates greenhouse gas emissions.

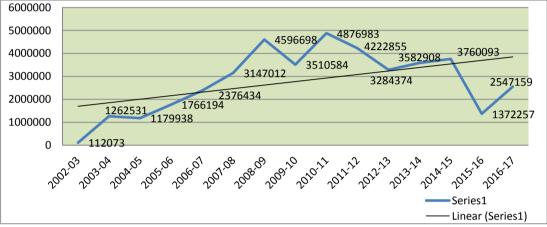
This indicator has not been reported on this financial year but is scheduled for review in 2017-18 as part of the new waste contracts for Town Hall and other Council buildings.

3. Biodiversity

Globally there is rapid biodiversity loss¹. Council may affect national and global biodiversity when it uses products produced by removing habitat (eq. paper and wood); and through climate change. Glen Eira, like most city areas, has reduced local biodiversity. The local area is not a high priority area in Victoria's Biodiversity Strategy.

3(a) Green purchasing

Expenditure data on green products rose sharply from 2015-16 due primarily to the construction of Booran Reserve. The peaks several years ago correlate with higher purchasing in total for GESAC. The long-term trend continues to be towards a rise in areen-purchasing expenditure.





3(b) Total copy paper consumption

Council's copy paper use in 2016-17 has decreased by 10 per cent when compared to 2015-16 and 99 per cent of paper was recycled or sustainably sourced. A small amount of coloured photocopier paper was purchased which officers were unable to verify as recycled or certified as sustainably sourced.

Use of photocopy paper has been trending downwards for the last 5 years or so, as a result of a move towards digital processes and increased use of mobile and electronic devices. Council installed new printers at Town Hall with secure printing in early 2017; this led to a significant decrease in the use of copy paper in 2016-17.

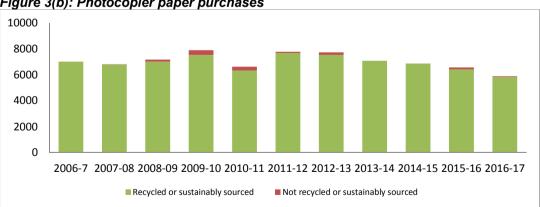


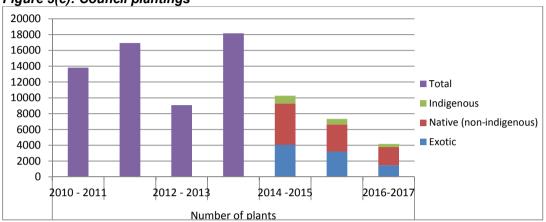
Figure 3(b): Photocopier paper purchases

¹ The United Nations Report *Biodiversity Outlook 3 2010* concludes that "There are multiple indications of continuing decline in biodiversity in all three of its main components - genes, species and ecosystems"

3(c) Council plantings by plant type

The majority of Council plantings to the end of June 2017 have been native or indigenous and all plantings are drought tolerant.

The way in which types of plants are reported was changed in 2014-15 so previous years are shown only as total number of plants. The total number of plants varies with scheduled programs.



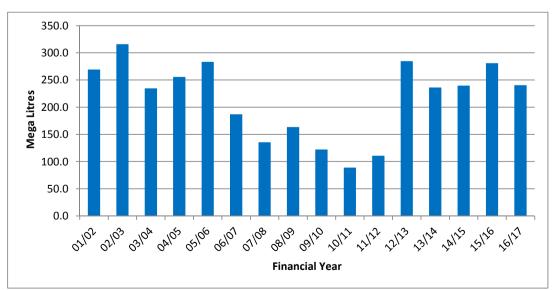


4. Water

Efficient water use at a local level can help balance the need for local water use to maintain parks and gardens while keeping pressure off regional water supplies which also supply natural systems. Council aims to increase the efficiency of water use while keeping green infrastructure healthy.

Potable water use was 14.5 per cent lower in 2016-17 compared to 2015-16 (refer to Figure 1). 2015-16 was higher than usual water use due to a number of factors. 2016-17 water use is slightly above 2014-15 levels. New irrigation was installed at a number of parks, including King George Reserve, Victory Park and Hopetoun Gardens. Council also continued to increase the amount of water captured and re-used with a 500,000 litre water capture system installed at Booran Reserve.





B. COMMUNITY PERFORMANCE

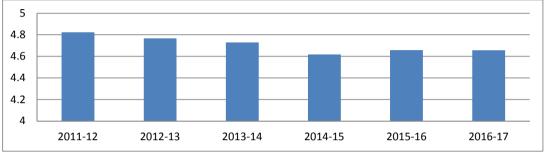
5. Climate Change

5(a) Electricity consumption in Glen Eira households

Average electricity use per household was slightly lower compared with 2015-16. This is in keeping with the long term downwards trend. The reasons for this are thought to be due to better efficiency and an increase in use of solar power.

Due to a data error, the 2015-16 average was slightly underreported (<1 per cent). Figure 5(a) has been updated with the correct figures.

Figure 5(a): Average electricity consumption per household (MWh per year)



5(b) Residential households with solar power installed

In 2016-17 residential solar power continued to increase with 211 more households with installed solar power systems. There has been a 242 per cent increase since reporting commenced in 2011-12.

Increased use of solar power is an Australian wide trend. In general, regional and newer areas have higher amounts of solar than older areas with established houses like Glen Eira.

Due to a data error, the 2015-16 figures were over-reported by 6.5 per cent. Figure 5(b) has been updated with the correct figures.

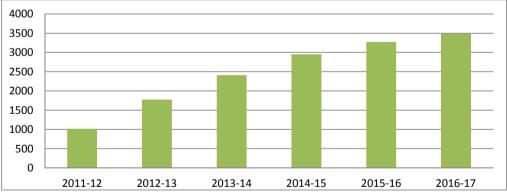


Figure 5(b): Number of households with solar power installed

6. Waste

Council obtains monthly information on the amount of municipal waste that the Glen Eira community generates and recycles. Council has some control over recycling rates through its waste and recycling disposal contracts, the structure of its waste services and its education activities.

When garbage decomposes in landfills, it generates methane, a powerful greenhouse gas. The community recycling rate is an indicator of the amount of emissions generated by waste from the community.

The recycling rate was 45.3 per cent in 2016-17, up from 44.2 per cent in 2015-16. Green waste recycling increased by 10 per cent compared to 2015–16.

In the medium term, new organics processing facilities that are expected to take food waste will achieve a significant reduction in emissions from waste.

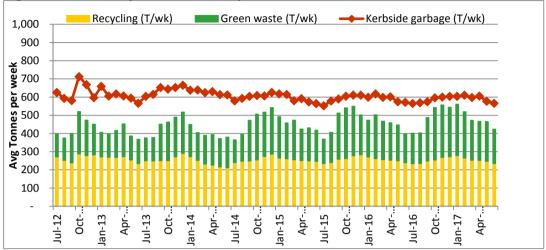


Figure 6: Community waste volumes per week

7. Biodiversity

Globally there is rapid biodiversity loss². The community may impact biodiversity through water run-off into the bay, the management of private open space in gardens, purchasing of wood, paper, and other products that can contribute to habitat loss. Higher urban density in Glen Eira may also help protect higher conservation value land at Melbourne's fringes.

Although limited, the best indicator currently available for biodiversity is from Melbourne Water, which tracks water quality at Elster Creek.

Most of the run-off from Glen Eira goes into Elster Creek and into Port Phillip Bay.

- The amount of lead running off into the bay has decreased significantly from pre-2000 levels, which is largely due to the banning of lead petrol and lead paint; it has remained fairly constant in recent years but increased slightly in 2016.
- E-coli levels rose significantly in 2016 to levels considerably higher than the average since 2000 and the highest recording since our records began in 1994.

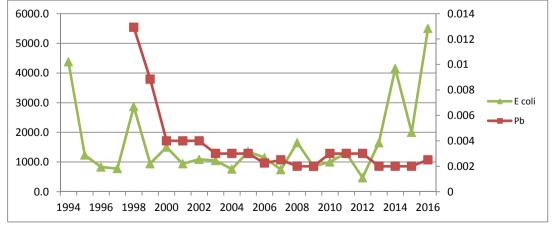


Figure 7: Lead and E.coli in Elster Creek to end of 2016

² The United Nations Report *Biodiversity Outlook 3 2010* concludes "There are multiple indications of continuing decline in biodiversity in all three of its main components - genes, species and ecosystems"

8. Water Consumption

Efficient water use at the community level can help balance the need for local water use to maintain parks and gardens while keeping pressure off regional water supplies which also supply natural systems.

Total residential water use decreased by 1.5 per cent from the previous year (refer to Figure 8(a)), despite some population increase. This was achieved due to the 4.4 per cent reduction in average household consumption (refer to Figure 8(b)).

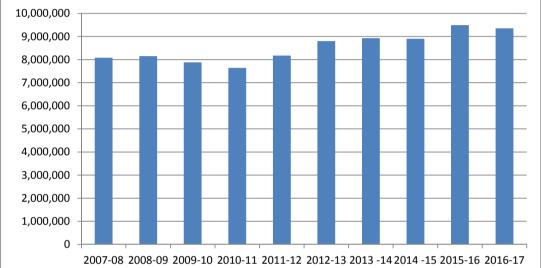


Figure 8(a): Total residential water consumption in the City of Glen Eira in litres

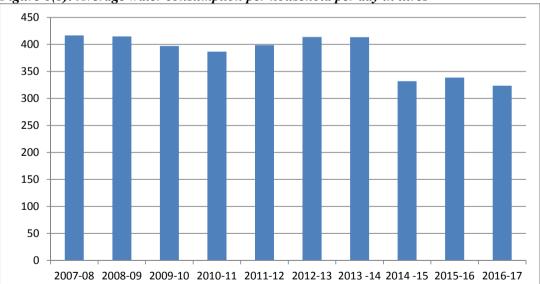


Figure 8(b): Average water consumption per household per day in litres

ATTACHMENT D - SUSTAINABILITY EDUCATION UPDATE

4.1.1 Community presentations and events since the last meeting included:

• Save Money on Your Bills – September 2017

Presentations are not held in winter, due to low attendance historically.

4.1.2 Upcoming presentations and events include:

- Glen Eira Garden Tour 22 October 2017
- The Value of Trees Wednesday 25 October 2017
- Just Eat It Movie Screening 22 November 2017
- Tour of Booran Reserve Thursday 23 November 2017
- Aquaponics Wednesday 6 December 2017
- Frog Detectives 8 December 2017

4.2 As of end of August 2017, 974 households were registered for the Neighbourhood Sustainable Gardening Program

4.3 Council received funding through Melbourne Water's Living Rivers Funding program to deliver a Stormwater Education Program. The funding includes 3 elements –

- Signage at Booran Reserve to showcase the sustainable water features (completed)
- A schools education program about stormwater (in development)
- A community education event/activity to encourage water sensitive urban design in resident's gardens



COMMUNITY GRANTS ADVISORY COMMITTEE MEETING Minutes Thursday 16 November 2017

Purpose:

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

Aims:

- Support community initiatives committed to community strengthening.
- Develop an accessible and inclusive community.
- Encourage community initiatives that promote self-sufficiency and innovation.
- Help strengthen local participation in the planning and implementation of service and programs.

Assembly of Council Record

Meeting opened at: 5.41pm

1. Present and Apologies

Present

Cr Margaret Esakoff

Cr Jamie Hyams (Peter Jones requested nominations for the Chair of the committee and Cr Hyams assumed the chair by consent) Peter Jones – Director Community Wellbeing Gaye Stewart – Manager Community Development and Care Sharon Sykes – Coordinator Community Planning and Engagement

Apologies

Cr Mary Delahunty

2. Declaration of conflict of interest

No declarations of conflict of interest under Section 79 of the Local Government Act were received in relation to grants discussed.

3. Matters considered

- I. 2017-2018 Facility Hire Only Grant Applications
 - Glen Eira Kindergarten Association (GEKA)
 - Cricket Southern Bayside
 - Greek Orthodox Church And Community Of Panayia Gorgoepicoos

II. 2018-2019 Community Services Grant Program Guidelines

- Community Grant Issues 2017-2018
- Proposed changes to the Community Services Grants and Community Festivals and Events Grants Guidelines

I. 2017-2018 Facility Hire Only Grant Applications

• Glen Eira Kindergarten Association (GEKA)

Glen Eira Kindergarten Association submitted an application for a Facility Hire grant for the amount of \$1,576 to utilise the Auditorium on 11 October and 16 October 2017. The application was submitted prior to the activities taking place.

GEKA used the Auditorium on both evenings to run welcome information evenings to new parents of the 2018 kindergarten program. The evening consisted of:

- an overview of GEKA;
- an overview of the programs; and
- a guest speaker presented on resilience in the early years.

GEKA is a local kindergarten cluster management organisation based solely in Glen Eira. It provides quality early childhood and care programs for all children enrolled in GEKA kindergartens. GEKA currently manage nine kindergartens with a total of 900 members that live in the municipality. Over 450 people attended across the two nights.

Recommendation: That the Committee recommend Council fund a Facility Hire Grant of \$1,576 for Glen Eira Kindergarten Association to hire the Auditorium for information nights on 11 and 16 October 2017.

Moved: Cr Esakoff

Seconded: Cr Hyams Motion passed unanimously

• Cricket Southern Bayside (CSB)

Cricket Southern Bayside (CSB) submitted an application for a Facility Hire grant for the amount of \$2,283 to use the Caulfield Park Pavilion and Caulfield Park ovals 6 and 7 on six occasions from 10 December 2017 to 4 March 2018. Council's Recreation and Open Space Department has confirmed that CSB has been charged \$2,208 for this facility hire,

CSB will be running their inaugural season of their Women's competition, starting with a ten10 game in December and followed by a 5 week season of T20 games.

The program is open to females aged 14 years and over and is targeted towards beginner players with masterclasses from Melbourne Stars players. The competition will include clubs from the South East Cricket Association and Eastern Cricket Competition. The program is expected to benefit 70 people, 35 of which are Glen Eira residents.

The intention of the Facility Hire only grant program is to provide one-off or occasional facility hire. This application is supported as a new initiative that promotes women's participation in sport.

Recommendation: That the Committee recommend that Council fund a Facility Hire Grant of \$2,208 for Cricket Southern Bayside to hire Caulfield Park Pavilion and Caulfield Park Ovals 6 and 7 on six occasions from 10 December 2017 to 4 March 2018.

Moved: Cr Hyams

Seconded: Cr Esakoff Motion passed unanimously Greek Orthodox Church and Community Of Panayia Gorgoepicoos

The Greek Orthodox Church and Community of Panayia Gorgoepicoos submitted an application for a facility hire grant of \$1,845 to utilise the Auditorium on 24 February 2018.

The group will hold an annual gathering, hosting a dinner for members, extended families and friends. The dinner will be a fundraiser for the church as well as an opportunity to:

- Update past members that they now have an English speaking priest
- Provide updates on upcoming events
- Express gratitude to their volunteers
- Present a history from the last 30 years of the church.

The funding guidelines state that religious celebrations will not be funded. Officers recommend that on this occasion, the request for funding not be supported.

Recommendation: That Officers advise the Greek Orthodox Church and Community Of Panayia Gorgoepicoos that the funding guidelines state that religious celebrations will not be funded.

Moved: Cr Esakoff Seconded: Cr Hyams Motion passed unanimously

II. 2018-2019 Community Grant Program Guidelines

The Community Grant Program guidelines are reviewed and updated annually.

• Community Grant Issues 2017-2018

Officers presented a summary document outlining issues that the Committee signalled as requiring review in the 2017-2018 community grants program. The committee discussed the issues and agreed for changes to include:

- Increase in Community Grant funding in the 2018 19 financial year to be considered as part of the Council budget.
- That the funding of *Buildings and works to Council properties* be deleted from Low Priorities, and included under What will not be funded?, as it was agreed that such works should be included in Council's annual capital works program.
- The introduction of a new Senior Citizens Tenancy (SCT) grant program that is incorporated into the 'Use of Senior Citizen Centres application and allocation' process. Applicants to the SCT program will be precluded from the Community Services Grants program. Assessment for SCT grants could include: 1) Hours of services / activities provided by the club and 2) Number of Glen Eira members of the club.
- That Council enter into a Service Level Agreement with Glen Eira Kindergarten Association (GEKA) initial funding to be \$30,000, with conditions to include: no capital works funding and annual approval of proposed grant use in GEKA to kindergartens
- That Environmental Sustainability grants be removed as a category in Community Services Grants and a new grant program be established to be managed by the Property, Environment and Sustainability department. This would enable grants to be more targeted to achieve the outcomes of Council's Environmental Sustainability Strategy priorities. Recommendations for Sustainability Grants would require approval from the Grants Advisory Committee for Council approval.
- That the Festivals and Events Grants aims include that they must be; inclusive, accessible and open to all, and that Festivals and Events charging entry fees and/or that restrict broad community participation are included under What will not be funded? in the Grant Guidelines.

As part of discussion about schools eligibility for Community grants it was highlighted that a grant program for schools to access facility hire of Council owned assets is currently underutilised and this program should be actively promoted.

Action: The committee requested Officers to draft a clause which would clarify the priority given to groups who operate outside of the municipality.

• Community Grants updates

Officers presented a summary document outlining recommended updates to the 2018 – 19 Community Grants Guidelines. The committee discussed the changes and agreed for a number of minor wording changes to increase clarity of grants guidelines to be incorporated into the new grant guidelines for 2018-19.

In addition to minor wording changes, the committee also discussed a range of issues and suggested specific changes to be incorporated as outlined below:

- Separation of Aims and Eligibility into two boxes to increase clarity and meaning
- Increase the level of public liability insurance to a minimum sum of \$20 million in accordance the recommendations from Corporate Council. (this change was signalled in last year's grants guidelines)
- Add a note to *Who cannot not apply* to indicate that Schools are encouraged to partner with community groups in community projects that benefit the wider community.
- Add; Encourages innovative approaches to emerging issues and needs to priorities list
- Clarify in the guidelines that core activities should be held/delivered inside Glen Eira
- Add to facility hire grants that assessment will be based on community reach and benefit.
- Make a statement that advises groups to consider alternative ways to cover the cost of ongoing facility hire as grant funds are not recurrent
- Update cost attributed to volunteer hours in budget from \$20 per hours to \$25 per hour.

Revised Community Services Grants and Festival and Events Grants Guidelines will be prepared for further review by the committee.

Action:

The committee requested that Officers incorporate the discussed general updates and changes to reflect issues discussed into the Community Services Grants and Community Festival and Events Grants Guidelines for 2018-19 for presentation at the next Community Grants Committee Meeting

Meeting closed at: 6.30pm

Next Meeting – 5 December 2017at 5:30pm



ARTS AND CULTURE ADVISORY COMMITTEE MEETING Minutes

5.30pm – 6.30pm 20 November 2017 Ogaki Room

Purpose:

The role and function of the Advisory Committee is to act as a steering Committee to assist Council by providing recommendations in relation to reviewing and improving arts and culture programs provided by Council to ensure maximum benefit, participation and value to the community.

Assembly of Councillors Record

Present

Cr Margaret Esakoff (Chair) Cr Mary Delahunty (member) (via phone) Cr Jamie Hyams (member) (via phone) Peter Jones – Director, Community Wellbeing Lauren Bialkower – Manager, Libraries, Arts & Culture

Matters considered

- 1. Appointment of Chair
- 2. Storytelling Festival 2017 post event report
- 3. Springtime Music 2017 post event report
- 4. Proposed donation to the Glen Eira Art Collection
- 5. Proposed 2018 meeting dates

The meeting commenced at 5.34pm

1. Re-appointment of Chair

Cr Esakoff was appointed Chair of the Arts and Culture Advisory Committee by consensus.

2. Storytelling Festival 2017 – post event report

Officers presented the Post Event Report for June/July's Glen Eira Storytelling Festival.

The Festival attracted strong participation with over 10,750 patrons across the 18 days and 40 different events. The Festival celebrated diverse stories and modes of storytelling spanning exhibitions to tours to installations and performances to panels to film. The Festival also hosted the 22nd annual *My Brother Jack Awards*.

The recommendations for 2018 were as follows:

- 1. That the 2018 Storytelling Festival be held 21 June to 8 July which will encompass one week of school holidays and three weekends
- 2. That the 2018 Storytelling Festival program continues to offer a mix of free and ticketed events held within a variety of local venues
- 3. That Officers implement the learnings from 2017 to the 2018 Storytelling Festival program:
 - Distribute program booklets to Baillieu Library, State Library of Victoria and Monash University: Caulfield Campus Library
 - Promote all author sessions/entire festival on Libraries website and target book clubs
 - Review timing of weekend authors talks, try mid-afternoon and immediately after *My Brother Jack Awards* Ceremony
 - Rethink or at least add to focus on Leader. Excellent publicity and marketing within Leader publications resulted in only 4.4% of survey respondents identifying it as the source of their information. Customer satisfaction called for more publicity
 - Explore solutions to technical issues at the Glen Eira Town Hall

Cr Delahunty requested that a set of objectives for the Festival be presented with the proposed program in February so that the Committee is able to assess the Festival's success against these objectives after next year's event.

Actions: Officers to implement the recommendations for 2018

Officers to include a set of objectives for the Festival within the proposal for the 2018 Storytelling Festival program to be presented at the February Committee meeting

3. Springtime Music 2017 - post event report

The Committee reviewed the Post Event Report for 2017's Springtime Music series which was held at various parks in October and November. A total of 770 people attended the 6 events.

89.5% of patrons surveyed rated the event as either very good or excellent.

Cr Esakoff suggested that Officers invite local primary schools to participate in next year's series once the parks had been selected.

Action: Officers to present a proposed program for the 2018 Springtime Music series at the May Committee meeting and invite local primary schools to participate once the parks have been confirmed

4. Proposed donation to the Glen Eira City Council Art Collection

The Committee considered Eleanor Hart's offer to donate one of her paintings to the Glen Eira City Council Art Collection.

The work, *Landscape of loss,* is oil on linen and is 123 x 153cm with a retail value of \$15,000.

Council's Art Collection policy accepts works under four themes and as an artist working out of a studio in Caulfield, Eleanor Hart fits with the fourth theme of 'Works of quality by artists living and working in Glen Eira'. The painting can be accommodated within the existing Collection and storage facilities.

Recommendation: The Committee recommends to Council that it accept Eleanor Hart's donation of *Landscape of loss* for the Glen Eira City Council Art Collection

Moved: Cr Hyams, Seconded: Cr Delahunty The MOTION was put and CARRIED unanimously.

5. Proposed 2018 meeting dates

The Committee noted the proposed meeting dates for 2018:

Monday 12 February Monday 21 May Monday 13 August Monday 19 November

6. Other Business

Cr Delahunty requested that a discussion on the how the Arts and Culture program can support Council's Community Plan be included on the February agenda.

7. Next Meeting

Monday 12 February, 5.30pm

Meeting closed at 5.53pm



AUDIT COMMITTEE Minutes of Meeting held on 24 November 2017

Committee Attendees:

Committee Members:

- David Gibbs, Chairperson
- Lisa Woolmer, Independent Member
- Dr Craig Nisbet, Independent Member
- Cr Jim Magee
- The Mayor, Cr Tony Athanasopoulos

Council Officers:

- Peter Swabey, Director Corporate Services
- John Vastianos, Chief Financial Officer
- Bo Huang, Senior Payroll Officer (Item 4)
- Shweta Babbar, Manager Continuous Improvement & Innovation (Item 6)
- Keith Franklyn, Manager Community Safety & Compliance (Item 7)

Internal Auditors (Oakton):

- Lisa Tripodi, Oakton Partner Accounting & Assurance (Item 4)
- Megan McCullagh, Internal Audit Senior Manager (Item 4)
- Linda Lim, Internal Audit Manager (Item 4)

External Auditors (Victorian-Auditor General's Office):

 Tim Loughnan, Financial Audit Sector Director – Local Government, VAGO (Item 5)

Apologies:

Rebecca McKenzie, Chief Executive Officer

Minutes:

Alon Milstein, Financial Accountant



The Committee (excluding the Chairman) met at 8am in-camera in discussion of broad issues facing Council and the risk elements thereof. The CEO joined the discussion via a telephone conference.

1. Matters for Agenda

At 8:35am, the Chairman noted an apology from the CEO.

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 breaches were reported.

2. Confirmation of Committee Minutes

The minutes of the previous Audit Committee meeting held on 18 August 2017 were confirmed.

3. Confirmation of Action Items

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

The Chairman asked whether fraud awareness is included in induction training for Councillors and requested that this be confirmed by Management at the next meeting.

4. Internal Audit Reviews (Oakton)

a) Internal Audit Activity Report

Ms Tripodi presented the Internal Audit Activity Report.

Field work has commenced for the Dealing with Minors and Building Emergency Management Planning Reviews and audit reports will be tabled at the Audit Committee meeting in February 2018.

Mr Nisbet requested that the Audit Committee review Internal Audit scopes prior to the internal audits commencing. This will enable input to the agreed objectives and scope prior to commencement of the reviews.

b) Financial Compliance Review

Ms Tripodi presented the Financial Compliance Review (Transaction Analysis) covering the 2016-17 Financial Year. The review assessed the adequacy of the existing Accounts Payable, Payroll, Purchasing Card and General Ledger control processes and practices by conducting Computer Assisted Audit Technique (CAAT) routines on data obtained from the Finance and Payroll systems.

The purpose of the review was to identify and investigate any anomalies in data, records and transactions.



The audit revealed that controls within AP, Payroll, Purchasing Card, General Ledger and Planning Permit processes were being consistently applied.

The Chairman recommended that Oakton together with Management, review the Financial Compliance audit scope in order to investigate further Computer Assisted Audit Technique (CAAT) testing opportunities in the future.

The Chairman noticed the requirement to raise purchase orders after purchase is executed and may be outdated. The Chairman requested the CFO review the purchase order approval process in the context of the Transformation Program, to consider a more efficient process.

c) Payroll Review

Ms Huang was welcomed to the meeting at 9:10am.

Ms Tripodi presented the Payroll Review Report. The review was to assess whether there were adequate and effective internal controls surrounding the processing and payment of payroll in accordance with Council's EBA agreements and staff contracts.

Ms Tripodi stated that the payroll processing controls were well designed and were being consistently applied. Recommendations included removing the ability for Payroll personnel to modify payment files as well as improving the gross pay comparison report to include a report total to facilitate reconciliation to other payroll reports.

The Audit Committee noted that Management had completed all recommendations during or following the audit.

The Chairman recommended enforcing internal controls through regular rotation of duties and documentation of approval processes.

Ms Huang left the meeting at 9:25am.

5. 2016-17 Year End External Audit

The Audit Committee noted the finalisation of 2016-17 year-end processes. The following items were noted and tabled:

- Financial Statements and Performance Statements VAGO Opinions
- Clayton South Regional Landfill Audited Accounts
- Management Representation Letter
- Local Government Performance Reporting Framework
- Residential Aged Care Prudential Audit.

Other External Audit Matters

Mr Loughnan informed the Audit Committee that Mr Chummar had accepted an internal position with the Victorian-Auditor General's Office and that a new Audit Manager would be recruited in due course.



Mr Loughnan confirmed that the 2017-18 Audit Strategy will be tabled at the February 2018 Audit Committee Meeting.

The CFO stated that Glen Eira Council was selected amongst other councils to participate in a VAGO Local Government Insurance Risk performance audit early next year. The audit will examine whether councils adequately assess their risks and insurance requirements. It will test whether councils have obtained best-value outcomes in their insurance procurement. The findings of this report will be tabled to Audit Committee during 2018.

6. Transformation Program

The Chairman welcomed Ms Babbar to the meeting at 9:35am.

Ms Babbar presented an update on the transformation program which included the following:

- Website project (two phases including design and development)
- Digitising transactions and online forms
- Service reviews
- Corporate performance reporting
- Customer first initiatives
- Project management framework
- Staff engagement.

Ms Woolmer requested that an overview of the proposed Transformation Program Internal Audit scope be provided at the May 2018 Audit Committee Meeting. The Committee noted that this would take into account other assurance work being independently undertaken at a program level.

Ms Babbar left the meeting at 10am.

7. Risk Management Rolling Progress Reports

Traffic Parking and Safety

The Chairman welcomed Mr Franklyn to the meeting at 10am.

Mr Franklyn presented the Traffic, Parking and Safety risk management review including an overview of the business area which undertakes parking enforcement as well as being responsible for 69 supervised school crossings throughout the municipality.

Mr Franklyn reviewed the department's top 10 risks with the Committee including: failure to comply with enforcement requirements, school crossing supervisors, inducements, legislation and standards, lack of knowledge, staff abuse and failure to monitor contractual performance. Discussion focussed on trends impacting on risks and how Management has adapted its risk mitigation strategies to manage any impact of these changes.

Mr Franklyn left the meeting at 10:25am.



8. Annual Report of the Audit Committee

The CFO presented the 2016-17 Annual Report for the Audit Committee, scheduled for approval at the December 2017 Ordinary Council Meeting. The Audit Committee recommended the approval of the Annual Report of the Audit Committee for consideration by Council subject to some minor wording changes in line with the Audit Committee Charter.

Ms Woolmer suggested delaying the review of the Audit Committee Charter scheduled for February'18 to the May'18 Meeting in order to assess any changes to the *Local Government Act* which may need to be considered in the Charter.

The Committee agreed that the role of an Audit Committee in the Local Government sector should be advisory.

9. Audit Committee Self-Assessment

The Audit Committee noted their annual self-assessment against the Charter and that this was also a useful input to the next Charter review.

10. Action and Information Items

The Committee noted the action and information items including reports on: Structural Plans and Activity Centres Program, Council policies, Fraud/Risk Management, Employee Engagement Survey, Clayton South Regional Landfill and Investment Policy.

The Chairman queried whether Management or external service provider conducted periodic phishing email testing with Council staff in order to increase awareness of potential cyber-attacks. Confirmation will be provided at the next meeting.

Ms Tripodi, Ms McCullagh and Ms Lim left the meeting at 10:45am

11. Internal Audit Performance

In line with the Audit Committee Charter, the committee reviewed the annual performance assessment of the Internal Auditor.

The CFO recommended a feedback survey be completed at the end of each review.

In addition, the Chairman suggested that '*Thought Leadership*' be continually provided to Audit Committee. This will provide innovative and progressive ideas on developing trends within the wider market place, and/or consideration of new areas of risk which should be targeted for review at Local Government sites. Ms Woolmer suggested this would be a useful input to Management and Audit Committee review of the Risk Assurance Map.



12. Closure of Meeting

The meeting concluded at 10:50am.

13. Next Meeting

The next Audit Committee meeting is scheduled for Friday, 16 February 2018 at 2pm.



14. Audit Committee Action Items

Item	Meeting Date	Item	Responsible	Proposed
No.	Requested		Officer	Completion Date
1	26 May 2017	Claims Management progress update.	Corporate Counsel	16 February 2018
2	24 November 2017	Confirm fraud awareness is included in induction training for Councillors.	Director Corporate Services	16 February 2018
3	24 November 2017	Provide Internal Audit scopes prior to the internal audits commencing – out of session communication for reviews due to commence and build into 2018 work plan/timetable going forward.	Chief Financial Officer	16 February 2018
4	24 November 2017	Provide the Transformation Program Internal Audit scope and overview of other independent assurance work being undertaken.	Chief Financial Officer	16 February 2018
5	24 November 2017	Confirm phishing email testing is performed periodically by Management or external service providers.	Chief Information Officer	16 February 2018
6	24 November 2017	Include a performance-based survey after each Internal Audit review and present results to Audit Committee.	Chief Financial Officer & Oakton	16 February 2018
7	24 November 2017	Internal Auditors to provide 'Thought Leadership' at each Audit Committee meeting covering progressive ideas or developing trends within the wider market place Local Government sites.	Chief Financial Officer & Oakton	16 February 2018
8	24 November 2017	Review the purchase order approval process/workflow as part of the Transformation Program, particularly regarding purchase orders raised after invoice date.	Chief Financial Officer	17 August 2018

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15. Schedule of Meeting Dates

The Audit Committee is scheduled to meet on the following dates during 2018:

- 16 February 2018 •

- 25 May 2018
 17 August 2018
 23 November 2018

Page 8 of 8



Community Consultation Committee Meeting Minutes 29 November 2017

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.

Meeting commenced at: 7:05pm

1. **Present and apologies**

Present

Cr Jamie Hyams	Councillor
Cr Tony Athanasopoulos	Councillor (left the meeting at 8.00pm)
Cr Mary Delahunty	Councillor
Dr Iris Levin	Community Representative
Megan Dunkley	Community Representative
Ann Van Leerdam	Community Representative
Elizabeth Orlov	Community Representative
Peter Jones	Director Community Services
Gaye Stewart	Manager Community Development and Care
Sharon Sykes	Coordinator Community Planning and Engagement
Sarah Bishop	Director Activate Consulting (Guest)
Helen Jennings	Director Wayfarer Consulting (Guest)

2. Matters considered

- Appointment of Committee Chair
- Draft Community Engagement Strategy
- Online community panel

3. Appointment of Chair

Peter Jones requested nominations for the Chair of the committee and Cr Delahunty assumed the chair by consent.

4. Draft Community Engagement Strategy

It was outlined that feedback provided by the Committee at the October meeting had been incorporated into the draft Strategy as follows:

- The Design and Plan phases of the engagement framework are vital components of the International Association of Public Participation (IAP2) approach. To more

clearly define each phase, the introductory paragraph of the Design section has been expanded to outline the pre-planning tasks that are required.

- Examples have been incorporated into the 'assessing the need to engage' section and also within the IAP2 spectrum.
- The section regarding how the engagement is used to inform decision making now requires consideration of the original objectives of the engagement.
- The community's commitment to participation in community engagement has been included in the introduction and under Roles and Responsibilities.

The Committee was updated on internal consultation being undertaken across business units. Feedback on the draft Strategy has been positive to date and commitment for implementation is increasing. There will be a need to ensure that the toolkit and associated templates are easy and efficient to use.

The Committee requested that the draft Strategy be brought back to the next meeting prior to being released by Council for external community engagement.

Action: Officers will complete the internal consultation and prepare the draft Strategy for presentation to the Committee at its first meeting of 2018.

5. **Online Community Panel**

Sarah Bishop from Activate Consulting summarised progress to date on the development of an Online Community Panel – "Glen Eira Community Voice". Key elements of the panel include:

- The panel provides a complementary engagement approach to all of the other approaches used by Council;
- A total of eight engagement activities per year are proposed including surveys and spot polls;
- A target number of residents over 18 years of age in the panel will be 400-600, oversubscribing will allow for attrition, balance of representation and actual response rate of each engagement activity;
- A term of two years was considered to be a good duration with residents able to opt out at any time;
- Key demographic criteria for stratification will be age, gender and suburb; and
- Targeted recruitment will be an important part of establishing and maintaining the panel and a waiting list may be used to manage numbers and representation.

The Expression of Interest Form was presented and discussed. It was agreed that the form was too long and should be split into a two-step process of information gathering. There was concern about the way gender was being asked and this will be reviewed and refined by officers. Incentives were also raised as a way to reward residents for participation.

Action: Officers and consultants will shorten the Expression of Interest form and use best practice methods to ask about gender. The Expression of Interest will be finalised and promoted from early December with targeted recruitment of residents ensuring broad representation.

Next meeting: tbc

Meeting closed at 8:10pm



COMMUNITY GRANTS ADVISORY COMMITTEE MEETING Minutes Tuesday 5 December 2017

Purpose:

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

Aims:

- Support community initiatives committed to community strengthening.
- Develop an accessible and inclusive community.
- Encourage community initiatives that promote self-sufficiency and innovation.
- Help strengthen local participation in the planning and implementation of service and programs.

Assembly of Council Record

Meeting opened at: 5.35pm

1. Present and Apologies

Present

Cr Margaret Esakoff Cr Jamie Hyams Cr Mary Delahunty Peter Jones – Director Community Wellbeing Gaye Stewart – Manager Community Development and Care Sharon Sykes – Coordinator Community Planning and Engagement

In Attendance

Cr. Dan Sztrajt (from 5.50pm)

2. Declaration of conflict of interest

No declarations of conflict of interest under Section 79 of the Local Government Act were received in relation to grants discussed.

3. Matters considered

- I. 2017-2018 Facility Hire Only Grant Applications
 - National Jockeys Trust
- II. 2018-2019 Community Grant Program Guidelines
- III. Senior Citizen Tenancy Grant
- IV. Glen Eira Kinder Association (GEKA) Service Level Agreement

- I. 2017-2018 Facility Hire Only Grant Applications
 - National Jockeys Trust

National Jockeys Trust submitted an application for a Facility Hire grant for the amount of \$7,382.90 to hire the Caulfield Cricket Club and oval on Monday 22 January 2018 to hold the annual National Jockey's Trust T20 Cricket Match fundraiser event. The total for the facility hire is \$9,882.90 and includes:

Hire fee	\$424.00
Sports Ground hire	\$134.00
Number of items brought onto the reserve (\$415.15 per item)	\$9,133.30
Initial site visit and final inspection	\$191.60

The proceeds of the cricket match provide financial and other assistance to jockeys and their families as a result of injury, illness or death. The T20 cricket match pitches Jockeys against Racing All-stars including sports stars and racing media.

The match has been held at Caulfield Park since 2015 and on each occasion raised approx. \$85,000. This is the first time that the Trust has applied for the grant, and they have done so because Council's charges for use of the venue have increased significantly.

In total the National Jockeys Trust has 3,000 members, 80 living in Glen Eira. The event is expected to attract approximately 500 spectators. Information provided by the applicant suggested that 5 to 10 Glen Eira residents would benefit from the funds raised by the event.

Recommendation: That the Committee recommend that Council fund a Facility Hire Grant of \$558 for the National Jockeys Trust to support their T20 Cricket Match.

Moved Cr Hyams Seconded Cr Esakoff Motion was passed

II. 2018-2019 Community Grant Program Guidelines

Officers presented the draft Community Grant Program guidelines that have been amended following changes recommended in the committee meeting of 16 November 2017.

The Committee discussed and agreed for further changes to include:

- Moving the current Facility Hire Grants into a separate program with its own set of criteria and guidelines and with a simplified application process.
- Reviewing the high priorities with a view to reducing the number of priorities or categorising them if possible
- Reviewing acquittal requirements to introduce a more outcomes focussed evaluation of grant programs

The Committee discussed that further consideration will be given to categories of grants and guidelines during 2018 for the following year's program.

Action: The Committee requested Officers to amend the Community Services Grants Guidelines and Community Festivals and Events Grants Guidelines, and prepare a new set of guidelines for Facility Hire Subsidies.

III. Senior Citizen Tenancy Grant

Officers suggested that \$70,000 should be nominated for the new Senior Citizen Tenancy Grants. In 2017/2018 \$53,000 of grant funding was allocated to 27 of 32 Senior Citizen clubs that used Council Senior Citizen centres.

The Senior Citizen Tenancy Grants in 2018 will involve a one page application form that will be provided to each Senior Citizen Club that meets in a Glen Eira Senior Citizen Centre. The form will be provided to clubs in early February with allocations to be assessed by the Committee in March-April 2018.

It is proposed each application will be considered based on a funding formula that takes into account the number of Glen Eira residents that are members of each club and hours of facility use.

As the previous allocation only considered number of Glen Eira residents in each club, implementation of the new Senior Citizen Tenancy grant will lead to increases and reductions of funding for clubs. However the funding changes will not be significant for the majority of clubs and further work will be done on the formula to minimise impact. Officers consider that the formula is significantly better approach to the allocation of funds to seniors clubs who use Council facilities.

The clubs impacted by a reduced amount of funds are those that operate activities for fewer hours.

Recommendation:	That the Committee recommend that Council approves the introduction of Senior Tenancy Grants for senior citizen clubs that use Council senior citizen centres.					
	Moved Cr Delahunty	Seconded Cr Esakoff Motion passed unanimously				
Action:		further work to develop an e calculation of Senior Citizen				

IV. Glen Eira Kinder Association (GEKA) Service Level Agreement

GEKA provides management and governance to a cluster of nine (out of 14) kindergartens in Glen Eira, with this number set to increase.

At its last meeting the Committee discussed the option of developing a Service Level Agreement with GEKA to improve the coordination of priority funding to kindergartens, instead of individual grants to each kindergarten. The following issues were discussed:

- Funding would not be available for capital works projects;
- All proposed funding to kindergartens under this agreement would come to the committee for approval; and
- Funding will be focussed on activities that improve community connections, promote inclusion of people of all abilities to participate, increase cultural awareness and improve outdoor natural play environments and learning outcomes.

Officers will enter into discussions with GEKA to develop a three year \$30,000 service level agreement (with annual indexation increases) for the period 2018-2021. The funding amount may increase as extra kindergartens become part of GEKA in the future.

Recommendation: That Council approves the establishment of a three year Service Level Agreement of \$30,000 per annum with the Glen Eira Kinder Association for the period 2018-2021.

Moved Cr Esakoff Seconded Cr Delahunty Motion passed unanimously

Meeting closed at: 6.30pm

Next Meeting – Tuesday 23 January 2018 at 5:30pm

Assembly of Councillors

14 November 2017

Record under S 80 A (2)

Meeting commenced at 6.43PM.

A. Present

Cr Jim Magee (Deputy Mayor) Cr Tony Athanasopoulos Cr Clare Davey Cr Margaret Esakoff Cr Jamie Hyams Cr Joel Silver Cr Dan Sztrajt Cr Nina Taylor

Council Officers

Rebecca McKenzie, CEO Ron Torres Peter Jones Peter Swabey Samantha Krull Alexandra Fry Rachel Ollivier Mark Saunders

B. <u>Matters considered</u>.

(i) Apologies

Cr Mary Delahunty (Mayor)

- (ii) Advocacy Strategy
- (iii) Level Crossing Removals
- (iv) Glen Eira Pride LGBTIQ Youth Support Program
- (v) McKinnon Reserve Play Space Upgrade Community Feedback

Cr Athanasopoulos left the Assembly 8.05pm and returned at 8.06pm

(vi) Spring Road Reserve Improvement Works - Consultation Outcome

8.20pm the Assembly adjourned 8.31pm the Assembly resumed

Present

Cr Jim Magee (Deputy Mayor) Cr Clare Davey Cr Margaret Esakoff Cr Jamie Hyams Cr Joel Silver Cr Dan Sztrajt Cr Nina Taylor

Council Officers

Rebecca McKenzie, CEO Ron Torres Peter Jones Peter Swabey Samantha Krull Alexandra Fry

(vii) Council meeting Cycle 2018

8.32pm Cr Athanasopoulos entered the Assembly

(viii) General Business

Councillor Taylor

- Waste Forum
- Amsterdam Small Group Study Tour

Councillor Silver

- Traffic and parking in Lucan Street
- Colour Run events

Councillor Davey

- Ormond sky tower

Councillor Esakoff

- Rippon Lea estate

Councillor Sztrajt

- Councillor leave request

Rebecca McKenzie, CEO

- Tour of Bunjil Place
- Audit Committee position

Councillor Hyams

- Kenlon Street works

Director Community Wellbeing

- Young Citizen of the Year

Councillor Hyams

- 2018 Midsumma Festival Pride March

Rebecca McKenzie, CEO

- Citizenship ceremonies

Assembly finished at 9.33PM

Assembly of Councillors

21 November 2017

Record under S 80 A (2)

Meeting commenced at 6.45PM.

A. <u>Present</u>

Cr Tony Athanasopoulos (Mayor) Cr Mary Delahunty Cr Margaret Esakoff Cr Jamie Hyams Cr Jim Magee Cr Joel Silver Cr Nina Taylor

Council Officers

Rebecca McKenzie, CEO Ron Torres Peter Jones Peter Swabey Mark Collins James Kearney Janice Pouw

B. <u>Matters considered</u>.

- (i) Apologies Cr Clare Davey, Cr Dan Sztrajt
- (ii) Tennis Strategy Discussion Paper
- (iii) Carnegie / Car Park Development Update (Presentation)
- 8.12pm Cr Silver left the Assembly
- 8.13pm Cr Silver entered the Assembly
 - (iv) Quarterly Service Performance Report
- 8.25pm Cr Delahunty left the Assembly

8.38pm Cr Esakoff left the Assembly and re-entered at 8.41pm.

8.44pm The Assembly was adjourned.8.55pm The Assembly was resumed.8.55pm Cr Taylor left the Assembly and did not return.

Present

Cr Tony Athanasopoulos (Mayor) Cr Margaret Esakoff Cr Jamie Hyams Cr Jim Magee Cr Joel Silver

- (v) Council Papers for the 28 November 2017 Council Meeting comprising fifteen officer reports together with standing items on the agenda.
 - Item 4 Confirmation of the Minutes of the previous meetings
 - 8.1 Advisory Committees
 - 8.2 Records of Assembly
 - 9.1 VCAT Watch

9pm Cr Athanasopoulos declared a direct conflict of interest in item 9.3 of the Draft Ordinary Council meeting agenda and left the Assembly.

9pm Cr Esakoff declared an indirect conflict of interest by close association in item 9.3 of the Draft Ordinary Council meeting agenda and left the Assembly.

- 9.3 Carnegie & Elsternwick Special Rate Agreements

9.01pm Cr Athanasopoulos and Cr Esakoff entered the Assembly

- 9.4 120 Brady Road Bentleigh East
- 9.6 Submission in Response to Reforming the Victoria Planning
 - 9.7 Lease of 1134 Glen Huntly Road, Glenhuntly

9.11pm Cr Esakoff declared an indirect conflict of interest because of conflicting duties and left the Assembly.

9.29Pm Cr Esakoff entered the Assembly

- 9.9 Access for Residents Over 70 Years of Age to Glen Eira Leisure Facilities

9.38pm Cr Delahunty entered Assembly

- 9.10 Community Access to Rippon Lea Estate
- 9.11 Council Meeting Cycle 2018
- 9.12 Quarterly Service Performance Report
- 9.13 Appointment of Independent Audit Committee Member
- 9.14 Financial Management Report for the Period Ending 31 October 2017
- 9.15 Transport Innovation Study Tour

- 12.1 Confidential Tender number 2018.61 Bailey Reserve Oval 1 Redevelopment
- 12.2 Citizen of the Year Awards Advisory Committee
- 9.2 Visitor Parking for Residential and Mixed Use Developments
- 9.5 282 Centre Road Bentleigh
- 9.8 Harleston Park Stage 11 Consultation

10.01pm Cr Magee left the Assembly and re-entered at 10.04pm.

(vi) General Business

Director Planning and Place

- Upcoming planning conferences in 2017
- Caulfield Village Social Housing Amendment
- Town Planning Application Glenhuntly Road

Cr Hyams

- - Build Aware Joint Initiative
- 10.10pm Cr Esakoff left the Assembly
 - - Correspondence re Calvary
- 10.14pm Cr Esakoff entered the Assembly
 - - Booran Reserve
 - - Planning Scheme Amendment

Cr Esakoff

- - Rosanna Street
- - Tactile ground surface indicators. South Caulfield
- - Update on EE Gunn including cricket nets

Cr Delahunty

- - Town Planning Application Hawthorn Road, Caulfield
- - Town Planning Application Bambra Road

Cr Magee

- - Waratah Reserve appreciation to gardener

Assembly finished at 10.27PM

Council Pre-Meeting

28 November 2017

Record under S 80 A (2)

Meeting Commenced at 6.44pm

A. <u>Present</u>

Cr Tony Athanasopoulos, Mayor Cr Clare Davey Cr Mary Delahunty Cr Margaret Esakoff Cr Jamie Hyams Cr Jim Magee Cr Joel Silver Cr Nina Taylor

Apologies

Cr Dan Sztrajt

Officers

Rebecca McKenzie, CEO Peter Swabey Peter Jones Ron Torres Samantha Krull Janice Pouw

B. <u>Matters considered</u>

1. Item 9.5 – 282 Centre Road, Bentleigh

6.55pm Cr Esakoff declared an indirect conflict of interest because of conflicting duties in Agenda Item 9.7 and left the pre-meeting.

2. Item 9.7 – Lease of 1134 Glen Huntly Road, Glenhuntly

7.20pm Cr Esakoff entered the pre-meeting.

- Item 9.9 Access for Residents Over 70 Years of Age to Glen Eira Leisure Facilities
- 4. Harleston Park Stage 11 Construction

Pre-meeting finished at 7.26pm

9. PRESENTATION OF OFFICERS REPORTS

9.1	VCAT Watch
9.2	3 Rigby Avenue Carnegie
9.3	2 Newman Avenue Carnegie
9.4	233-247 Glen Huntly Road, Elsternwick and 14 Ripon Grove, Elsternwick
9.5	1110-1112 Dandenong Road, Carnegie
9.6	Caulfield Village – Planning Scheme Amendment C151: Social and Affordable
	Housing
9.7	450 Dandenong Road, Caulfield North - Planning Scheme Amendment C153
9.8	New Public Toilet, East Bentleigh Shopping Centre
9.9	Foch Street, Ormond Road Discontinuance
9.10	Access for people over 70 years of age to Glen Eira Leisure Facilities
9.11	Deed Of Surrender of Lease - EE Gunn Scout Hall
9.12	Lease to East Bentleigh Sporting and Recreation Club
9.13	Lease 6 Aileen Avenue, Caulfield South
9.14	Lease of 1134 Glenhuntly Road, Glen Huntly
9.15	Community Gardens
9.16	Advocacy Strategy
9.17	Foundation For Youth Excellence Committee Grant Applications
9.18	Citizenship Ceremony January 2018
9.19	Audit Committee – 2016-17 Annual Report
9.20	Financial Management Report for the Period Ending 30 November 2017
9.21	Appointment of Acting Chief Executive Officer

ITEM 9.1	VCAT WATCH
Author:	Paul Wood – Manager Town Planning
File No:	N/A
Attachments:	Applications before and recent decision of the Victorian Civil and Administrative Tribunal

PURPOSE AND SUMMARY

To report to Council applications currently before, and recent decisions of, the Victorian Civil and Administrative Tribunal (VCAT).

RECOMMENDATION

That Council notes:

- 1. The applications currently before the Victorian Civil and Administrative Tribunal (VCAT), including the recent applications that have been lodged with VCAT.
- 2. The recent decisions of VCAT, including the commentary provided in relation to matters of notable interest.

BACKGROUND

The VCAT process is an integral part of the planning permit process and provides opportunity for independent review of planning decisions. VCAT is required to take into consideration any relevant planning policy.

ISSUES AND DISCUSSION

This report includes an attachment that provides an overview of all applications currently before, or that have recently been decided by the VCAT. The attachment table is broken down into 'New appeals lodged with the VCAT', 'Current matters before the VCAT' (including upcoming hearings or where Council is waiting for a decision after the hearing has taken place), and 'Recent decisions of the VCAT'.

Of the recent decisions, the following are considered of notable interest for Council:

Address	10 Princes Street, Caulfield North
Proposal	The proposal included construction of a three storey residential building comprising sixteen dwellings above basement level car parking. The proposal was amended at VCAT to reduce the number of dwellings to fifteen.
	Council maintained its grounds of refusal at VCAT including that the development did not respond to local policy, results in a building that dominates the streetscape, creates adverse amenity impacts on neighbouring dwellings and fails to meet relevant objectives of Clause 55 (Rescode).
Council decision	Refusal (DPF)
VCAT decision	Permit issued
Appellant	10 Princes Street Pty Ltd as Trustees for 10 Princes Street Trust



The subject site is located within the General Residential Zone 2 and is not affected any overlays. The VCAT decision accepts that the proposal is consistent with all relevant policy and that it represents the type of outcome envisaged in a Housing Diversity area under the Glen Eira Planning Scheme.

On this, the Tribunal acknowledged that the site is located in one of the Council's designated diversity areas in which a range of housing types including multi dwelling developments are encouraged and recognised that the site is located in a street that exhibits a very mixed character. The decision reinforced the analysis of a number of other VCAT decisions in relation to Council's approach to planning its residential areas:

- 1 The Council has adopted a targeted and hierarchical approach to the planning of its residential areas. The review site is located in a housing diversity area (Alma Village) in which multi-unit development is encouraged.
- 2 The majority of the municipality's residential areas are located in "minimal change" areas pursuant to Clause 21.04 of the Local Planning Policy Framework (LPPF). The objective for minimal changes areas is to maintain predominantly low density detached housing in areas not identified for housing diversity.
- In order to make provision for projected population growth and demand for increasing housing diversity, housing diversity areas have been selected as suitable for multi-unit development. An assessment of factors including access to services, facilities and fixed route transport, housing need and capacity of residential areas to support new development, residential character and constraints (environmental, infrastructure, heritage) determines a locality's qualification as a diversity area.

• • •

- 17 The dispute in this case focusses on what form and scale of development is acceptable in this neighbourhood village diversity area.
- 18 The Council and the respondent objectors submit that the proposal is excessive in its scale and density, will dominate the streetscape and will adversely affect the amenity of neighbouring properties.
- 19 I agree with the Council and the objectors that issues of neighbourhood character and site context are relevant to my consideration of the proposal.

- 20 However, the Council's diversity area policies are also relevant and because of the review site's inclusion in a diversity area, the character of this neighbourhood is encouraged to change as sites progressively redevelop in accordance with the objectives of that policy. This is not a case therefore, in which respect for the existing character of the neighbourhood ought to assume undue weight.
- 21 Not all sites in the diversity area will be suitable for three storey development of the type and scale proposed here. However, where larger, consolidated, regularly configured sites such as the review site become available for development, the development opportunities presented by such sites should not be squandered.

The Tribunal held that it was satisfied that the proposal represented the right outcome and set aside the decision of the Responsible Authority and directed that a planning permit be issued.

Address	64 Oakleigh Road, Carnegie
Proposal	Use of the land for the purpose of animal husbandry (mice breeding) and construction of buildings and works associated with a Section 2 use (animal husbandry)
Council decision	Refusal (Manager)
VCAT decision	Refusal
Appellant	Jeff Mann



The subject site is located within the Neighbourhood Residential Zone. Council refused a permit on grounds relating to policy, failure to meet the purpose and decision guidelines of the NRZ1, and failure to adequately satisfy the decision guidelines of clause 65.

During the course of the appeal, it came to light that the proposed use was not confined to the breeding of mice. The applicant confirmed that one of the rooms would be used to undertake a process of cell isolation, which includes euthanising the mice and isolating the cells which are then transported to the medical research institutions. As this information only transpired late in the hearing, the Member issued an interim order which provided the parties with the opportunity to make a further written submission addressing the real and substantial purpose of the use, and its proper characterisation for the purpose of an assessment against the Planning Scheme.

Council submitted that the proposed use is best characterised as a Research and Development Centre which, pursuant to clause 74 of the Planning Scheme, is defined as:

Land used to develop electronic technology, biotechnology, or any other scientific discipline. It may include administration, promotion, conference, display, laboratory, assembly, and manufacturing areas.

The real and substantial purpose of the proposed use is to supply biological material (mice cells) to external parties for scientific research purposes.

In the decision of the Tribunal, the Member made the following decision in relation to the classification of the use.

- 14 In characterising the proposed land use for the purposes of administering the Planning Scheme, a key question to be asked is: what is the real and substantial purpose of the proposed use? As noted in an earlier section, there are differing opinions between the parties in respect of this question. Based on the submissions presented at the hearing and the submissions provided in response to the interim order, my conclusion is that the proposed use is an unspecified (or 'innominate') use which does not fall within any of the land use terms specified in clause 74 of the Planning Scheme.
- 20 The proposed use comprises both the breeding of mice and the isolation of cells for medical research purposes. Had the latter not been proposed then, arguably, the use would fall within the land use term of 'animal husbandry'. The inclusion of the cell isolation results in the proposed use not falling within the description of any land use term at clause 74. What this means is that it is to be characterised as a separate use. Hence my conclusion that it is an unspecified or 'innominate' use.

In terms of the merits of the proposal, the Members was not persuaded that this use was acceptable for the area and did not comply with Council's Non-Residential Uses in Residential Areas Policy, was of a commercial scale that was not in keeping with the area and is not compatible with the residential context and does not meet the purpose of the Neighbourhood Residential Zone.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

There are no financial, resource or asset management implications.

POLICY AND LEGISLATIVE IMPLICATIONS

The decisions of notable interest in this report are relevant to the strategic planning work being undertaken by Council's City Futures Department.

COMMUNICATION AND ENGAGEMENT

There has been no communication or engagement for this report.

LINK TO COUNCIL PLAN

Liveable and Well Designed: A well planned City that is a great place to live.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

This report provides details of the applications before and recent decisions of the VCAT.

	LODGED WITH	A	VCAT	Description of previously	7	Coursell	Course!!	Anneal	Tune of
Address	Suburb	Appeal date	VCAT reference	Description of proposal	Zone	Council decision	Council delegate for decision	Appeal lodgment date	Type of appeal
1 Sinclair Street	Elsternwick	30/4/18	P2455/2017	Use of the land as an education centre (limited to recess and lunch activities, daytime assemblies, physical education classes and after school care), reduction in the car parking requirements and buildings and works on land located in a Heritage Overlay	NRZ1	Planning Permit	Council	6/11/17	s82 (Objector)
15-23 Mayfield	St Kilda East	18/4/18	P2366/2017	Buildings and works for the construction of a two storey building (to the rear of the site, behind Gandel Besen House primary school), refurbishment to the existing building and grounds (Gandel Besen House) including the synagogue and the construction of a carpark for 18 carspaces to the west of the site	NRZ1	Planning Permit	DPF	6/11/17	s80 (Conditions)
15-23 Mayfield	St Kilda East	18/4/18	P2367/2017	To have buildings or works erected thereon in accordance with the attached endorsed plan P1 and to be used for the purpose of erecting classrooms, a hall and synagogue	NRZ1	Refusal	DPF	6/11/17	s77 (Refusal)
15-23 Mayfield	St Kilda East	18/4/18	P2368/2017	Alterations and additions to the existing education centre involving the construction of a new lobby and multi-purpose room at the front of the kindergarten		Planning Permit	DPF	6/11/17	s80 (Conditions)
14 Service Street	Caulfield North	11/5/18	P2504/2017	Alterations and additions to the existing dwelling and the construction of an additional, single storey dwelling at the rear	NRZ1	Planning Permit	Manager	17/11/17	s149 (declaration)
441 Glen Eira	Caulfield North	10/5/18	P2520/2017	Demolition of the existing dwelling and construction of 2 double storey attached dwellings with a basement on land in a Heritage Overlay and alteration and creation of access to a road in a Road Zone, Category 1	NRZ1	Refusal	Manager	20/11/17	s77 (Refusal)
26 Argyle Street	Bentleigh East	4/5/18	P2687/2017	Construction of two double storey dwellings	NRZ1	Planning Permit	Officer	29/11/17	s80 (Conditions)
10 St Georges Road	Elsternwick	2/5/18	P2695/2017	Buildings and works including demolition of the existing buildings and construction of a four storey building above basement car park containing 12 dwellings and a reduction of the visitor car parking requirements		Refusal	Council	29/11/17	s77 (Refusal)
7 Manchester Grove	Glen Huntly	28/5/18	P2634/2017	Construction of a three (3) storey building comprising 12 apartments above basement car parking, and reduction in the statutory visitor car parking requirement.	GRZ1	Refusal	Manager	29/11/17	s79 (Failure)
2 Lancaster	Bentleigh East	1/6/18	p2678/2017	Construction of two (2) double storey attached dwellings	NRZ1	Refusal	DPF	30/11/17	s77 (Refusal)

ATTACHMENT 1: APPLICATIONS BEFORE AND RECENT DECISION OF THE VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

8 NOVEMBER 2017

Address	Suburb	Appeal date	VCAT reference	Description of proposal	Zone	Council decision	Council delegate for decision	Appeal lodgment date	Type of appeal
130 Wheatley Road	Ormond	16/8/17	P695/2017	Demolition of the existing dwelling and construction of three double- storey dwellings on land affected by the Heritage Overlay	GRZ1	Refusal	Manager	18/4/17	s77 (Refusal)
25-27 Horne Street	Elsternwick	20/9/17	P319/2017	The construction of a seven storey building comprising twenty-five dwellings, two shops and a reduction in car parking	C1Z	Refusal	Manager	17/4/17	s77 (Refusal)
13-17 Cecil Street	Bentleigh	13/10/17	P833/2017	Construction of buildings and carrying out of works for a Child Care Centre and Place of Worship and reduction of the car parking requirement for the Place of Worship	NRZ	NOD	Council	25/5/17	s80 (Conditions)
167 Bambra Road	Caulfield South	1/11/17	P1003/2017	Use of a dwelling for a home occupation exceeding 50 square metres in area	NRZ1	NOD	DPF	24/5/17	s82 (Objector)
167 Bambra Road	Caulfield	1/11/17	P1370/2017	Use of a dwelling for a home occupation exceeding 50 square metres in area	NRZ1	Planning Permit	DPF	26/6/17	s80 (Conditions)
472 & 476-482 Kooyong Road & 11 Saturn Street	Caulfield South	23/11/17	P973/2017	Construction of buildings and works (ranging from 3 to 19 storeys) and use of the land as a hospital, retirement village, residential aged care facility and child care centre with associated carparking and reduction of the bicycle parking requirement	NRZ1	Refusal	Council	12/5/17	s77 (Refusal)
7 Daniell Crescent	Caulfield	24/11/17	P1122/2017	Construction of three single storey dwellings.	NRZ1	Refusal	Manager	15/6/17	s77 (Refusal)
664-670 North Road	Ormond	27/11/17	P1718/2017	Construction of part two, part three storey buildings comprising twenty one (21) dwellings above basement car park and a reduction in the statutory visitor car parking requirements, on land affected by the Special Building Overlay.		Refusal	Manager	28/7/17	s77 (Refusal)
1-3 Horne Street	Elsternwick	4/12/17	P1668/2017	The construction of a nine storey building and basement, use of the land for 25 dwellings, a retail premise, reduction of the car parking requirement and waiver of the loading bay requirement	C1Z	Refusal	Council	24/7/17	s77 (Refusal)
38 tucker Road	Bentleigh	5/12/17	P1985/2017	Construction of two (2) double storey attached dwellings	NRZ1	Planning Permit	DPF	4/9/17	S80 (condition)
313 Jasper Road	Ormond	8/1/18	P1460/2017	Construction of two (2) double storey dwellings on two lots (with each lot less than 300sqm), creation of access to a road in a Road Zone Category 1 and creation of a party wall easement	GRZ1	Refusal	Manager	5/7/17	s77 (Refusal)
1032-1032A North Road	Bentleigh East	11/1/18	P1529/2017	The construction of a three storey building comprising two shops and nine dwellings	C1Z	Planning Permit	Council	18/7/17	s80 (Condition)
2 Marylin Court	Bentleigh East	16/1/18	P1582/2017	Construction of a double storey dwelling to the rear of an existing dwelling	NRZ1	Refusal	Manager	19/7/17	s77 (Refusal)
48 Thomas Street	Brighton East	30/1/18	P2032/2017	Construction of two (2) double storey dwellings		Undetermi ned	No Official Decision	6/9/17	s79 (Failure)
1 Grey Street	Caulfield North	31/1/18	P1774/2017	Construction of 2 double storey attached dwellings		NOD	DPF	11/8/17	s82 (Objector)
3 Banksia Road	Caulfield South	2/2/18	P2058/2017	Removal of the registered restrictive covenant contained in Instrument of Transfer 776487 from Lot 26 on LP5916 (Volume 3892 Folio 238)		Refusal	Officer	18/9/17	s77 (Refusal)
2 Moira Avenue	Carnegie	5/2/18	P2092/2017	Partial demolition, alterations and additions (including a first floor addition) to the existing dwelling on land affected by the Heritage Overlay and Special Building Overlay		Refusal	Manager	18/9/17	s77 (Refusal)
730-734 North	Ormond	20/2/18	P1983/2017	Request for Extension of Time	NRZ1	Refusal	Manager	4/9/17	s81 (Extension

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Road									of time)
12 Kambea Grove	Caulfield North	22/2/18	P1859/2017	Demolition and construction of a dwelling in a neighbourhood character overlay and special building overlay	NRZ1	Refusal	Manager	23/8/17	s77 (Refusal)
17-19 Loranne Street	Bentleigh	22/2/18	P2165/2017	Construction of a part three (3), part four (4) storey building consisting of 21 dwellings above basement car park; reduction of visitor car parking requirements	GRZ1, RGZ	Refusal	Council	28/9/17	s77 (Refusal)
240-250 McKinnon Road	McKinnon	22/2/18	P2269/2017	A four storey building comprising six shops and twenty six dwellings above basement car park and a reduction in car parking requirements (for shops) and waiver of the loading bay requirement	C1Z	Permit	Council	9/10/17	s80 (Condition)
111-113 Jasper Road	Bentleigh	27/2/18	P2049/2017	Replacement and installation of internally illuminated and non- illuminated business identification signage	NRZ1	Planning Permit	Officer	8/9/17	s80 (Conditions)
24 Marara Road	Caulfield South	27/2/18	P2371/2017	Construction of two (2) double storey attached dwellings	NRZ1	Planning Permit	DPF	26/10/17	s149 (declaration)
20 Leonie Avenue	Bentleigh East	8/3/18	P2229/2017	Construction of two (2) double storey dwellings	NRZ1	Refusal	Manager	3/10/17	s77 (Refusal)
388-394 Hawthorn Road	Caulfield South	13/3/18	P2293/2017	Construction of a 7 storey building comprising 46 dwellings, a retail premises and a basement car park, reduction of the car parking requirements, waiving of the loading bay requirement and creation and alteration of access to a road in a Road Zone, Category 1		Refusal	Manager	11/10/17	s77 (Refusal)
31 Nepean Hwy	Elsternwick	13/3/18	P2320/2017	Partial demolition, alterations and additions and use of land for the purpose of a Child Care Centre and the reduction of the car parking requirement	RGZ1	Planning Permit	Council	13/10/17	s80 (Conditions)
50 Blamey Street	Bentleigh East	16/3/18	P2258/2017	Construction of a single storey dwelling to the rear of the existing dwelling.	NRZ1	Refusal	Manager	6/10/17	s77 (Refusal)
78 Lyons Street	Carnegie	21/3/18	P2247/2017	Construction of two (2) double storey attached dwellings on land affected by Special Building Overlay	NRZ1	refusal	Manager	9/10/17	s77 (Refusal)
7 Wicklow Street	Ormond	27/3/18	P2124/2017	Construction of two double storey dwellings on land affected by the Special Building Overlay	NRZ1	Refusal	Manager	25/9/17	s77 (Refusal)
329 Jasper Road	Ormond	3/4/18	P2191/2017	Construction of a four storey building comprising of a shop and fifteen (15) dwellings; use of the land for dwellings; reduction in car parking requirements (for visitors and shops); waiver of loading bay requirements; to alter access to a road zone category 1	C1Z	Refusal	Council	5/10/17	s77 (Refusal)
16 South Avenue	Bentleigh	3/4/18	P2240/2017	Construction of eight (8) three storey townhouses with basement car parking	GRZ1	Refusal	DPF	5/10/17	s77 (Refusal)
312 Orrong Road	Caulfield	9/4/18	P2287/2017	Construction of a three (3) storey building containing five (5) apartments above basement car park, and a waiver of the statutory visitor car parking requirement	GRZ	Refusal	Manager	10/10/17	s77 (Refusal)
65 Hall Street	Ormond	16/4/18	P2407/2017	Construction of two (2) attached double storey dwellings	NRZ1	Refusal	DPF	26/10/17	s77 (Refusal)

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Address	Suburb	Appeal date	VCAT reference	Description of proposal	Zone	Council decision	Council delegate for decision	Date of Council decision	Type of appeal	Appeal outcome	Date of VCAT decision	VCAT decision (effect on Council decision)
7 The Crossover	Carnegie	6/12/17	P1413/2017	The construction of two double storey dwellings on a lot affected by the Special Building Overlay	NRZ1	Refusal	Manager	30/6/17	s77 (Refusal)	Permit Issued (consent)	20/10/17	Set Aside
2 & 2A Freeman Street	Caulfield	11/12/17	P1763/2017	Construction of a two storey building, use of the land as a Place of Assembly (Active Living Centre incorporating place of worship and medical consulting rooms) and reduction of associated car parking, loading bay and bicycle parking requirements	GRZ1	Refusal	DPF	9/8/17	s77 (Refusal)	Permit Amended (consent)	25/10/17	Set Aside
360 Neerim Road	Carnegie	20/9/17	P559/2017	Construction of a four storey building, comprising ground floor shop and up to 16 dwellings, reduction in car parking requirements for the shop and waiver of loading requirements on land adjacent to a Road Zone Category 1	C1Z	Notice of Decision	Council	7/4/17	s82 (Objector)	Permit issued	30/10/17	Affirmed in part
360 Neerim Road	Carnegie	20/9/17	P947/2017	Construction of a four storey building, comprising ground floor shop and up to 16 dwellings, reduction in car parking requirements for the shop and waiver of loading requirements on land adjacent to a Road Zone Category 1	C1Z	Notice of Decision	Council	7/4/17	s80 (Conditions)	Permit issued	30/10/17	Varied
564 Centre Road	Bentleigh	20/10/17	P918/2017	Construction of two (2) double storey attached dwellings and alter access to a road in a Road Zone, Category 1	NRZ1	Refusal	Manager	1/6/17	s77 (Refusal)	Permit Issued (consent)	31/10/17	Set Aside
9-13 Derby Road	Caulfield East	18/9/17	P1114/2017	Construction of an 18 storey building comprising 158 units, Use of the land for student accommodation, part demolition and construction of a building in the Heritage Overlay, reduction of car spaces required under the Parking Overlay and waiver of loading bay requirements	C1Z	Refusal	Council	25/5/17	s77 (Refusal)	Refusal	2/11/17	Affirmed
124 Mackie Road	Bentleigh East	6/11/17	P1048/2017	Construction of two (2) double storey attached dwellings	NRZ1	Refusal	Manager	7/6/17	s77 (Refusal)	Refusal	6/11/17	Affirmed
2 Namron Street	Bentleigh East	23/10/17	P1789/2017	Construction of a single storey dwelling to the rear of an existing dwelling (two dwellings)	NRZ1	Planning Permit	Manager	11/8/17	s80 (Condition)	Permit Amended	6/11/17	Varied
6 Wheeler Street	Ormond	24/10/17	P694/2017	Construction of three three-storey dwellings on land affected by the Special Building Overlay	GRZ1	Refusal	Manager	17/5/17	s77 (Refusal)	Permit Issued	10/11/17	Set Aside

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46 Carlton Street	McKinnon	15/11/17	P1100/2017	Construction of two (2) double-storey dwellings and buildings/works on land affected by the Special Building Overlay	NRZ1	Refusal	Manager	15/6/17	s77 (Refusal)	Permit Issued (consent)	10/11/17	Set Aside
102 & 102A Balaclava Road	Caulfield	20/12/17	P1411/2017	The construction of a three storey building comprising up to eight (8) dwellings above a basement; works on common property; and alteration of access to a road in a Road Zone, Category 1	GRZ2	NOD	Council	29/6/17	s82 (Objector)	Permit Issued	14/11/17	Varied
462-464 Dandenon g Road	Caulfield North	18/1/18	P1756/2017	Construction of a three storey residential building comprising 26 dwellings above a basement level car park, reduction of visitor car parking requirements and alteration of access to a Road Zone Category 1	GRZ2	Refusal	DPF	16/8/17	s77 (Refusal)	Permit Issued (consent)	15/11/17	Set Aside
10 Princes Street	Caulfield North	21/9/17	P1055/2017	Construction of a three (3) storey residential building comprising sixteen (16) dwellings above basement level car parking	GRZ2	Refusal	DPF	19/5/17	s77 (Refusal)	Permit Issued	17/11/17	Set Aside
7 Brennan Street	McKinnon	31/10/17	P1080/2017	Construction of 2 double storey attached dwellings on land affected by the Special Building Overlay	NRZ1	Refusal of amendmen ts to permit	Officer	9/6/17	s77 (Refusal)	Permit Amended	17/11/17	Set Aside
32 Moylan Street	Bentleigh East	16/11/17	P1822/2017	Construction of one double storey dwelling and one single storey dwelling (two dwellings)	NRZ1	Planning Permit (amended application	Manager	22/8/17	s77 (Refusal)	Permit Amended	20/11/17	Varied
64 Oakleigh Road	Carnegie	15/9/17	P204/2017	Use of the land for the purpose of animal husbandry (mice breeding) and construction of buildings and works associated with a Section 2 use (animal husbandry)	NRZ1	Refusal	Manager	17/3/17	s77 (Refusal)	Refusal	24/11/17	Affirmed
64 Tucker Road	Bentleigh	23/11/17	P1239/2017	Construction of two (2) double-storey dwellings	NRZ1	Refusal	DPF	21/6/17	s77 (Refusal)	permit issued	24/11/17	Set Aside
Unit 7 25 Pyne Street	Caulfield	16/11/17	P1225/2017	Construction of seven (7) single storey units and one (1) double storey unit	GRZ1	NOD	DPF	19/6/17	s82 (Objector)	permit amended	28/11/17	Varied
2 Brailsford Road	Bentleigh	27/11/17	P1233/2017	Construction of three storey apartment building comprising of three dwellings	GRZ1	Refusal	Manager	21/6/17	s77 (Refusal)	Permit Issued	28/11/17	Set Aside

ITEM 9.2 3 RIGBY AVENUE, CARNEGIE

Author: Paul Wood, Manager Town Planning

File No: GE/PP-30976/2017

Attachments: Advertised plans

PURPOSE AND SUMMARY

To consider a Planning Permit application.



PROPOSAL	Five dwellings (four double storey, one single storey) above basement car park
MUNICIPAL STRATEGIC	
STATEMENT	Minimal Change Area
APPLICANT	Steller Projects 2 Pty Ltd
PLANNING SCHEME	Neighbourhood Residential Zone Schedule 1
CONTROLS	
OBJECTIONS	10

RECOMMENDATION

That Council issues a Notice of Decision to Grant a Planning Permit for Application No. GE/PP-30976/2017 for 3 Rigby Avenue Carnegie in accordance with the following conditions:

- 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 plans submitted with the application (identified as Drawing No.6-11 drawn by Steller, dated 9/8/17) but modified to show:
 - (a) A Landscape Plan in accordance with Condition 2;
 - (b) The roof to Dwelling 5 to be reduced in height to a maximum of 5m, or modified to a flat roof form;
 - (c) The provision of updated shadow plans which show overshadowing to the private open space area on the property to the south to be in accordance with Standard B21 at Clause 55.04-5 of the Glen Eira Planning Scheme. Any changes to setbacks to achieve this must be absorbed within the existing building envelope;
 - First floor north and south facing habitable room windows of Dwellings 1-4 (and balcony to Dwelling 2) to have fixed obscure screening in accordance with Standard B22 of Clause 55.04-6 of the Glen Eira Planning Scheme;
 - (e) The crossover to Rigby Avenue to be reduced to 3.6m width and aligned with the accessway;
 - (f) The accessway width to be maintained as 3.6m wide at the bottom of the ramp;
 - (g) The 2.2m headroom clearance to be shown as per Figure 5.3 of AS2890.1;
- 2. Before 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) All existing retained vegetation to be identified.
 - (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 the following areas:
 - (i) 2 in the front setback;
 - (ii) 3 trees along the northern boundary (adjacent to basement ramp);
 - (iii) 5 trees along the southern boundary;
 - (iv) 3 within the private open space of Dwellings 2-4 (one per dwelling);
 - (v) 2 within the rear setback

or 15 trees in locations to the satisfaction of the Responsible Authority.

Trees are not to be sited over easements. All species selected must be to the satisfaction of the Responsible Authority.

- 3. The landscaping as shown on the endorsed Landscape Plan must be carried out, completed and maintained to the satisfaction of the Responsible Authority.
- 4. 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.
- 5. Prior to the commencement of the buildings and works (including demolition), a tree protection fence must be erected around the street tree at a radius of 10 metres from the base of the trunk to define a 'tree protection zone'. Temporary fencing is to be used as per AS 4870-2009 section 4.3. 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 completed. 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
- 6. 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.

Above ground canopy TPZ (Tree Protection Zone) to be adopted. No works, structures or machinery will come within 1m of the trees crown/canopy as per AS 4870-2009 section 3.3.6.

Tree Protection Zone (TPZ) fencing must be adopted to protect the street tree's trunk. Set at edge of TPZ on all sides (Finishing at paved surfaces). Temporary fencing to be used as per AS 4870-2009 section 4.3.

Hand excavate any area within 1.5m of the Tree Protection Zone (TPZ). If roots over 40mm are found, Park Services are to be notified and further inspections will be carried out.

Ground protection is to be used if temporary access for machinery is required within the Tree Protection Zone (TPZ). Strapped rumble boards are to be used within TPZ to limit ground compaction as per AS 4870-2009 section 4.5.3.

7. No excavation is to come within 1.5m of the existing street tree (measured from the centre of the trunk) without the prior consent of the Responsible Authority. Any excavation within 1.5m of the tree protection zones must be hand excavated. If roots over 40mm are found, Park Services are to be notified and further inspections will be carried out.

Ground protection is to be used if temporary access for machinery is required within the TPZ (Tree Protection Zone). Strapped rumble boards are to be used within the tree protection zone to limit ground compaction as per AS 4870-2009 section 4.5.3.

8. 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. <u>Note</u>: This does not obviate the need for a permit where one is required.

GLEN EIRA CITY COUNCIL

- 9. This Permit will expire if:
 - The development does not start within two (2) years from the date of this Permit; or
 - The development is not completed within four (4) years of the date of this Permit.

The Responsible Authority may extend the time referred to if a request is made in writing before this Permit expires or within six (6) months after the expiry date if the use/development has not commenced.

If the development has commenced, the Responsible Authority may extend the time referred to if a request is made in writing within twelve (12) months of the expiry date.

- 10. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the prior written consent of the Responsible Authority.
- 11. Prior to the occupation of the development, the walls on the boundary of adjoining properties must be cleaned and finished in a manner to the satisfaction of the Responsible Authority. Painted or bagged walls must be finished to a uniform standard and unpainted or unrendered walls must have all excess mortar removed.
- 12. 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) Truck haulage routes, circulation spaces and queuing lanes;
 - (c) Details how traffic and safe pedestrian access will be managed. These must be in the form of a Traffic Management Plan designed by a suitably qualified traffic practitioner;
 - (d) A liaison officer for contact by owners / residents and the Responsible Authority in the event of relevant queries or problems experienced;
 - (e) An outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
 - (f) any requirements outlined within this permit as required by the relevant referral authorities;
 - (g) hours for construction activity in accordance with any other condition of this permit;
 - (h) measures to control noise, dust, water and sediment laden runoff;
 - (i) measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;

any construction lighting to be baffled to minimise intrusion on adjoining lots

- 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.

- 14. Protective kerbs (minimum 150mm in height) or the like must be installed to the satisfaction of the Responsible Authority to prevent vehicle damage to the landscaped areas on the subject land and to the fences of adjoining properties.
- 15. 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.
- 16. The car parking allocation for the approved development must be:
 - Not less than two (2) car spaces per three (3) or more bedroom dwelling;
 - Visitor spaces (at least 1) marked accordingly.
- 17. 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 generally in accordance with the endorsed plans (prior to the construction of the levels above being commenced.)
- 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 generally in accordance with the endorsed plans.

NOTES:

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.

- 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) <u>or</u> within 200mm 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.
- G. 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.
- H. The permit holder/applicant/owner must provide a copy of the Planning Permit to any appointed Building Surveyor. It is the responsibility of the permit holder/applicant/owner and the Building Surveyor to ensure that the development approved by this Permit is consistent with any Building Permit approved and that all works are consistent with the endorsed plans approved under this Planning Permit.
- Consideration is required when installing domestic services (i.e air conditioning units, heaters, pool pumps, water tanks and the like). The owner/occupier/permit holder/developer must take all reasonable and practicable measures in locating domestic services in position that reduce any amenity impact on adjoining properties. This includes selecting an appropriate installation position and enclosing the domestic service. Further information regarding noise from domestic services can be found in the Environmental Protection Act 1970.

ISSUES AND DISCUSSION

- Zoning and policy context
- Neighbourhood character
- Height, scale and massing
- Amenity impacts
- Landscaping
- Internal amenity
- Car parking and traffic

Proposal

- Four double storey dwellings and one single storey dwelling
- All dwellings have 3 or 4 bedrooms
- Site coverage 44%.
- Rear setback 3.9-5 metres.
- Private open space 42 106 square metres.
- Permeability 25%.
- Maximum height of 8.4 metres
- Basement car park with access via Rigby Avenue
- 10 parking spaces provided for residents.
- 1 parking space provided for visitors.

Objectors' concerns

- Traffic and car parking
- Overdevelopment
- Noise
- Visual bulk
- Boundary fence issues
- Construction concerns
- Overlooking
- Inappropriate materials

Referrals

Transport Planning

• No objection subject to conditions

Landscape Officer

- There are no high value site trees.
- There are no neighbouring trees within proximity to site.
- Planting opportunities were overly good having factored scale of proposal and basement car-park

Asset Engineering

• No objection subject to standard conditions.

Parks Services

• Street tree can be retained subject to standard conditions

Waste Management

Adequate room at this property for Council collection

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

N/A

POLICY AND LEGISLATIVE IMPLICATIONS

Zoning and policy context

The site is located within the Neighbourhood Residential Zone and is subject to consideration under the Minimal Change Area Policy.

Whilst the general purpose of the Minimal Change Area Policy is to promote predominantly single dwellings and two dwelling developments, the Policy allows Council to consider developments of more than two dwellings, provided that it is clearly demonstrated that the standards specified in the schedule to the zone has been met and there is an established character that helps support the proposal.

Therefore, in respect to the Schedule 1 to the Neighbourhood Residential Zone the development proposes:

- Site coverage of 44% (50% is permissible);
- Rear setback; 3.93-5.0; A minor variation of the 4m requirement is proposed which will be imperceptible from adjoining properties and is considered acceptable;
- Private open space (total of 60sqm with 40sqm of this area to have a minimum dimension of 4m to the side or rear with access from a living area);
 - Unit 1; Does not comply. A total of 69sqm is provided however the secluded open space is proposed within the front setback.
 - Unit 2, 3 and 4; Total of 65sqm, all secluded and compliant with the schedule.
 - Unit 5; Total of 106sqm, all secluded and compliant with the schedule.

In addition to meeting the schedule requirements, the Minimal Change Area Policy clearly outlines circumstances whereby more than two dwellings can be achieved. These are as follows;

- Where the site is in an area characterised by larger than conventional lots.
- Where the site is significantly larger than the majority of properties immediately abutting the title boundary and the properties directly opposite.
- Where the prevailing development in the street and neighbouring streets is predominantly characterised by multi-unit development.

In response to the above points;

- The subject site has a total area of 1103sqm, which is larger than a conventional lot (which is typically considered around 700sqm).
- The subject site is significantly larger than adjoining properties (it is in fact, the largest block in the street)
- The subject site is clearly in an area predominately characterised by multi-unit development. Rigby Avenue contains 20 residential blocks of land, of which only 6 are single dwellings. The remaining sites contain a mixture of three-four dwelling developments of apartment buildings (containing 6-8 dwellings).

It is considered that the scale and intensity of the development proposed as part of this application is consistent with the prevailing neighbourhood character. The development has a high level of compliance with ResCode and would achieve an appropriate outcome for the site.

Neighbourhood character and streetscape

It is considered that the proposal has appropriately responded to the surrounding neighbourhood, as it will present as one double storey dwelling to the street. A fairly traditional design has been proposed with pitched tiled roofs, brick, render and timber cladding.

The Minimal Change Area Policy seeks to ensure that building bulk does not impact on adjoining secluded private open space areas. To the south of the site is a four dwelling townhouse development (all double storeys), with courtyards abutting the subject site.

The first floors of the proposal are setback a minimum of 3m from the northern and southern boundaries which is well in excess of ResCode requirements. These setbacks will ensure there is no unreasonable visual bulk.

The single storey nature of the rear most dwelling (dwelling 5) will provide an appropriate scale transition to adjoining secluded private open space areas, however the overall height of this dwelling is considered excessive. A condition has been recommended to reduce the overall height of Dwelling 5.

Height, scale and massing

It is considered that the double storey scale is appropriate within this zone whereby there are several double storey dwellings within the surrounding area. The first floor of Dwelling 1 has been setback beyond the ground floor to provide articulation and visual interest.

The maximum overall height (at 8.4m) is well within the 9m height limit of the zone.

Amenity impacts

The proposal complies with the ResCode standards for side and rear setbacks, overlooking and daylight to habitable room windows on adjoining properties. No walls have been proposed on the boundaries.

There are four courtyards on the property to the south which has the potential to be affected by overshadowing. The building has been designed to minimise the impact to this area (by providing additional side setbacks to the middle section of the building), however to comply with Standard B21 of ResCode, there should be no additional overshadowing to three of these courtyards. Conditions are recommended to ensure that this is addressed.

First floor north and south facing habitable room windows of Dwellings 1-4 requires screening to limit overlooking opportunities. This forms a recommended condition.

Landscaping

The basement has been setback from all boundaries to ensure appropriate landscaping can be accommodated that will contribute to the future amenity of the streetscape. The recommendation includes a condition requiring the submission of a detailed landscape plan.

The street tree can be safety retained; subject to standard conditions (should a permit be issued).

Internal amenity

As previously mentioned, all dwellings have areas of private open space which comply with the Schedule to the Neighbourhood Residential Zone (a total of 60sqm with 40sqm of this area to have a minimum dimension of 4m to the side or rear with access from a living area), with the exception of Dwelling 1.

Dwelling 1 has secluded private open space within the front setback. Whilst this does not comply with the technical requirements of the schedule, it is screened with a 1.7m high fence, which is considered reasonable given the varied fence heights in the street (which range from 0.4-1.8m). It is also directly accessed from the living room, has a minimum dimension of 6.4m, is supplemented by a secondary private open space at ground floor (accessed from the bedroom) and will provide a reasonable amount of amenity for future occupants.

Car Parking and Traffic

Clause 52.06 of the Glen Eira Planning Scheme require 11 on-site resident car spaces based on 2 car spaces for each 3 or more bedroom dwelling, and one visitor car space. The 11 car spaces are provided in the basement.

The basement ramp and car park layout is generally satisfactory. Some changes as suggested by Council's Transport Planning Department are required to ensure safe and convenient vehicle movements.

Management Plan Requirements

A Construction Management Plan (CMP) and Waste Management Plan (WMP) will be required as conditions.

COMMUNICATION AND ENGAGEMENT

- 1. <u>Public Notice (Statutory)</u>
 - 9 properties notified
 - 78 notices sent (owners and occupiers)
 - 1 signs erected on site
 - 10 objections received
- 2. Planning Conference (Non Statutory)

The Conference, chaired by Cr Hyams, provided a forum where all interested parties could elaborate on their respective views. Objectors mainly emphasised their original reasons for objection outlined earlier in the report. The applicant offered to modify the roof forms (from pitched to flat) and alter the materials should this be required by Council.

LINK TO COUNCIL PLAN

Liveable and Well Designed:

A well planned City that is a great place to live.

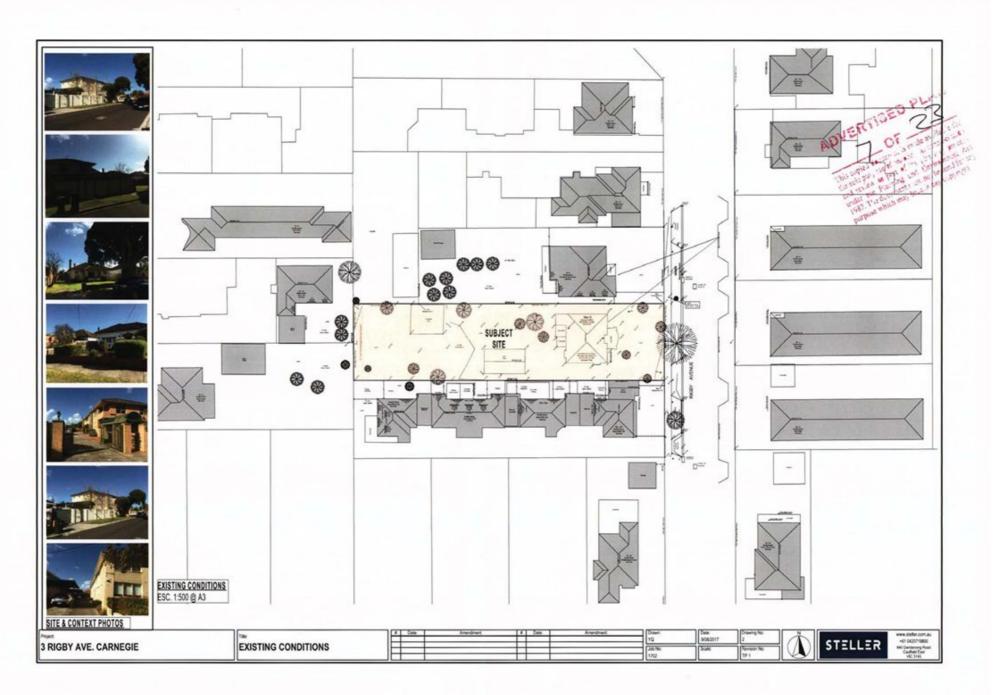
OFFICER DECLARATION OF CONFLICT OF INTEREST

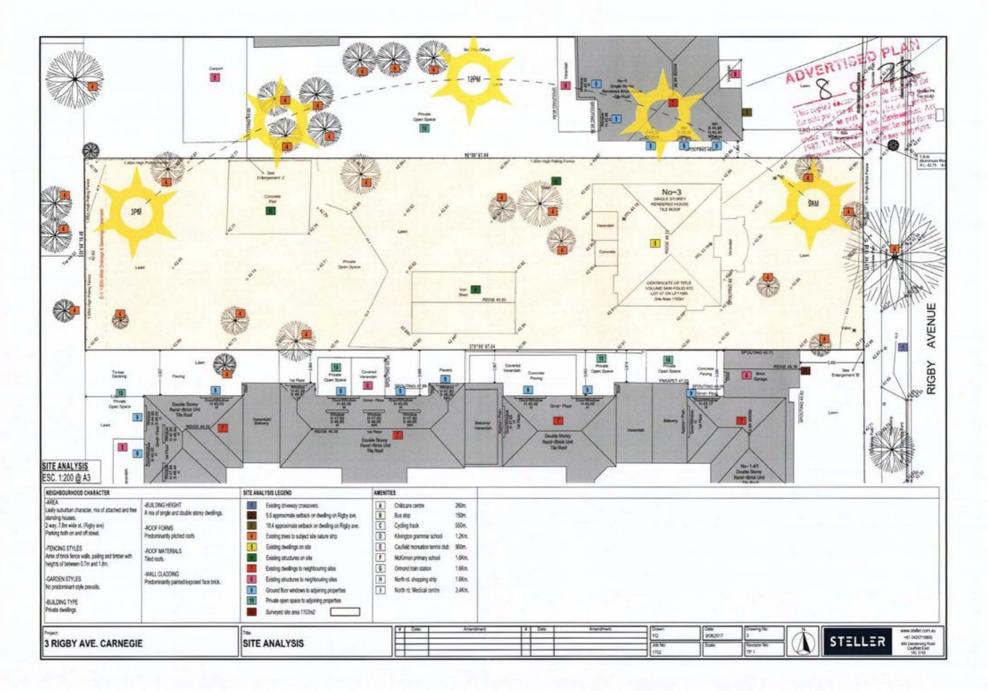
No officers involved in the preparation of this report have any direct or indirect interest in this matter.

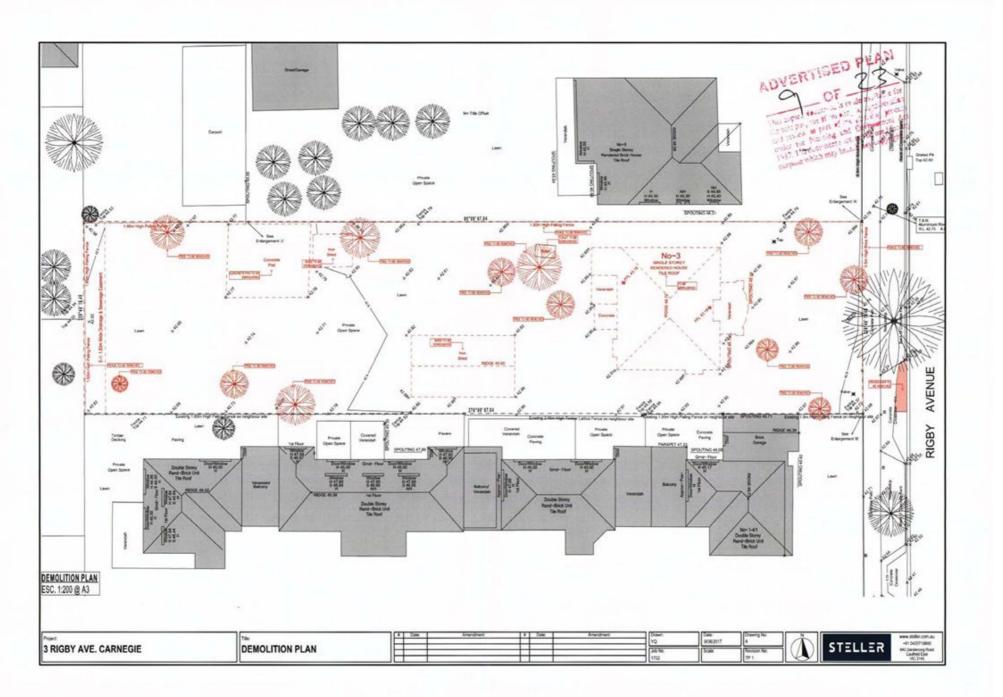
CONCLUSION

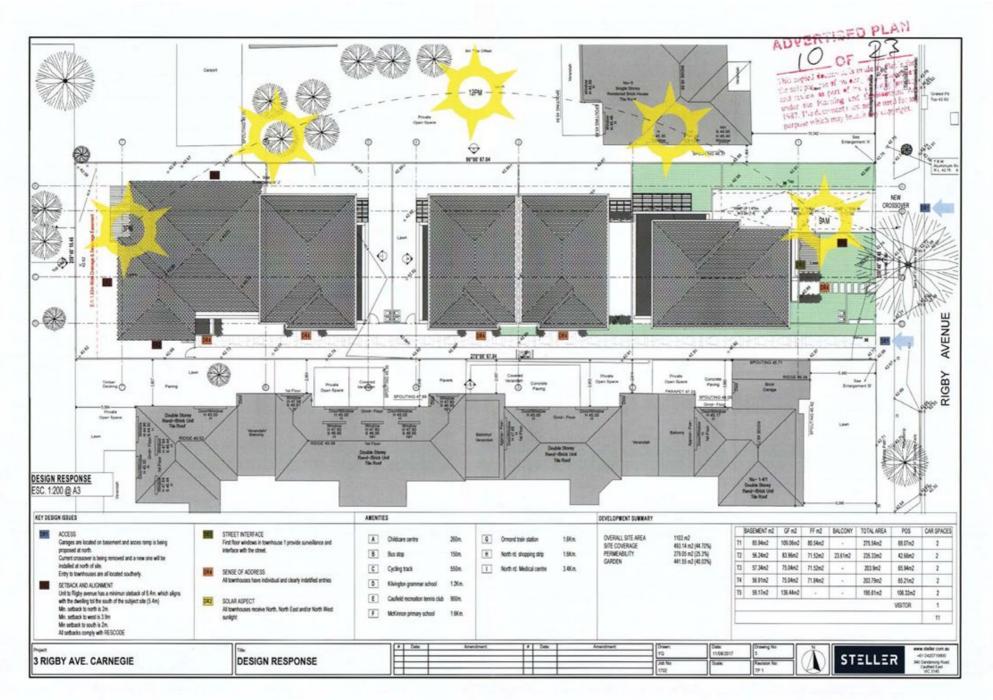
That a Notice of Decision to Grant a Planning Permit be issued.

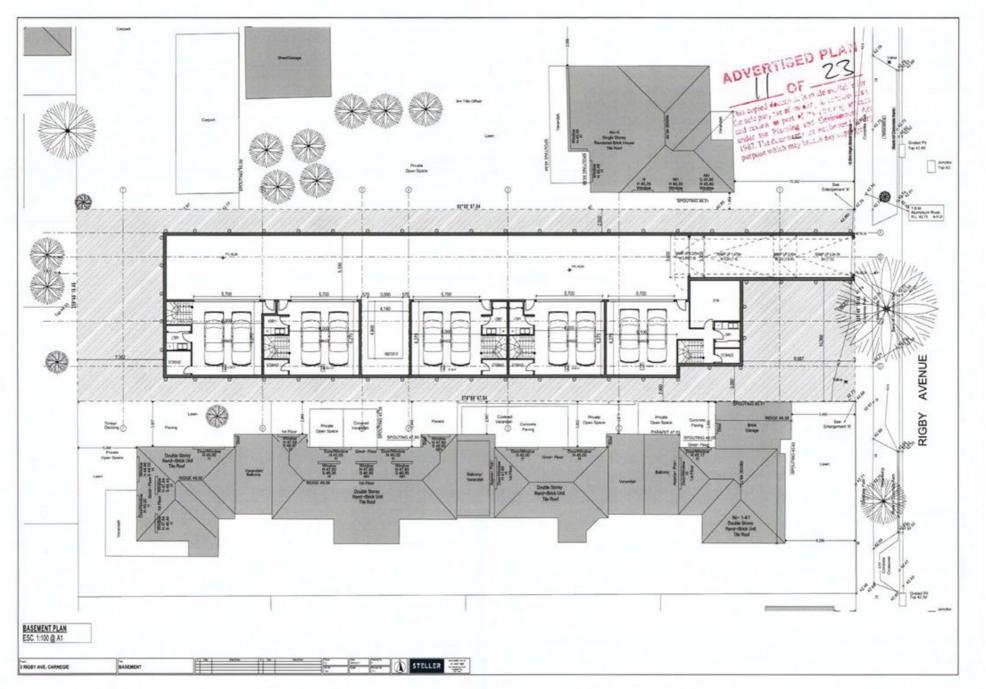
3 RIGBY AVE. CARNEGIE TOWNHOUSES	ADVERTISED PLAN
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LAYOUT INDEX Layout ID Layout Name 0 COVER SHEET 1 EXISTING CONDITIONS 2 SITE ANALYSIS 3 DEMOLTION PLAN 4 DESIGN RESPONSE 5 EXISTENT 6 GROUND FLOOR 7 FRBT FLOOR 8 ROOF FLAN 9 ELEVATIONS 10 SECTION STREETSCAPE ELEVATION 10 AND FINISH SCHEDULE 11 SHADOWS SAM 12 SHADOWS SPM	Records Management 1 5 AUG 2017 Received

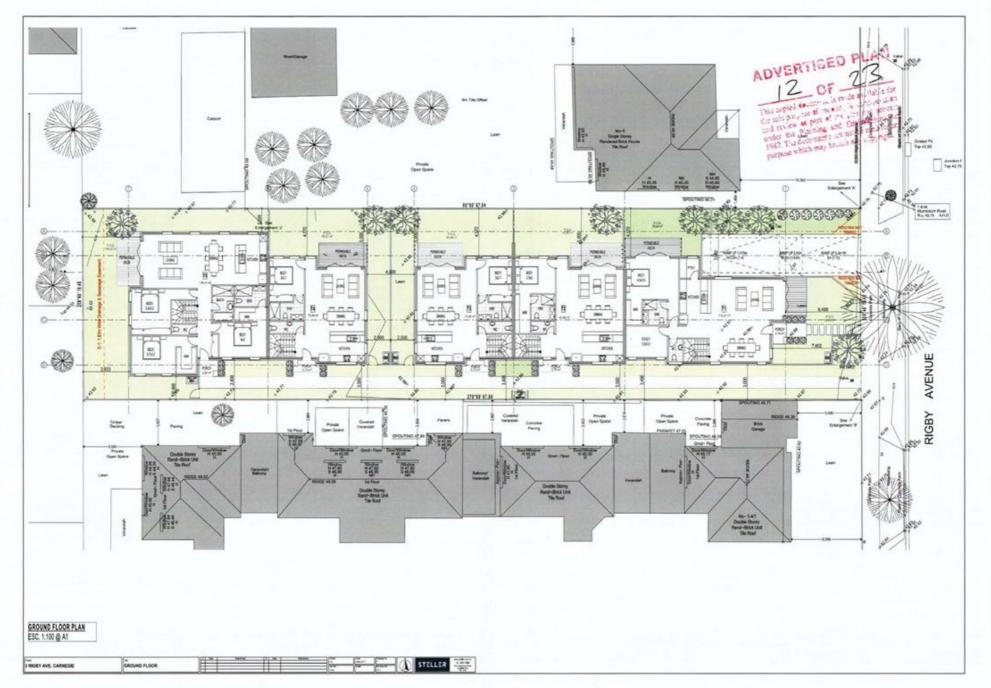


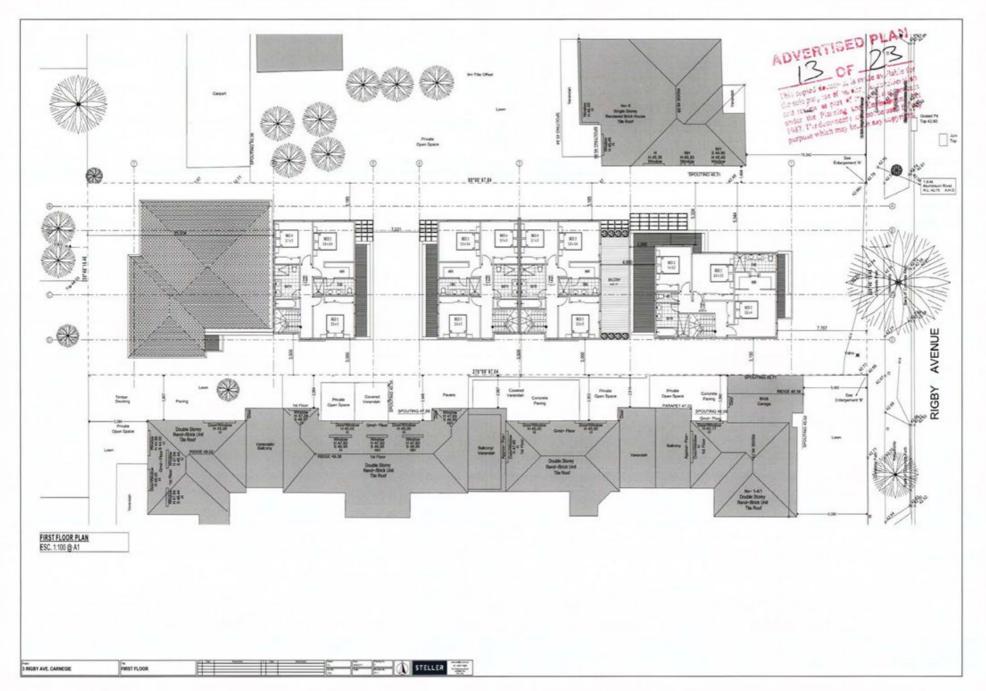


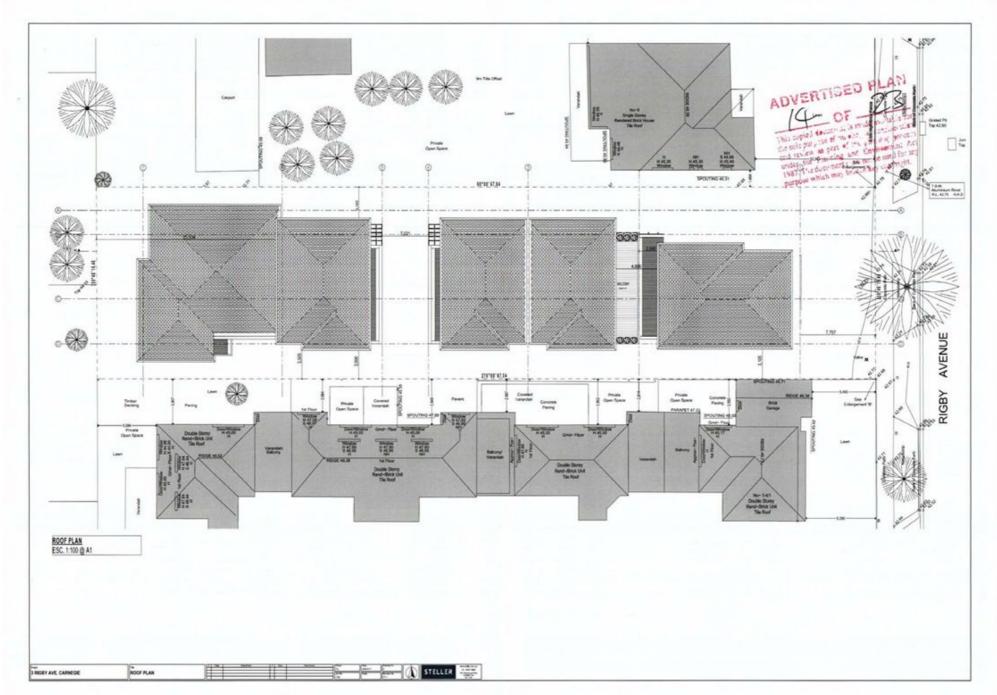






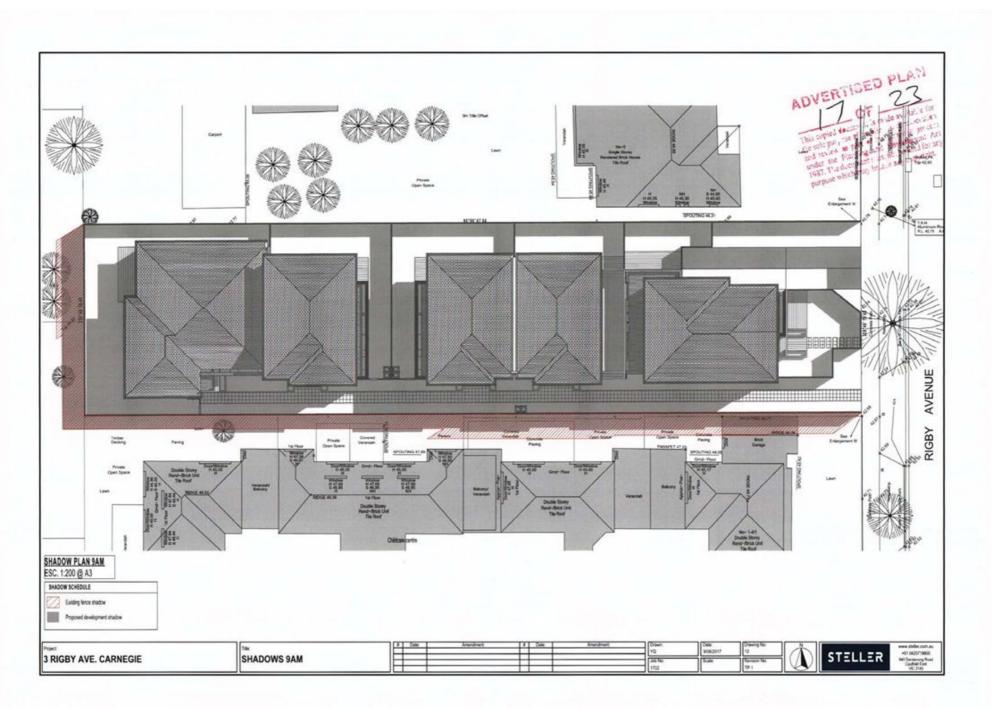


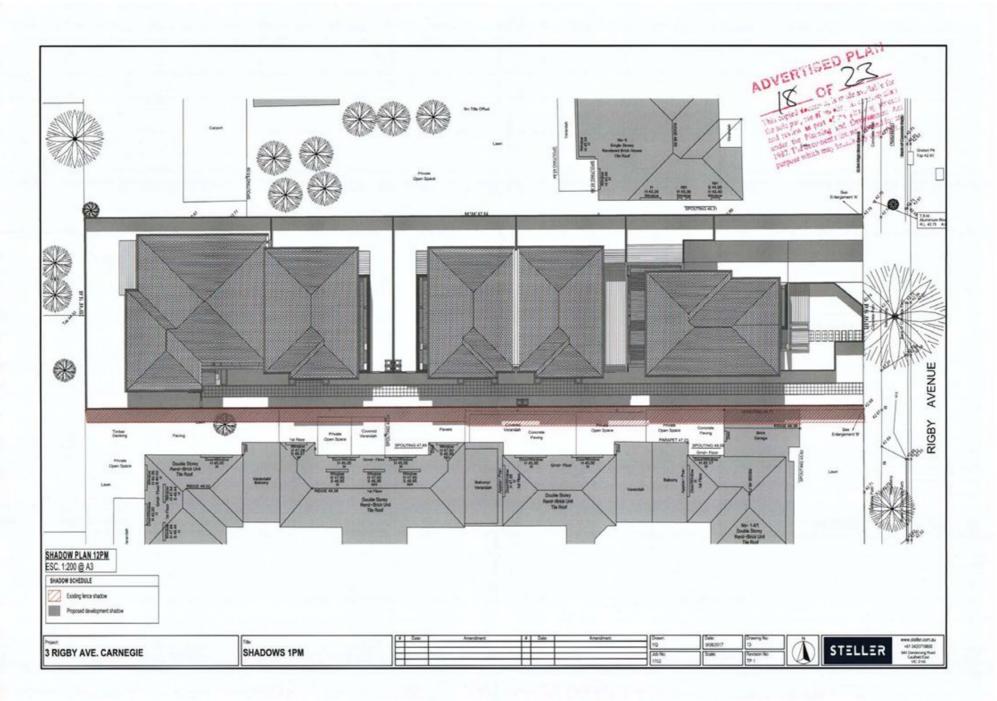


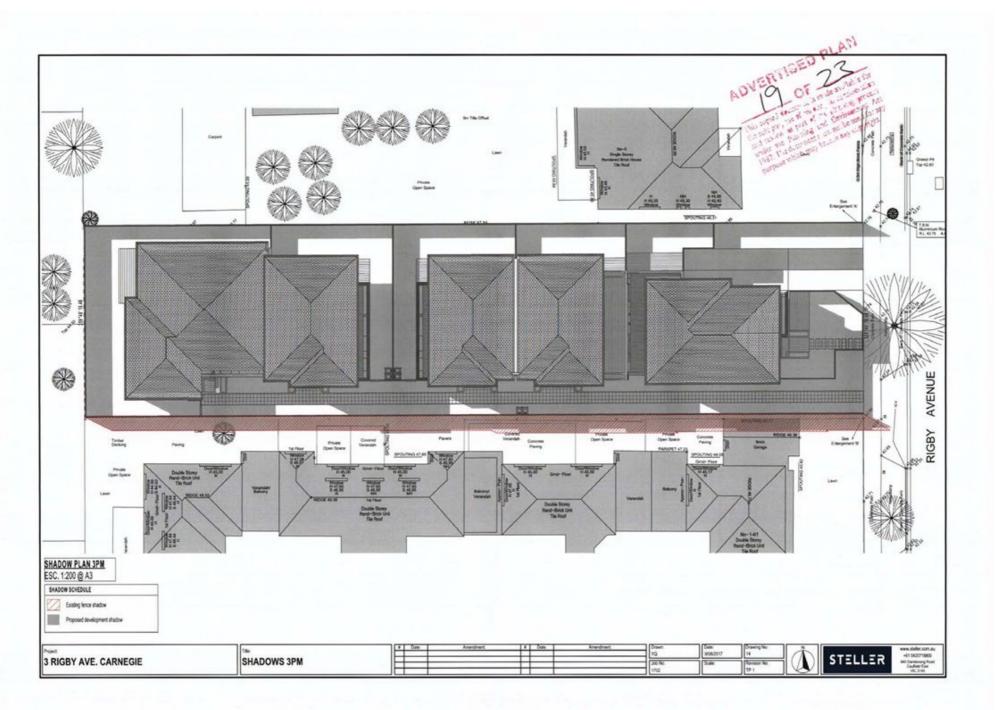




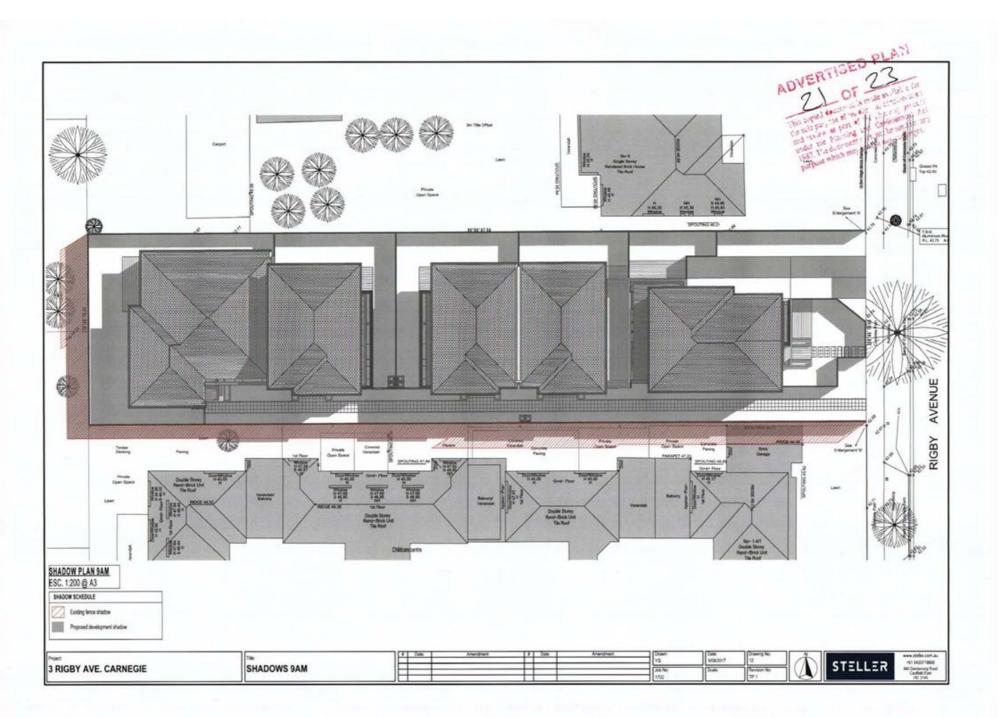


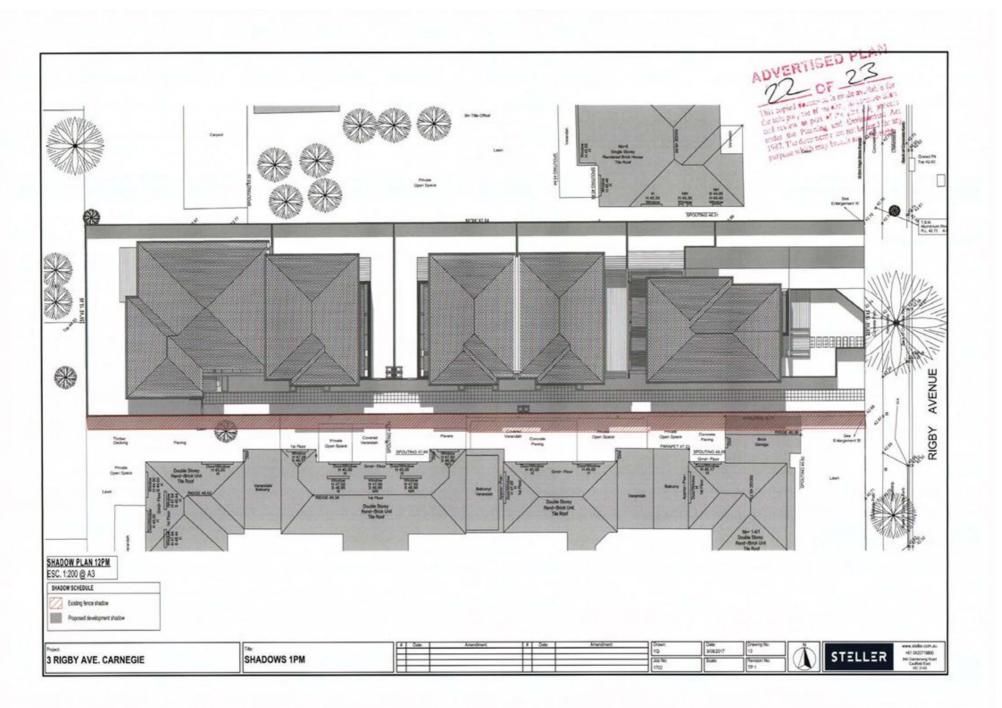


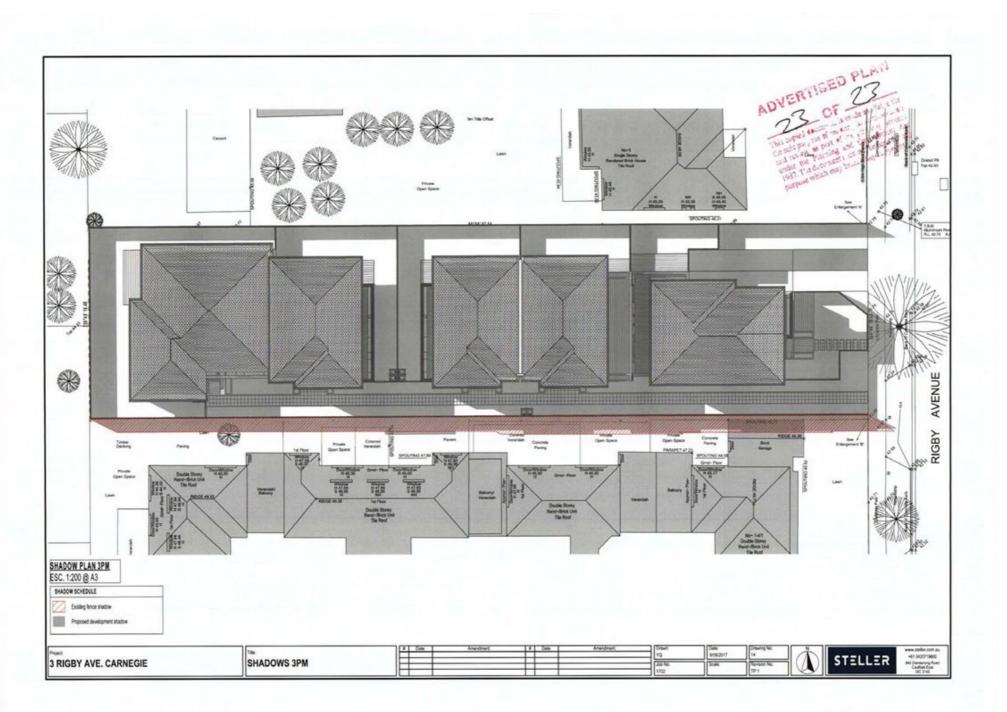












ITEM 9.3 2 NEWMAN AVENUE, CARNEGIE

Author: Paul Wood, Manager Town Planning

File No: GE/PP-30735/2017

Attachments: Advertised plans

PURPOSE AND SUMMARY

To consider a Planning Permit application.



PROPOSAL	Five dwellings (four double storey, one single storey) above basement car park and reduction of visitor car parking
MUNICIPAL STRATEGIC STATEMENT	Minimal Change Area Policy
APPLICANT	Megowan Architectural
PLANNING SCHEME CONTROLS	Neighbourhood Residential Zone
OBJECTIONS	5

RECOMMENDATION

That Council issues a Notice of Decision to Grant a Planning Permit for Application No. GE/PP-30375/2017, 2 Newman Avenue, Carnegie in accordance with the following conditions:

- 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 plans submitted with the application (identified as TP07-TP14 dated 6/9/17 drawn by Megowan Architectural) but modified to show:
 - (a) A Landscape Plan in accordance with Condition 2;
 - (b) A Tree Management Plan for neighbouring trees to be provided, consistent with the recommendations within the Arboricultural Construction Impact Assessment (Greenwood Consulting – 1 September 2017). All Tree Protection Zones and Fences as recommended within this plan must be clearly delineated on the plans;
 - (c) The apex of the roof pitch to be no more than 9 metres;
 - (d) First floor south and east facing habitable room windows to have fixed obscure screening by a method specified in Standard B22 of Clause 55.04-6;
 - (e) A note provided on the plan indicating that the pedestrian sight triangles need to be clear of any objects or vegetation greater than 900mm in height;
 - (f) The width of the accessway ramp, including the kerbs to be clearly dimensioned on both the ground floor and basement plans, in accordance with AS2890.1:2004;
 - (g) The crossover to be shown measuring 3 metres in width and be aligned with the trafficable section of the accessway ramp at the frontage (i.e. between the 300mm kerbs);
 - (h) The store room to Townhouse 1 to cut back to allow for a minimum 5.5 metre wide by 6 metre long car parking area;
 - (i) The garage to Townhouse 1 to be widened and set further into the basement with swept paths provided to demonstrate appropriate access;
 - (j) The south-eastern corner of Townhouse 1s garage to be splayed to provide sufficient sightlines down the accessway ramp;
 - (k) Headroom clearance above the ramp is required to be measured as per Figure 5.3 of AS2890.1:2004 and shown on the longitudinal cross section plan;
- 2. Before 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) All existing retained vegetation to be identified.
 - (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 the following areas:
 - (i) 2 in the front setback;
 - (ii) 2 along the east boundary;
 - (iii) A minimum of 3 trees along the southern boundary;
 - (iv) 4 along the northern boundary ;
 - or 12 trees in locations to the satisfaction of the Responsible Authority.

Trees are not to be sited over easements. All species selected must be to the satisfaction of the Responsible Authority.

3. Prior to the commencement of the buildings and works (including demolition), a tree protection fence must be erected around the trees specified within the Tree Management Plan at the relevant radii 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.

- 4. The landscaping as shown on the endorsed Landscape Plan must be carried out, completed and maintained to the satisfaction of the Responsible Authority.
- 5. 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.
- 6. Prior to the commencement of the buildings and works (including demolition), a tree protection fence must be erected around the street tree at a radius of 2.5 metres from the base of the trunk to define a 'tree protection zone'. Temporary fencing is to be used as per AS 4870-2009 section 4.3. 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 completed. 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

7. 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.

Above ground canopy TPZ (Tree Protection Zone) to be adopted. No works, structures or machinery will come within 1m of the trees crown/canopy as per AS 4870-2009 section 3.3.6.

Tree Protection Zone (TPZ) fencing must be adopted to protect the street tree's trunk. Set at edge of TPZ on all sides (Finishing at paved surfaces). Temporary fencing to be used as per AS 4870-2009 section 4.3.

Hand excavate any area within 1.5m of the Tree Protection Zone (TPZ). If roots over 40mm are found, Park Services are to be notified and further inspections will be carried out.

Ground protection is to be used if temporary access for machinery is required within the Tree Protection Zone (TPZ). Strapped rumble boards are to be used within TPZ to limit ground compaction as per AS 4870-2009 section 4.5.3.

8. No excavation is to come within 1.7m of the existing street tree (measured from the centre of the trunk) without the prior consent of the Responsible Authority. Any excavation within 1.5m of the tree protection zones must be hand excavated. If roots over 40mm are found, Park Services are to be notified and further inspections will be carried out.

Ground protection is to be used if temporary access for machinery is required within the TPZ (Tree Protection Zone). Strapped rumble boards are to be used within the tree protection zone to limit ground compaction as per AS 4870-2009 section 4.5.3.

- 9. 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. <u>Note</u>: This does not obviate the need for a permit where one is required.
- 10. This Permit will expire if:

• The development does not start within two (2) years from the date of this Permit; or

• The development is not completed within four (4) years of the date of this Permit.

The Responsible Authority may extend the time referred to if a request is made in writing before this Permit expires or within six (6) months after the expiry date if the use/development has not commenced.

If the development has commenced, the Responsible Authority may extend the time referred to if a request is made in writing within twelve (12) months of the expiry date.

- 11. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the prior written consent of the Responsible Authority.
- 12. Prior to the occupation of the development, the walls on the boundary of adjoining properties must be cleaned and finished in a manner to the satisfaction of the Responsible Authority. Painted or bagged walls must be finished to a uniform standard and unpainted or unrendered walls must have all excess mortar removed.
- 13. 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) Truck haulage routes, circulation spaces and queuing lanes;
 - (c) Details how traffic and safe pedestrian access will be managed. These must be in the form of a Traffic Management Plan designed by a suitably gualified traffic practitioner;
 - (d) A liaison officer for contact by owners / residents and the Responsible Authority in the event of relevant gueries or problems experienced;
 - (e) An outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
 - (f) any requirements outlined within this permit as required by the relevant referral authorities;
 - (g) hours for construction activity in accordance with any other condition of this permit;
 - (h) measures to control noise, dust, water and sediment laden runoff;
 - (i) measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;
 - (j) any construction lighting to be baffled to minimise intrusion on adjoining lots
- 14. 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.

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

- 16. Protective kerbs (minimum 150mm in height) or the like must be installed to the satisfaction of the Responsible Authority to prevent vehicle damage to the landscaped areas on the subject land and to the fences of adjoining properties.
- 17. 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.
- 18. The car parking allocation for the approved development must be:
 - Not less than two (2) car spaces per three (3) or more bedroom dwelling;
- 19. 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 generally in accordance with the endorsed plans (prior to the construction of the levels above being commenced.)
- 20. 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 generally in accordance with the endorsed plans.

NOTES:

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.

- 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 200mm 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.
- G. 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.
- H. The permit holder/applicant/owner must provide a copy of the Planning Permit to any appointed Building Surveyor. It is the responsibility of the permit holder/applicant/owner and the Building Surveyor to ensure that the development approved by this Permit is consistent with any Building Permit approved and that all works are consistent with the endorsed plans approved under this Planning Permit.
- I. Consideration is required when installing domestic services (i.e air conditioning units, heaters, pool pumps, water tanks and the like). The owner/occupier/permit holder/developer must take all reasonable and practicable measures in locating domestic services in position that reduce any amenity impact on adjoining properties. This includes selecting an appropriate installation position and enclosing the domestic service. Further information regarding noise from domestic services can be found in the Environmental Protection Act 1970.

ISSUES AND DISCUSSION

- Zoning and policy context
- Neighbourhood character
- Height, scale and massing
- Amenity impacts
- Landscaping
- Internal amenity
- Car parking and traffic
- Management Plan requirements

Proposal

- Five dwellings (four double storey, one single storey)
- All dwellings containing three bedrooms
- Basement car parking comprising of 10 car spaces (two for each dwelling)
- Reduction of 1 visitor car space
- Vehicular access via a new crossover onto Newman Avenue
- Maximum overall building height of 8.8 metres
- Ground floor private open space varying from 42-103sqm
- Site coverage of 50 per cent
- Modern/contemporary design

Objectors' concerns

- Neighbourhood character
- Traffic and car parking
- Height, massing and bulk
- Non compliance with policy and zone

Referrals

Transport Planning

- Given the location of the site and the fact that on-street parking is available, there is no objection with waiving the required visitor space.
- No objection subject to conditions.

Landscape Officer

- No high value site trees
- Neighbouring trees within proximity to the site
- Tree Management Plan to be provided outlining tree recommendations as per the submitted arborists report

Asset Engineering

• No issues subject to standard conditions.

Parks Services

• Street tree can be safely retained subject to standard conditions.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

N/A

POLICY AND LEGISLATIVE IMPLICATIONS

Zoning and policy context

The site is located within the Neighbourhood Residential Zone and is subject to consideration under the Minimal Change Area Policy.

Whilst the general purpose of the Minimal Change Area Policy is to promote predominantly single dwellings and two dwelling developments, the Policy allows Council to consider developments of more than two dwellings, provided that it is clearly demonstrated that the standards specified in the schedule to the zone has been met and there is an established character that helps support the proposal.

Therefore, in respect to the Schedule 1 to the Neighbourhood Residential Zone the development proposes:

- Site coverage of 50%;
- Rear setback; 4m
- Private open space;
 - Unit 1; Variation required. A total of 61sqm is provided however the secluded open space is proposed within the front setback.
 - Unit 2; Compliant. A total of 62sqm is provided, 42sqm of which is secluded.
 - Unit 3 and 4; Compliant. A total of 61sqm is provided, 44sqm of which is secluded
 - Unit 5; Compliant. A total of 103sqm is provided, all secluded and compliant with the schedule.

The area of variation to the Schedule relate to private open space provision only. Whilst the total areas are less than 60sqm, the secluded areas provided exceed the minimum required, are well proportioned, have convenient access off the living rooms, with generous dimensions and have optimum access to sunlight.

The Minimal Change Area Policy also clearly outlines circumstances whereby more than two dwellings can be achieved. These are as follows;

- Where the site is in an area characterised by larger than conventional lots.
- Where the site is significantly larger than the majority of properties immediately abutting the title boundary and the properties directly opposite.
- Where the prevailing development in the street and neighbouring streets is predominantly characterised by multi-unit development.

In response to the above points;

- The site has a total area of 973sqm, which is larger than a conventional lot (which is typically considered around 700sqm).
- The site is larger than the majority of adjoining properties.
- The site is in an area characterised by multi-unit development. Newman Street has a notable diversity of dwelling types and styles with single dwellings being a relative anomaly.

It is considered that the scale and intensity of the development proposed as part of this application is consistent with the prevailing neighbourhood character. The development has a high level of compliance with ResCode and would achieve an appropriate outcome for the site.

Neighbourhood character and streetscape

It is considered that the proposal has appropriately responded to the surrounding neighbourhood

The mono pitched roof form represents an acceptable interpretation of more traditional roof styles in the surrounding area which will assist in integrating the contemporary design with existing dwelling styles in Newman Avenue. The proportions of the upper floor are akin to that of built form on neighbouring sites.

Height, scale and massing

The Minimal Change Area Policy seeks to ensure that building bulk does not impact on adjoining secluded private open space areas. Setbacks are in excess of ResCode requirements and the single storey form at the rear will ensure sufficient transition is achieved to satisfy the relevant objectives of the Policy.

The contemporary roof form and overall design enables the height of the dwellings to remain at a level broadly comparable to the ridge height of the neighbouring dwelling to the south.

The maximum overall height (at 8.8m) is within the 9m height limit of the zone. There appears to be a minor encroachment to the apex of the roof, which can be addressed by conditions.

Amenity impacts

All first floor windows are screened in accordance with the applicable ResCode standards, although a condition of permit is recommended for clarity.

Side and rear setbacks and daylight to habitable room windows comply with ResCode. No walls have been proposed on the boundaries.

Shadow diagrams submitted indicate that there will be some additional overshadowing to adjoining secluded private open space areas to the south of the site; however this is well within the permissible standards within ResCode.

Landscaping

Whilst the basement is setback only 1m from the southern boundary, the remainder of the basement has generous setbacks from all boundaries which will facilitate deep soil planting for future canopy trees.

The recommendation includes a condition requiring the submission of a detailed landscape plan. The street tree can be safety retained.

Internal amenity

All habitable rooms have excellent access to natural light with each dwelling having a generously proportioned open plan kitchen/living and dining area with direct access to external private open space.

As previously mentioned, all dwellings have areas of private open space which comply with the Schedule to the Neighbourhood Residential Zone (a total of 60sqm with 40sqm of this area to have a minimum dimension of 4m to the side or rear with access from a living area), with the exception of Dwelling 1.

Dwelling 1 has secluded private open space within the front and side setback. Whilst this does not comply with the technical requirements of the schedule, it is screened with a 1.9m high fence, setback 1m from the street setback with planting to soften its appearance.

This area is also directly accessed from the living room, has a minimum dimension of 4.2m, will have excellent solar access (north and west facing), and will enable further planting opportunities. This area will therefore afford positive amenity benefits for future occupants.

Car Parking and Traffic

Clause 52.06 of the Glen Eira Planning Scheme require 10 on-site resident car spaces based on 2 car spaces for each 3 or more bedroom dwelling. These spaces are proposed within the basement.

The basement ramp and car park layout is generally satisfactory. Some changes as suggested by Council's Transport Planning Department are required to ensure safe and convenient vehicle movements.

The requirement for one visitor car space is proposed to be waived. This is considered reasonable given there will be one on-street car space maintained at the front of the site.

Management Plan Requirements

A Construction Management Plan (CMP) will be required as conditions.

COMMUNICATION AND ENGAGEMENT

- 1. <u>Public Notice (Statutory)</u>
 - 15 properties notified
 - 46 notices sent (owners and occupiers)
 - 1 sign erected on site
 - 5 objections received

2. Planning Conference (Non Statutory)

The Conference, chaired by Cr Hyams, provided a forum where all interested parties could elaborate on their respective views. Objectors mainly emphasized their original reasons for objection outlined earlier in the report. The applicant offered to modify materials and provide a visitor car space if required by Council.

LINK TO COUNCIL PLAN

Liveable and Well Designed:

A well planned City that is a great place to live.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

That a Notice of Decision to Grant a Planning Permit be issued.

GLEN EIRA CITY COUNCIL

TIRO TOWNHOUSES

Latin (edt)

Etymology [adt]

Probably use as a proper name of the common noun thd ("new recruit", "novice", "young man").

Pronunciation [edt]

· (Classica) IPANET: / tic.roc/

Homophone: Brö

Proper noun [edit]

Tiró m (genitive Tirónis), third deciension

1. A masculine cognomen — famously held by:

1. Marcus Tulius Tiro (103-4 BC), freedman of and secretary to M. Tulius Cicero, and inventor of the Tironian notes

CARNEGIE

PROPOSED DEVELOPMENT SUMMARY

5

SUMMARY	
TOTAL LAND AREA	973.6.5QM
SITE COVERAGE	49%
BRECOMMAGE 10% MURTHEHEP-IPH	477 SCIM
PERMEABILITY	35,5%
DYDIMCABERY 25% MOST III == 244spt)	349.508
GARDEN AREA	37.39
(CARRONARIA 20% M/07 RE == 347 kgm)	903.508
GBA (IPMS 3A)	1035.2 SQN
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GIOUND	424.7 SCA
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GBA (IPMS 3A) - DECKS & BALCONYS	110.1 SQ8
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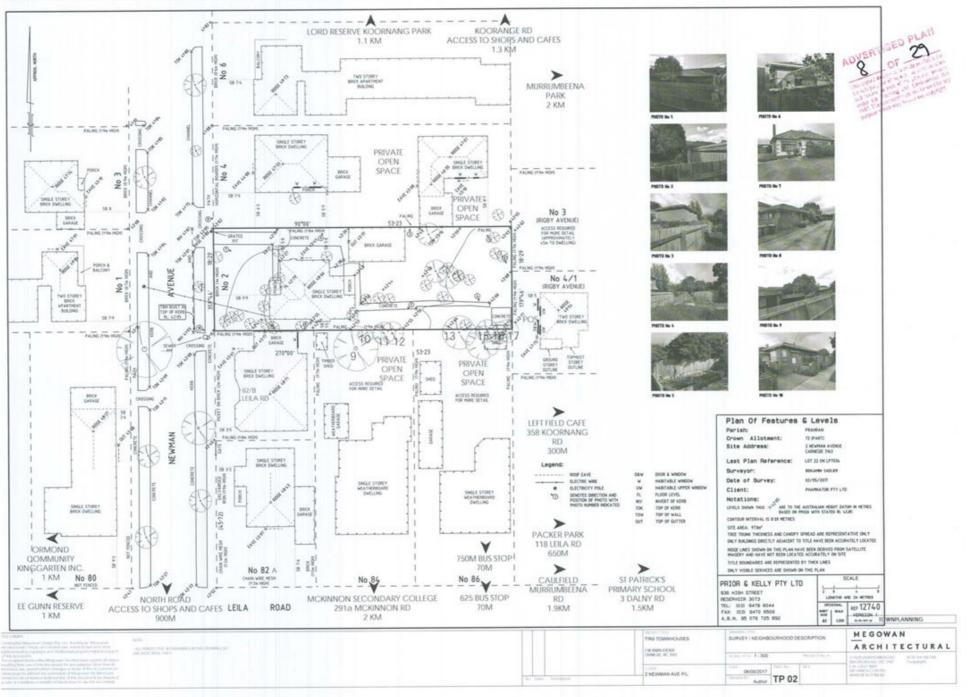
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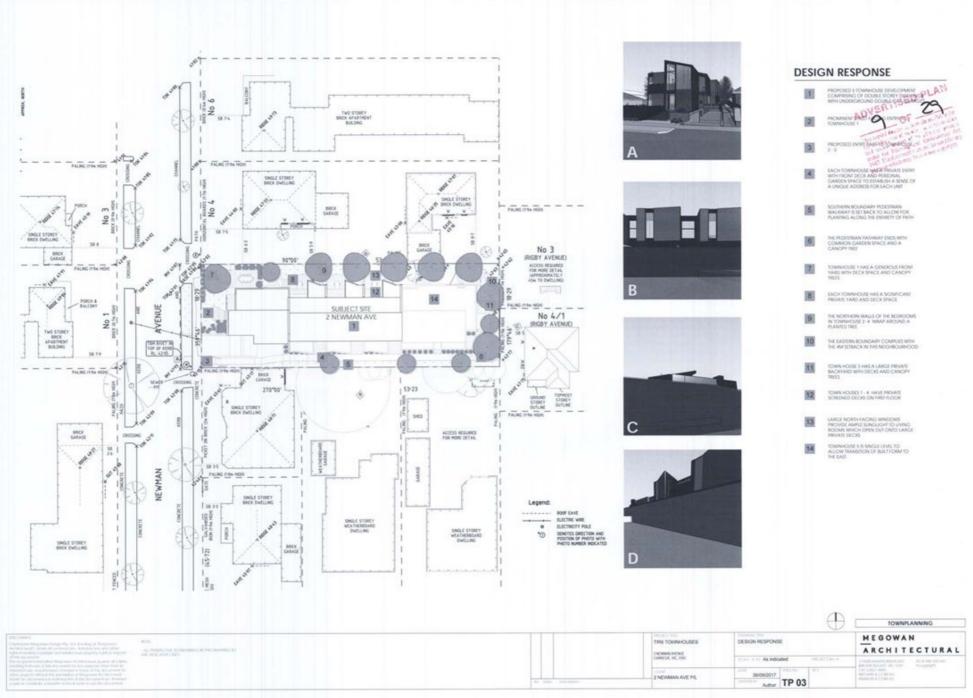
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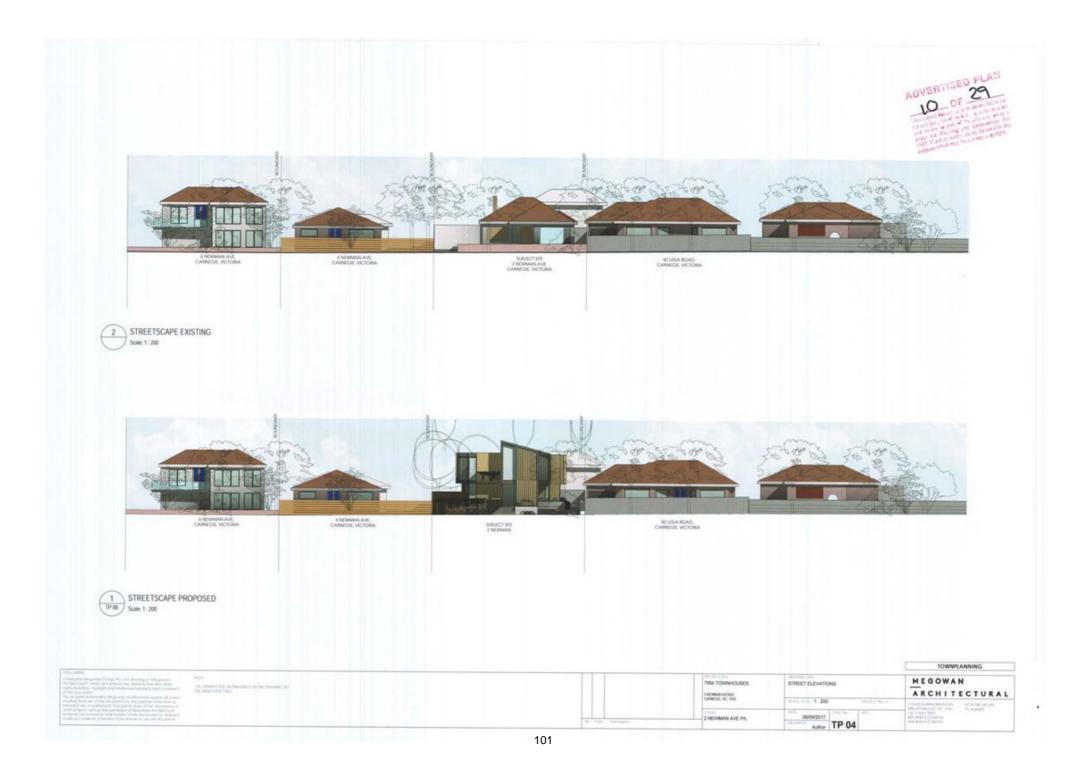
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GENERAL	
SURVEY / NEIGHBOURHOOD DESCRIPTION	
DESIGN RESPONSE	
STREET ELEVATIONS	
DESIGN RESPONSE	
DESIGN RESPONSE	
BASEMENT	
GROUND FLOOR	
FIRST FLOOR	
ROOF PLAN	
NORTH ELEVATION	
EAST ELEVATION	
SOUTH ELEVATION	
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CANOPY TREE SCREENING	

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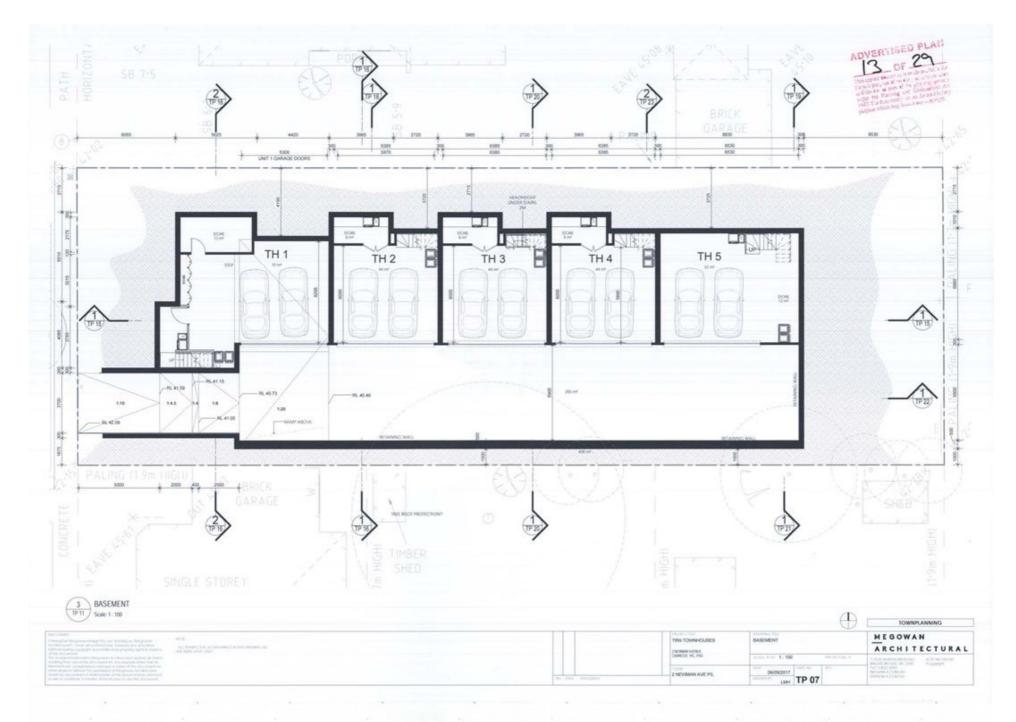




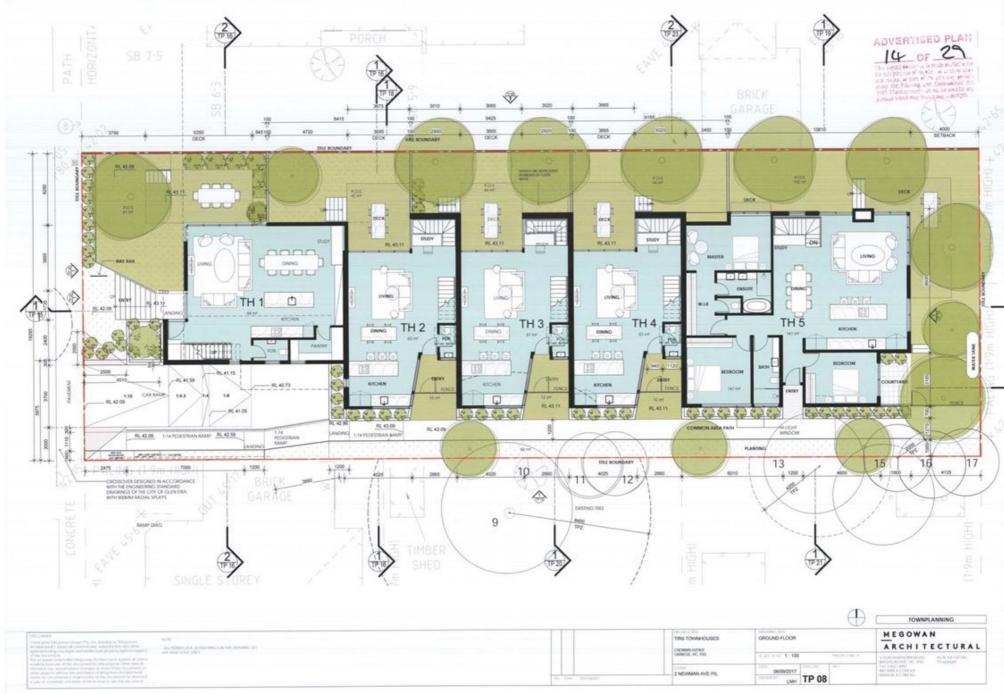


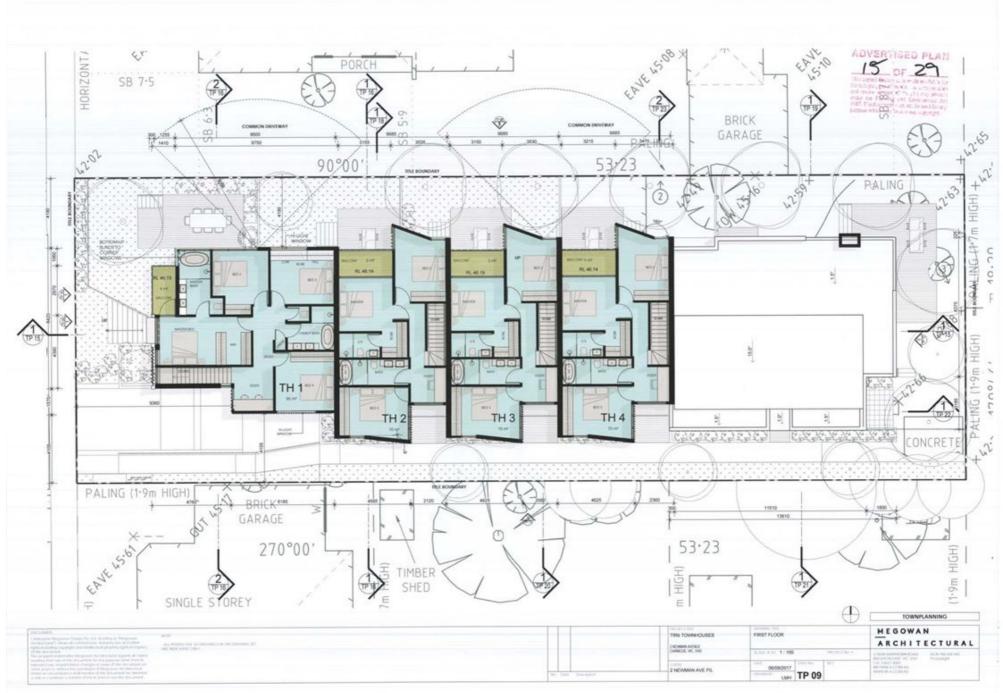
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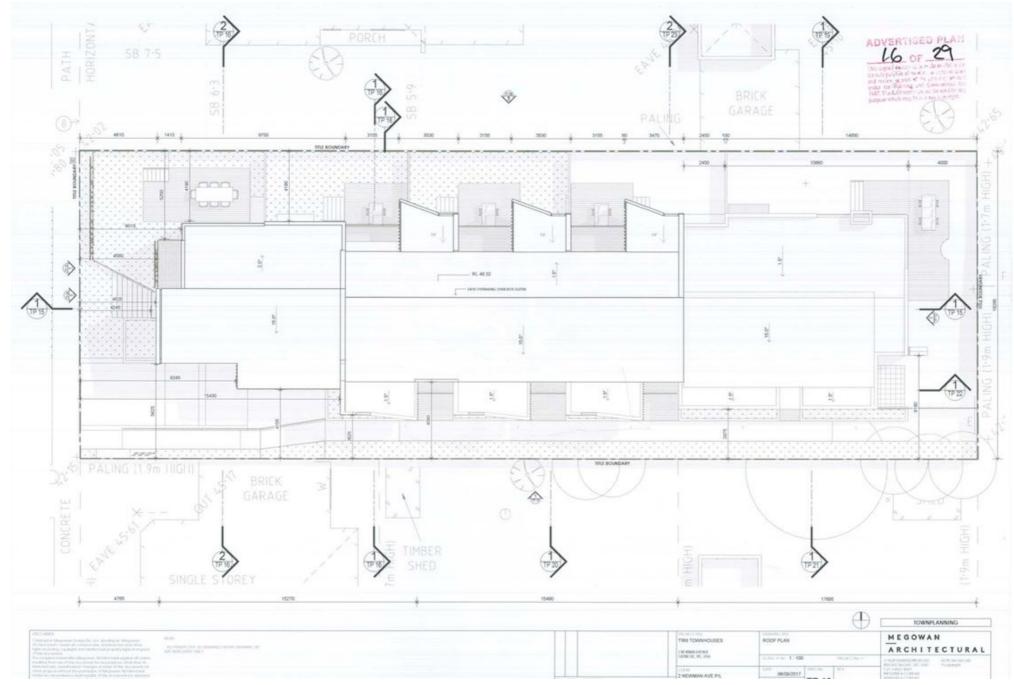
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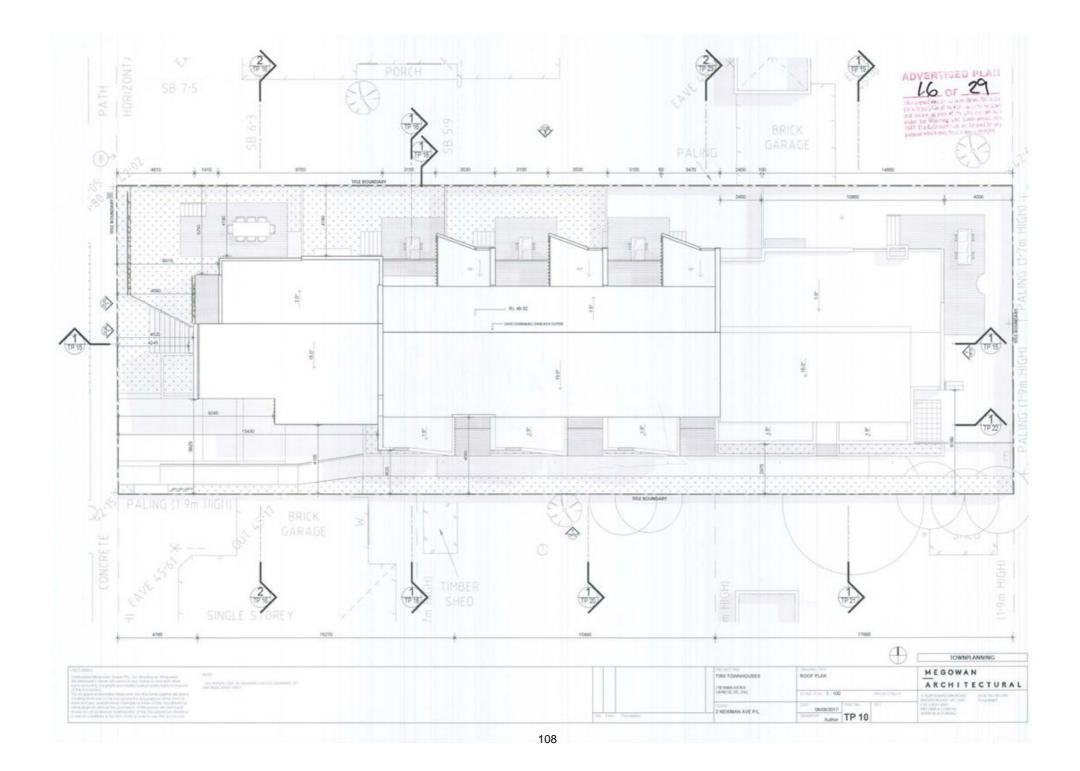


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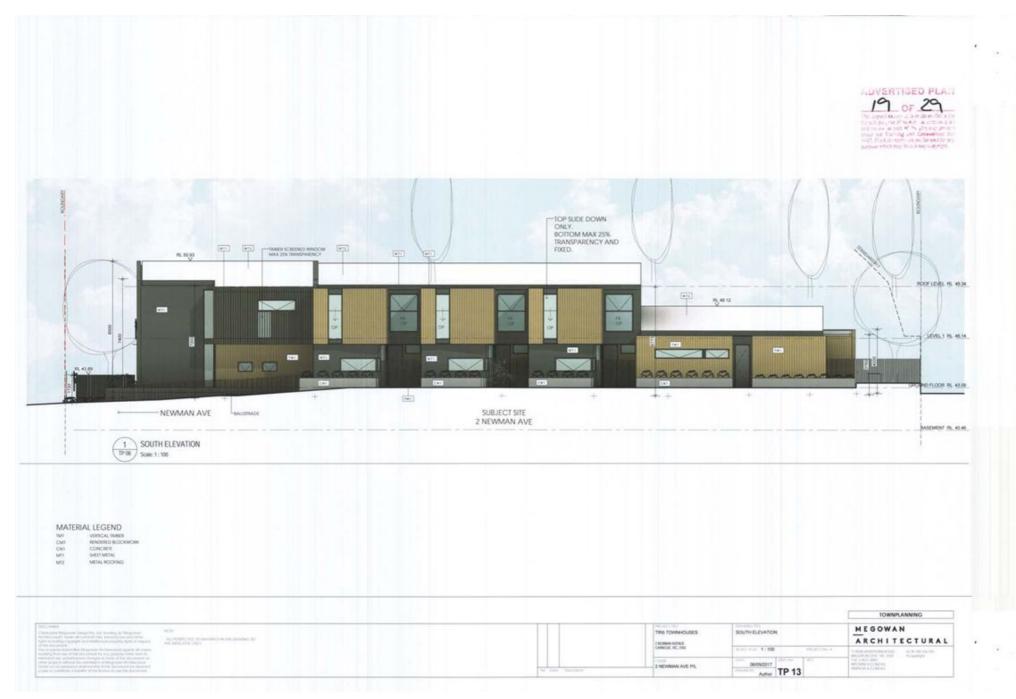


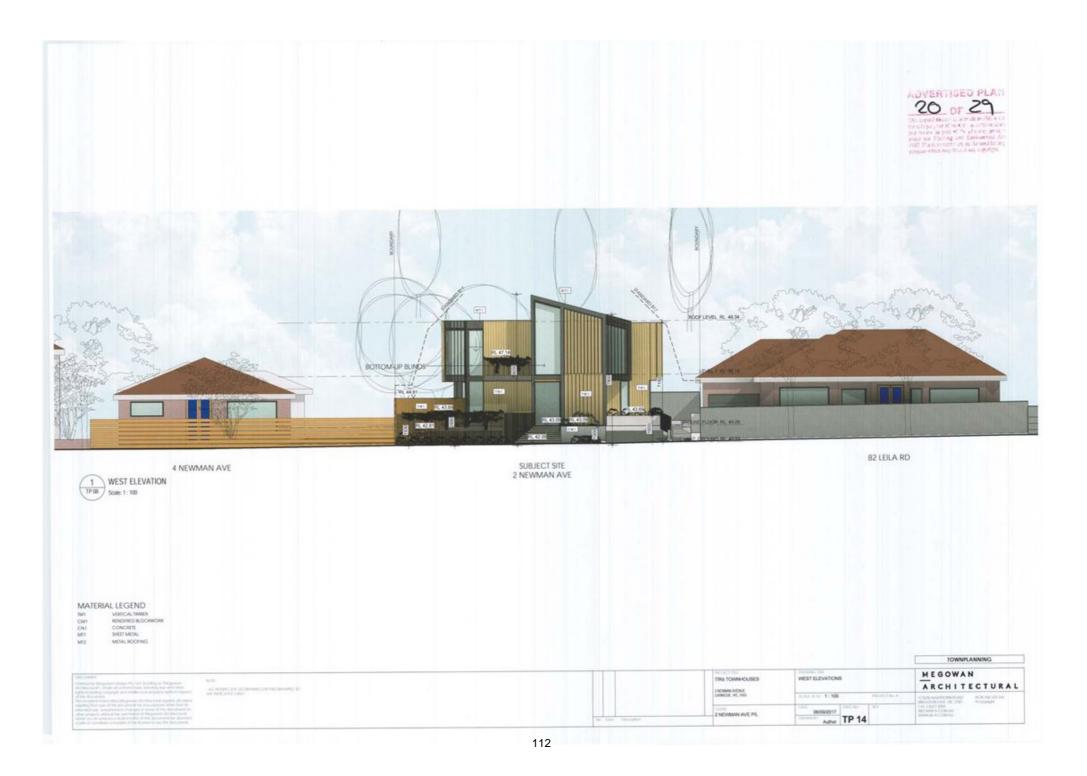


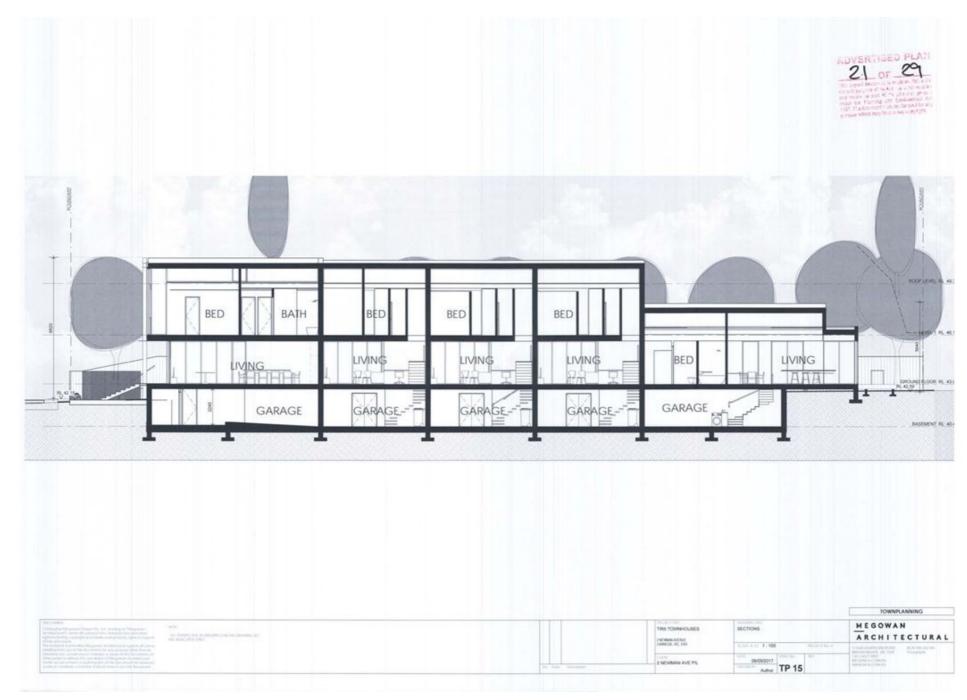


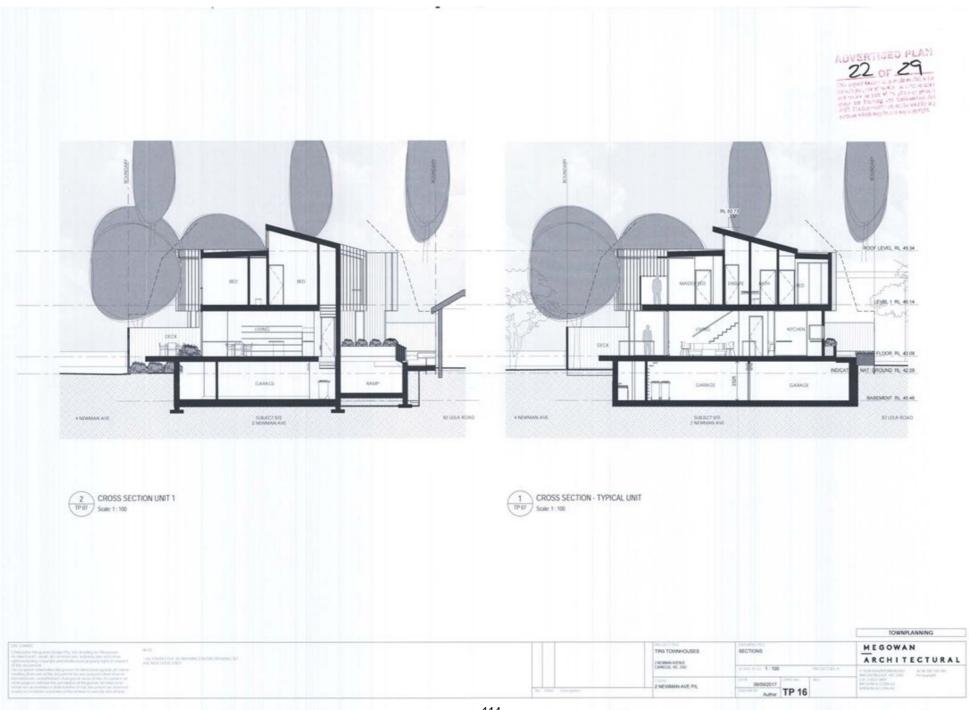


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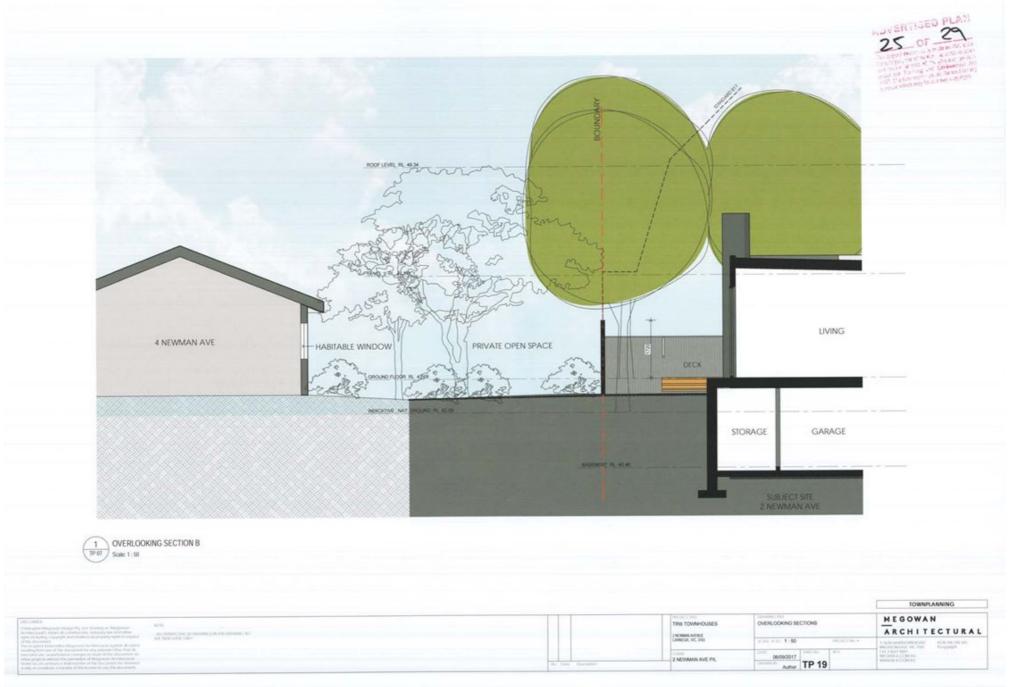


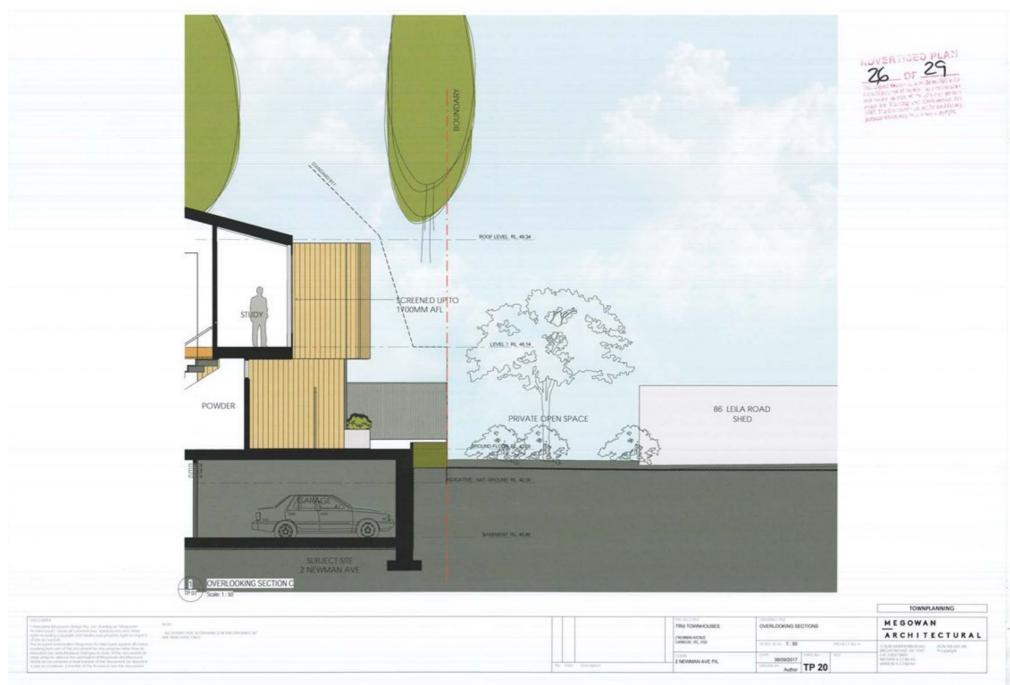


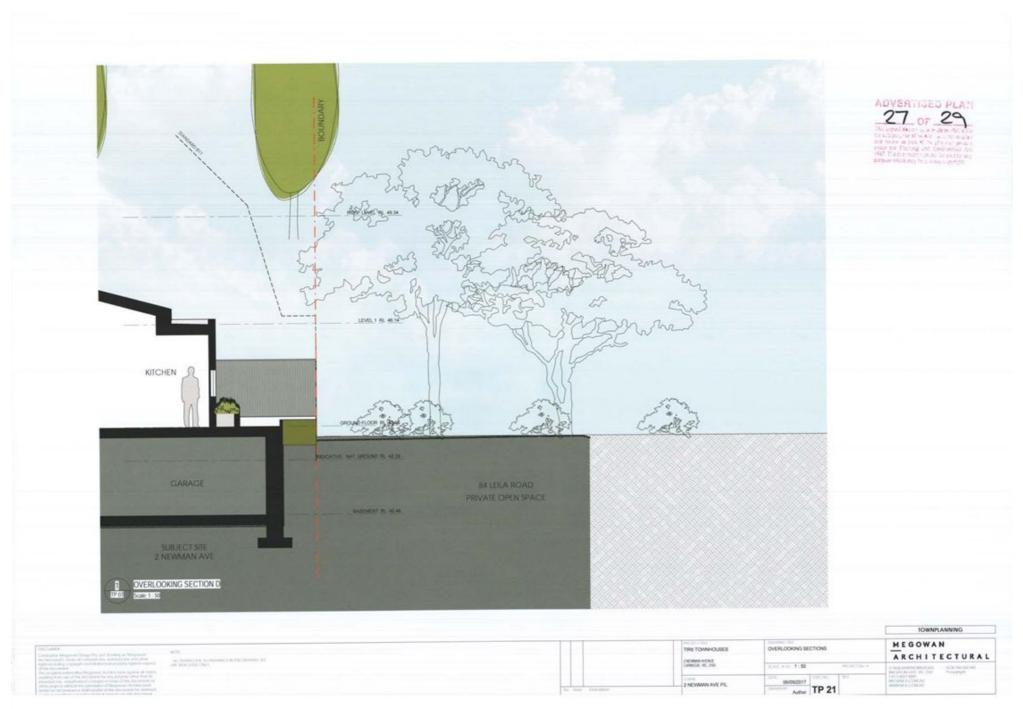


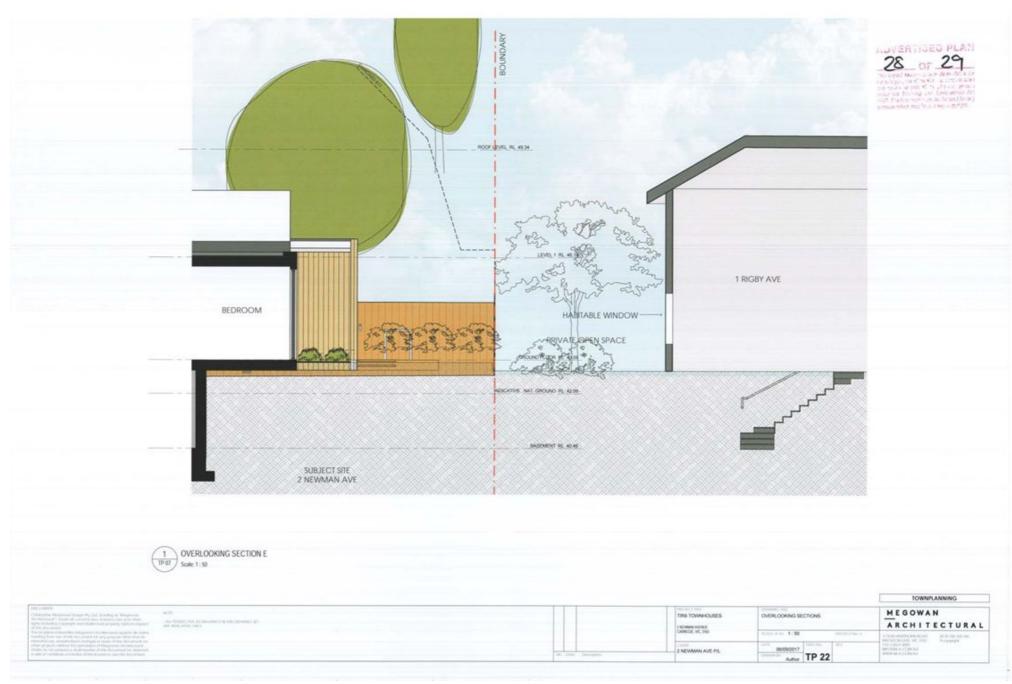


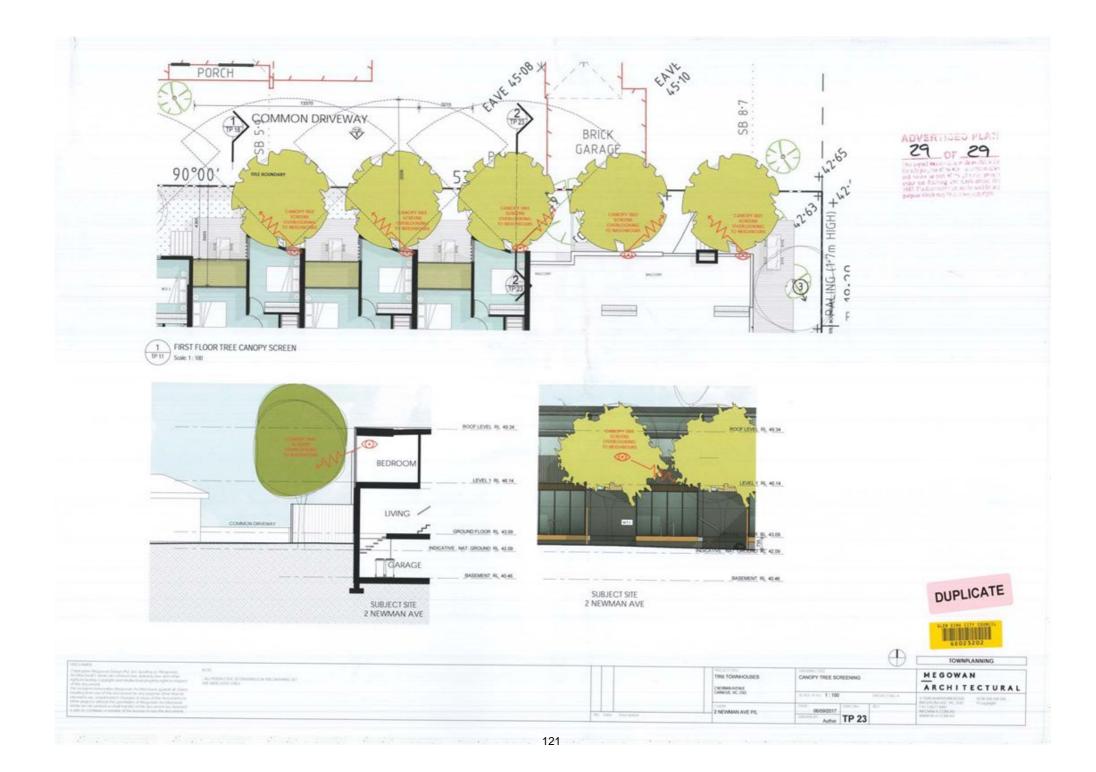












ITEM 9.4	233-247 GLEN HUNTLY ROAD, ELSTERNWICK AND 14 RIPON GROVE, ELSTERNWICK
Author:	Madeleine Snell, Coordinator Town Planning
File No:	GE/PP-30917/2017
Attachments:	Advertised plans and Clause 58 table

PURPOSE AND SUMMARY

To consider a Planning Permit application.



PROPOSAL	A 13 storey building comprising of 117 dwellings, 2 shops, 1 office, basement car parking and a reduction of car parking requirements and waiver of loading bay requirements
MUNICIPAL STRATEGIC	
STATEMENT	Elsternwick Urban Village
APPLICANT	Steller Projects 7 Pty Ltd
PLANNING SCHEME CONTROLS	Commercial 1 Zone
OBJECTIONS	28

RECOMMENDATION

That Council issues a Notice of Decision to Grant a Planning Permit for Application No. GE/PP-30917/2017, 233-247 Glen Huntly Road Elsternwick for;

A **12** storey building comprising of up to **111** dwellings, shops, offices, basement car parking and a reduction of car parking requirements and waiver of loading bay requirements, in accordance with the following conditions:

 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 plans submitted with the application (identified as TP-100 to TP-112.C, TP-120.C, A-150.C, A-151.C, TP-400.C-TP-404.C, TP-800.C-TP-803.C) but modified to show:

General

- Deletion of Level 10 and subsequent reduction in the maximum number of dwellings to 111;
- (b) Dwellings 1.07-1.11 to be converted into office/commercial space with any internal alterations to the floor plan and access arrangements to the satisfaction of the Responsible Authority;
- (c) The office at first floor to be allocated five car spaces in suitable location within the car parking areas;
- (d) A storage plan to be provided demonstrating compliance for all dwellings with Table D6 of Standard D20 of Clause 58.05;
- (e) A Landscape Plan in accordance with Condition 15;
- (f) An increase in width to the internal residential lobby area to a minimum of 4m or otherwise to the satisfaction of the Responsible Authority;
- (g) An updated acoustic report (prepared by a suitably qualified acoustic engineer) demonstrating compliance with Table D3 of Standard D13 in Clause 58.04 with all recommendations noted on the plans;
- An updated Sustainability Report to be provided demonstrating compliance with the relevant standards of Clause 58 with all recommendations noted on the plans;
- (i) Provision of a cantilevered verandah along the Glen Huntly Road footpath (extending to 750mm from the face of the kerb);
- (j) A ventilation plan to be provided demonstrating breeze paths in compliance with Standard D27 of Clause 58;

Car and bicycle parking

- (k) One of the car spaces for the commercial tenancies to be designed as a disabled space and include a shared area, in accordance with Australian Standard 2890.6.
- (I) A pedestrian sight triangle measuring 2 metres along the property line by 2.5 metres along the accessway edge to be provided on the on the north-western

side of the accessway on Ripon Grove with this area should be clear of any objects or vegetation greater than 900mm in height;

- A minimum 600mm wide island to be provided in the centre of the accessway for the visitor intercom system. The intercom is to be located 3 metres from the frontage;
- (n) The proposed crossover to be shown measuring 6.4 metres in width and be aligned with the 6.4 metre trafficable section of the accessway i.e. 2.9m+0.6m+2.9m, between the 300mm kerbs;
- (o) The 14 visitor spaces to be relocated to the lower ground car park
- (p) The solid walls along the bottom of the ramps at both ends of the lower basement and at the bottom of the ramp leading to B2 (shown on the B1 plan), to be cutback or the wall be no greater than 900mm in height for the first 2 metres from the bottom of the floors;
- Bollards to be provided between car spaces 21 and 22 in B1 and B2. The bollards must be placed 1 metre in from the car park aisle and midway between the two spaces;
- (r) The tandem spaces to be swapped around to shown the 4.9 metre spaces at the rear (further in) and the 5.4 metre spaces at the front (adjacent to the aisle);
- (s) Dimensions of all the car spaces to be clearly annotated on the plans, in accordance with Clause 52.06 of the Planning Scheme;
- (t) All car spaces allocated to residents need to be allocated to each dwelling i.e. shown annotated as spaces 1-117;
- (u) The pedestrian ramp to shop 1 to be increased to minimum 2.55 metres in length in order to achieve a minimum 1:14 grade;
- At least 10 of the 47 resident bicycle spaces to be provided with the resident bicycle parking area need to be designed using a horizontal bicycle parking devices i.e. bicycle hoop;

When approved, the plans will be endorsed and will then form part of this Permit.

- 2. The permit holder must take all reasonable steps to ensure that disruption to tram operation along Glen Huntly Road is kept to a minimum during the construction of the development. Foreseen disruptions to tram operations during construction and mitigation measures must be communicated to Yarra Trams and Public Transport Victoria fourteen (14) days prior. Any damage to public transport infrastructure must be rectified to the satisfaction of the Head, Transport for Victoria at the full cost of the permit holder (condition required by Public Transport Victoria);
- 3. Any upgrades required to the footpath, kerb and channel and the provision of any street furniture (bins, benches, bicycle parking etc) must be at the cost of the permit holder;
- 4. 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. <u>Note</u>: This does not obviate the need for a permit where one is required.

- 5. This Permit will expire if:
 - The development does not start within two (2) years from the date of this Permit; or
 - The development is not completed within four (4) years of the date of this Permit.

The Responsible Authority may extend the time referred to if a request is made in writing before this Permit expires or within six (6) months after the expiry date if the use/development has not commenced.

If the development has commenced, the Responsible Authority may extend the time referred to if a request is made in writing within twelve (12) months of the expiry date.

- 6. 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.
- 7. Disabled access to the building must be provided to the satisfaction of the Responsible Authority. All work carried out to provide disabled access must be constructed in accordance with in AS 1428.1 to the satisfaction of the Responsible Authority.
- 8. The amenity of the area must not be adversely affected by the use or development as a result of the:
 - (a) transport of materials, goods or commodities to or from the land; and/or
 - (b) appearance of any building, works, stored goods or materials; and/or
 - (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and/or

in any other way, to the satisfaction of the Responsible Authority.

9. Adequate provision must be made for the storage and collection of garbage, bottles and other solid wastes in bins or receptacles, to the satisfaction of the Responsible Authority.

All bins and receptacles used for the storage and collection of garbage, bottles and other solid wastes must be kept in a storage area screened from view, to the satisfaction of the Responsible Authority.

All bins and receptacles must be maintained in a clean and tidy condition and free from offensive odour, to the satisfaction of the Responsible Authority.

10. The Permit holder must ensure that all dwellings within the development are protected from noise associated with any on-site mechanical plant equipment, consistent with the requirements of the State Environment Protection Policy N-1.

- 11. The permit holder must ensure that dividing walls and floors between dwellings are constructed to limit noise transmission to 45 STC (Sound Transmission Class) in accordance with Part F(5) of the Building Code of Australia.
- 12. Prior to the occupation of the approved development, the owner/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:
 - (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 or utilisation of council 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 will be endorsed to form part of this permit and 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.

- 13. 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) Truck haulage routes, circulation spaces and queuing lanes;
 - (c) Details how traffic and safe pedestrian access will be managed. These must be in the form of a Traffic Management Plan designed by a suitably gualified traffic practitioner;
 - (d) a liaison officer for contact by owners / residents and the Responsible Authority in the event of relevant queries or problems experienced; an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
 - (e) any requirements outlined within this permit as required by the relevant referral authorities;
 - (f) hours for construction activity in accordance with any other condition of this permit;
 - (g) measures to control noise, dust, water and sediment laden runoff;
 - (h) measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;

- (i) any construction lighting to be baffled to minimise intrusion on adjoining lots.
- 14. 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.
- 15. Before 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) Any upgrades to footpath paving and street furniture surrounding the site.
 - (b) All existing retained vegetation to be identified.
 - (c) Buildings and trees (including botanical names) on neighbouring properties within 3 metres of the boundary.
 - (d) 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.
 - (e) Landscaping and planting within all open space areas of the site.
 - (f) Advanced canopy trees (minimum 3.0 metres tall when planted unless otherwise agreed to in writing by the Responsible Authority) in the following areas:
 - (i) 8 trees within Level 1 terraces
 - (ii) 3 trees within the Level 10 terraces

or 11 trees in locations to the satisfaction of the Responsible Authority.

Trees are not to be sited over easements. All species selected must be to the satisfaction of the Responsible Authority.

- 16. The landscaping as shown on the endorsed Landscape Plan must be carried out, completed and maintained, and any dead, diseased or damaged plant replaced in accordance with the landscaping plan to the satisfaction of the Responsible Authority.
- 17. Prior to the commencement of the development, the two street trees (Callistemon and Photinia glabra) must be removed in consultation with Council's Parks Services Department and at no cost to Council. The trees must be replaced in consultation with Council's Parks Services Department including details of species, maturity and location and must be at no cost to Council. The trees must be replaced before the development is occupied, unless otherwise agreed in writing by the Responsible Authority.
- 18. The proposed works must not cause any damage to the canopy, roots or the Tree Protection Zone of the existing street tree (London Plane).
- 19. Prior to the commencement of the buildings and works (including demolition), a tree protection fence must be erected around the London Plane street tree at a radius of 7.2 metres from the base of the trunk to define a 'tree protection zone'. Temporary fencing is to be used as per AS 4870-2009 section 4.3. 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 completed. 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.

20. 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.

Above ground canopy TPZ (Tree Protection Zone) to be adopted. No works, structures or machinery will come within 1m of the trees crown/canopy as per AS 4870-2009 section 3.3.6.

Tree Protection Zone (TPZ) fencing must be adopted to protect the street tree's trunk. Set at edge of TPZ on all sides (Finishing at paved surfaces). Temporary fencing to be used as per AS 4870-2009 section 4.3.

Hand excavate any area within 1.5m of the Tree Protection Zone (TPZ). If roots over 40mm are found, Park Services are to be notified and further inspections will be carried out.

Ground protection is to be used if temporary access for machinery is required within the Tree Protection Zone (TPZ). Strapped rumble boards are to be used within TPZ to limit ground compaction as per AS 4870-2009 section 4.5.3.

21. No excavation is to come within 5m of the existing street tree (measured from the centre of the trunk) without the prior consent of the Responsible Authority. Any excavation within 1.5m of the tree protection zones must be hand excavated. If roots over 40mm are found, Park Services are to be notified and further inspections will be carried out.

Ground protection is to be used if temporary access for machinery is required within the TPZ (Tree Protection Zone). Strapped rumble boards are to be used within the tree protection zone to limit ground compaction as per AS 4870-2009 section 4.5.3.

- 22. 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.

23. A sign, to the satisfaction of the Responsible Authority, must be provided directing drivers to the area(s) set aside for car parking and must be located and maintained to

the satisfaction of the Responsible Authority. The area of the sign must not exceed 0.3 square metres.

- 24. 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.
- 25. The car parking allocation for the approved development must be:
 - Not less than one (1) car space per one or two bedroom dwelling;
 - Not less than two (2) car spaces per three (3) or more bedroom dwelling;
 - Visitor spaces (14) marked accordingly.
 - No less than 33 car spaces for the office tenancy;
 - No less than 12 car spaces for the retail/shop tenancy;
- 26. The areas set aside for car parking, shown on the endorsed plans, must be made available for use free of charge to employees and visitors at all times when the use is in operation and must not be used for any other purpose.
- 27. External lighting of the areas set aside for car parking, access lanes and driveways must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.
- 28. The loading and unloading of goods from vehicles must only be carried out on the subject land and must be conducted in a manner which does not cause any interference with the circulation and parking of vehicles on the land.
- 29. All disused or redundant vehicle crossings must be removed and the area re-instated with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.
- 30. Any modification to existing infrastructure and services within the road reservation (including, but not restricted to, electricity supply, telecommunications services, gas supply, water supply, sewerage services and stormwater drainage) necessary to provide the required access to the site, must be undertaken by the applicant/developer to the satisfaction of the relevant authority. All costs associated with any such modifications must be borne by the applicant/developer.
- 31. Before the development is occupied, the provision and design of bicycle parking facilities must comply with Clause 52.34 of the Glen Eira Planning Scheme and AS2890.3-1993 (including the type, location, layout, access paths, signage) or otherwise to the satisfaction of the Responsible Authority. This includes the provision of showers and change rooms when required by Clause 52.34.
- 32. 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 generally in accordance with the endorsed plans (prior to the construction of the levels above being commenced.)
- 33. 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 generally in accordance with the endorsed plans.

- 34. The permit holder must inform all purchasers about this planning permit, particularly drawing attention to Note C.
- 35. Prior to the occupation of the approved development, a permanent sign must be erected by the applicable planning permit holder in a prominent position in the car park and in any foyer/s 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.
- 36. Written confirmation from a suitably qualified Traffic Engineer demonstrating that the basement layout and vehicle access complies with Clause 52.06 of the Glen Eira Planning Scheme.

Notes

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.

- 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. Residents of the dwellings allowed under this permit will not be issued Residential Parking Permits (including visitor parking permits).
- D. 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.
- E. Prior to the commencement of any demolition and/or building works, an Asset Protection Permit must be obtained from Council's Engineering Services Department.
- F. The permit holder/applicant/owner must provide a copy of the Planning Permit to any appointed Building Surveyor. It is the responsibility of the permit holder/applicant/owner and the Building Surveyor to ensure that the development approved by this Permit is consistent with any Building Permit approved and that all works are consistent with the endorsed plans approved under this Planning Permit.

BACKGROUND

The subject site previously had planning permission for the construction of a 10 storey building comprising 8 shops and up to 141 dwellings above basement car parking.

This application was originally supported by the Council with a reduction in height to no more than 8 storeys. The requirement to delete two levels of the building was subsequently overturned at the Tribunal in October 2010.

This application was extended several times however it has since lapsed. This application included the existing church located at 12 Ripon Grove; however this site no longer forms part of the current application.

ISSUES AND DISCUSSION

- Zoning and policy context
- Built form
- Amenity impacts
- Internal amenity
- Car parking and traffic
- Management Plan requirements
- Draft Structure Planning for Elsternwick

Proposal

- Demolition of the existing buildings
- Two levels of basement car parking and at grade parking located towards the rear of the site, accessed off Ripon Grove.
- 121 car spaces proposed for residents.
- 14 residential visitor car spaces
- 12 car spaces for the shops
- 25 car spaces for the office
- Reduction of 9 residential visitor car spaces, 26 shop car spaces and 6 office car spaces.
- Two shops of 436sqm and 538sqm facing Glen Huntly Road and an office of 897sqm facing Ripon Grove.
- A total of 115 dwellings, 2 one bedroom dwellings, 111 two bedroom dwellings and 4 three bedroom dwellings.
- Modern contemporary appearance
- Maximum overall building height 41.9 metres (excluding roof plant)

Objectors' concerns

- Neighbourhood character
- Traffic and car parking
- Height, massing and bulk
- Overlooking
- Overshadowing and loss of natural daylight
- Cumulative impact of other recently approved developments of this density
- Construction management concerns
- Noise

Referrals

Transport Planning

- Traffic Engineering is satisfied with the 14 visitor parking spaces proposed and with 12 spaces being provided for the shops
- Traffic Engineering would like to see all 31 spaces be provided on-site for the office. Traffic Engineering however would not object 25 spaces being provided subject to the net floor area of the office use not exceeding 715m²;
- It is estimated that the proposal would generate up to **102** vehicles trips during each of the peak periods (59 dwelling trips, 12 shop staff trips and 31 office staff trips 1 trip per shop use / office use). When comparing this to the previous approved development, it is understood that the proposed development will have an increase of 26 vehicles during each of the peak hour periods.
- The analysis undertaken indicated that the degree of saturation changes would be minimal and the intersection will remain in very good to excellent operating conditions. Traffic Engineering therefore is satisfied with the above.

Landscape Officer

- There are no high value site trees or any close neighbouring trees.
- Advanced tree requirements in post construction landscaping are required.

Asset Engineering

- The redundant vehicle crossing must be removed and footpath, nature strip and kerb and channel of the road reinstated matching the conditions of those abutting.
- Vehicle crossing must be constructed as commercial type vehicle crossing with splayed to council standards.

City Futures/Urban Design

- High density residential development is acceptable at this location; however the building should incorporate a more diverse mix of apartment sizes. The design is overly dominated by two-bedroom dwellings and does not contribute adequately to diversity in the centre.
- In addition to the ground floor retail space facing Glen Huntly Road and office space fronting Ripon Grove, provide office/employment opportunities within levels 01 and 02 of the 'podium'. Office spaces should also be more diverse in terms of size to provide some smaller tenancies for a range of businesses (current proposal only contains large tenancies). Given the size and strategic location of the building, there is more scope for commercial tenancies that can contribute to the area's business and employment mix.
- There should be a continuous cantilevered verandah over the footpath extending to 750mm from the face of the kerb.
- Inappropriate increase in height compared with the height of the existing eleven storey building to the west.

Parks Services

- Two trees can be removed at applicants cost.
- One tree (the London Plane on Ripon Grove) can be retained.

Public Transport Victoria

• No objection subject to conditions

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

N/A

POLICY AND LEGISLATIVE IMPLICATIONS

Zoning and policy context

State and local planning policy broadly supports development in this location, which increases housing supply in an existing urban area with good access to public transport and services. The subject site is located within the Commercial 1 Zone with interfaces to the Residential Growth Zone to the north. No height limit applies within the Commercial 1 Zone.

Council's Urban Villages Policy at Clause 22.05 of the Glen Eira Planning Scheme includes the following objectives (selected):

- To create urban villages by co-locating work, leisure, community and residential uses and developments that complement each other.
- To encourage economic and employment generating development which is appropriate to the desired qualities and character of the area.
- To ensure development respects the amenity of the surrounding area and provides a transition to surrounding residential uses.
- To promote residential and office use in upper levels of buildings within the retail hub.

The proposal with its responsive podium design and provision for both retail and office frontages, activate the street and provide the desired residential land use outcome above.

The development (subject to conditions) is considered appropriate in light of the site context, including the scale, use and character of approved developments in the area, the history of the subject site and the emerging character of the neighbourhood.

Built form

The proposed height will be comparable to a number of taller buildings recently approved in the surrounding area (11 storeys to the south at 221 Glen Huntly Road and 12 storeys at 22-26 Riddell Parade). It is considered the building is of a high quality architectural design that compliments the rhythm of Glen Huntly Road and will make a positive contribution to the emerging character of the Urban Village.

In considering the merits of the proposed built form, a number of contextual factors must be considered:

- The proposal includes a robust three storey form to the street with the levels above within a podium which has been recessed from both street frontages.
- Glen Huntly Road consists of a number of commercial premises and multi storey developments.
- The subject land has a combined area of approximately 2340m². The site can accommodate a building of this scale.

Notwithstanding this, development must still respond to its context and provide a transition to adjoining and nearby buildings that are of a lower height.

In order to achieve the balance sought by policy, it is recommended that the building be reduced to no more than <u>12 storeys</u>. This will ensure that there is an appropriate transition to the abutting properties and the visibility is reduced when viewed from the surrounds. This will consequentially reduce the number of dwellings to <u>111</u>.

Commercial space is only provided at ground floor fronting Glen Huntly Road and Ripon Grove. In line with the expectations of the City Futures Department and the Draft Structure Plans to increase employment opportunities within the Urban Villages, it is recommended that additional office/commercial space be provided at first floor fronting Glen Huntly Road. Car parking for these dwellings can be reallocated to this new commercial space.

Amenity Impacts

The subject site is located within a commercial zone. The site directly to the west contains a three storey building, with shops at ground floor and residential component above. Appropriate screening has been provided to the lower level balconies and windows to avoid any unreasonable overlooking.

The upper levels of the development have been recessed from the boundaries to moderate the effect of visual bulk. The deletion of one floor will also assist in moderating visual bulk and mass impacts.

Overshadowing impacts are comparable to the previous application. The majority of shadows will fall to the south, along the street and other commercial properties. Whilst there will be some overshadowing to the adjoining residential dwellings to the west, by midday there all overshadowing falls to the street.

Internal Amenity

All dwellings have reasonably sized balconies and terraces, with direct access from living rooms.

All dwellings and balconies have good access to natural daylight. Whilst there are dwellings which are oriented south, most of these dwellings also have aspect to the east and west to improve solar access.

There is a communal roof terrace of 259sqm for all residents.

An acoustic report and sustainability report has been provided however it does not accurately reflect the details of the current proposal. Updated reports are recommended as conditions.

Additional information is also required to ensure there is adequate storage and ventilation for each dwelling in compliance with the State Government Guidelines for apartment developments.

Car Parking and Traffic

It is proposed to provide a total of 146 on site car spaces within 2 levels of basement car parking and an at-grade car parking area with access off Ripon Grove. The allocation of car parking is set out as follows:

Tenancy	Proposed parking	Planning Scheme requirement
117 dwellings	121	121
Visitors (residential)	14	25
Office	25	31
Shops	12	38

The Planning Scheme requirement is for a total of 213 car spaces to be provided on site. There is a total shortfall of 43 car spaces proposed.

In relation to the car parking reductions proposed, this is considered reasonable given the commercial location, opposite a rail station, tram line and with short term on street parking available.

The proposed shops generate a requirement for loading facilities. The provision of a loading bay for the retail areas can be waived on this occasion as delivery vehicles could be accommodated on-street, and there is also adequate space within the car park area for residential loading requirements.

Management Plan Requirements

A waste management plan has been submitted that recommends that a private contractor be engaged to collect waste for both the residential and commercial component of the development. The management of waste collection as proposed is generally satisfactory and private collection is supported.

A Construction Management Plan will also be required to be submitted.

Draft Structure Planning for Elsternwick

Council is in the process of preparing a Structure Plan for Elsternwick and Quality Design Guidelines that will potentially inform future planning controls such as local policy, zoning and overlay provisions for the area. These are currently undergoing the second of two phases of consultation before going to Council for adoption in early 2018. In these plans, the site is designated within an area that is identified as being suitable for 8-12 storeys in height.

Whilst the Structure Plan is not at a stage that can influence the decision making process for this application, the recommendation to delete one floor will result in a building height in keeping with the expectations for this area. Notwithstanding, based on the existing character and built form outcome in the area, a building at 12 storeys is considered appropriate.

COMMUNICATION AND ENGAGEMENT

- 1. <u>Public Notice (Statutory)</u>
 - 23 properties notified
 - 18 notices sent (owners and occupiers)
 - 8 signs erected on site
 - 28 objections received
- 2. Planning Conference (Non Statutory)

The Conference, chaired by Cr Taylor, provided a forum where all interested parties could elaborate on their respective views. Objectors mainly emphasised their original reasons for objection. It is considered that the main issues arising from the discussions were:

- Height bulk and mass
- Loss of daylight
- Overlooking
- Traffic and car parking
- Inaccuracies within the submitted traffic report
- Impact from existing development to the west (16 McCombie Street) and the cumulative impact
- Overloading public transport

Undertakings by the Applicant

• The applicant offered to upgrade the footpaths and provide street furniture at their cost. This has been included within the recommended conditions.

LINK TO COUNCIL PLAN

Liveable and Well Designed:

A well planned City that is a great place to live.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

That a Notice of Decision to Grant a Planning Permit be issued subject to conditions.

Attachment 1

	Assessment
Clause 58.01	An application must be accompanied by:
URBAN CONTEXT REPORT AND DESIGN	An urban context report.
	A design response

Clause 58.02 URBAN CONTEXT

Assessment	Yes	No
Clause 58.02-1	Complies. The Urban	
Urban context objectives	Context report is considered adequate.	
• To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.		
• To ensure that development responds to the features of the site and the surrounding area.		
Standard D1		
• The design response must be appropriate to the urban context and the site.		
• The proposed design must respect the existing or preferred urban context and respond to the features of the site.		
58.02-2	Complies. A written	
Residential policy objectives	statement has been provided.	
• To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.		
To support higher density		

		I
residential development where development can take advantage of public and community infrastructure and services.		
Standard D2		
 An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. 		
58.02-3 Dwelling diversity objective	The application consists of a good mix of dwellings	
 To encourage a range of dwelling sizes and types in developments of ten or more dwellings. 	sizes.	
Standard D3		
• Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.		
58.02-4 Infrastructure objectives	The site can be connected to reticulated services and	
• To ensure development is provided with appropriate utility services and infrastructure.	an on-site substation has been provided to assist with the additional electrical demands.	
• To ensure development does not unreasonably overload the capacity of utility services and infrastructure.		
Standard D4		
Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if		

oveileble		
available.		
 Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads. 		
 In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure. 		
58.02-5 Integration with the street objective	There is an active retail façade to Glen Huntly	
 To integrate the layout of development with the street. 	Road with a residential lobby.	
Standard D5	An office faces Ripon Grove which will also	
 Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility. 	provide an active interface to the street.	
 Development should be oriented to front existing and proposed streets. 		
 High fencing in front of dwellings should be avoided if practicable. 		
• Development next to existing public open space should be laid out to complement the open space.		

58.03 SITE LAYOUT

Assessment	YES	NO
58.02-5 /58.03-1 Energy efficiency objectives		
 To achieve and protect energy efficient dwellings and buildings. 	Dwellings are well oriented and will	
• To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.	achieve adequate thermal efficiency.	
To ensure dwellings achieve adequate		

thermal officiency	I
thermal efficiency.	
Standard D6	
Buildings should be:	
 Oriented to make appropriate use of solar energy. 	
 Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. 	
• Living areas and private open space should be located on the north side of the development, if practicable.	
• Developments should be designed so that solar access to north-facing windows is optimised.	
• Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.	
Climate zone 21 Melbourne Solution Climate zone 21 Melbourne 20 Climate zone 21 Melbourne 20 Climate zone 21 Melbourne 20 Climate zone 27 Milburs 69 Climate zone 10 Fulfamatrine 22 Climate zone 61 Mutarratine 21 Climate zone 63 Warrambool 21 Climate zone 64 Cope Otwayy 19 Climate zone 65 Collative 23 Ryfer in NatritiERS zone map, Nations ide House Energy Rating Scheme (Communiveritilit) Departament of Environment and Energy).	
58.03-2 Communal open space objective	There is a 259sqm
• To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.	communal roof terrace, accessible from a lift which complies with Standard D7.
Standard D7	
• Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser.	
Communal open space should:	
Be located to:	
 Provide passive surveillance opportunities, where appropriate. 	
 Provide outlook for as many dwellings as practicable. 	
- Avoid overlooking into habitable	

rooms and private open space of new dwellings.		
 Minimise noise impacts to new and existing dwellings. 		
 Be designed to protect any natural features on the site. 		
Maximise landscaping opportunities.		
Be accessible, useable and capable of efficient management.		
58.03-3 Solar access to communal outdoor open space objective	The roof location of the communal open	
To allow solar access into communal outdoor open space.	space ensures appropriate solar access	
Standard D8	400000	
• The communal outdoor open space should be located on the north side of a building, if appropriate.		
• At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.		
58.03-2 Safety objective	The entrance to the	
 To ensure the layout of development provides for the safety and security of residents and property. 	development is safe and secure with good visibility from the street.	
Standard D9		
• Entrances to dwellings should not be obscured or isolated from the street and internal accessways.		
• Planting which creates unsafe spaces along streets and accessways should be avoided.		
• Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.		
• Private spaces within developments should be protected from inappropriate use as public thoroughfares.		
58.03-5 Landscaping objectives	An adequate amount	
• To encourage development that respects the landscape character of the area.	of landscaping can be provided, noting the sites commercial	

• To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.	zoning. Similar to the	
To provide appropriate landscaping.	previous application there is no deep soil	
• To encourage the retention of mature vegetation on the site.	planting available. There has been	
• To promote climate responsive landscape design and water management in developments that support thermal comfort and reduces the urban heat island effect.	provision made for planter boxes to terraces to provide screen planting. This is considered an acceptable outcome.	
Standard D10		
The landscape layout and design should:		
• Be responsive to the site context.		
 Protect any predominant landscape features of the area. 		
• Take into account the soil type and drainage patterns of the site and integrate planting and water management.		
 Allow for intended vegetation growth and structural protection of buildings. 		
 In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals. 		
• Provide a safe, attractive and functional environment for residents.		
• Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site storm water infiltration.		
Maximise deep soil areas for planting of canopy trees.		
Development should provide for the retention or planting of trees, where these are part of the urban context.		
Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.		
The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.		
Development should provide the deep soil		

areas and canopy trees specified in Table D2.					
If the development cannot provide the deep soil areas and canopy trees specified in Table D2, an equivalent canopy cover should be achieved by providing either:			es specified in canopy cover		
 Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements. 			oits sized		
 Vegetated planters, green roofs or green facades 			reen roofs or green		
Tab	le D2 Deep soil a	areas and canopy trees			
5	 D2. If the development cannot provide the desoil areas and canopy trees specified in Table D2, an equivalent canopy cover should be achieved by providing either: Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements. Vegetated planters, green roofs or great facades Table D2 Deep soil areas and canopy tree Table D2 Deep soil areas and canopy tree Tot D2 Deep soil areas and canopy tree (D2 Deep soil areas (Minimum tree provision		
135		5% of site area (minimum dimension of 3	1 small tree (6-8 metres) per 30		
		(minimum dimension of 3	or		
			of deep soil		
		(minimum dimension of 6	œ		
1.1		(minimum dimension of 6	or 2 medium trees per 90 square		
Where an existing canopy tree over 8 metres can be retained on a lot greater than 1000 square metres without damage during the construction period, the minimum deep soil			retained on a lot greater than 1000		
58.03-6 Access objective			/e	Complies. Only one	
 To ensure the number and design of vehicle crossovers respects the urban 			and design of	crossover is proposed (onto Ripon Grove).	
Standard D11					
			or car spaces		
• 33 per cent of the street frontage, or			et frontage, or		
• if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.			0		
•	crossover should be provided for each				
maximise the retention of on-street car					
Developments must provide for access for service, emergency and delivery					

vehicles.		
58.03-7 Parking location objectives	Basement car parking	
 To provide convenient parking for resident and visitor vehicles. 	has been provided which provides secure efficient and	
 To protect residents from vehicular noise within developments. 	accessible car parking.	
Standard D12		
Car parking facilities should:		
Be reasonably close and convenient to dwellings.		
Be secure.		
Be well ventilated if enclosed.		
• Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.		
58.03-8 Integrated water and stormwater management objectives	A Sustainability report has been provided	
 To encourage the use of alternative water sources such as rainwater, stormwater and recycled water. 	however it appears to reflect a previous proposal on the subject site. An	
 To facilitate stormwater collection, utilisation and infiltration within the development. 	updated report is recommended as a condition. It is	
• To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.	expected that the proposal can demonstrate compliance.	
Standard D13		
• Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.		
• Buildings should be connected to a non- potable dual pipe reticulated water supply, where available from the water authority.		
The stormwater management system should be:		
Designed to meet the current best		

practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999) as amended.	
 Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas. 	

58.04 AMENITY IMPACTS

Assessment	Yes	Νο
 58.04-1 Building setback objectives To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the 	Appropriate setbacks have been proposed to the upper levels from Ripon Grove and Glen Huntly Road.	
 area. To allow adequate daylight into new dwellings. To limit views into habitable room windows and private open space of new and existing dwellings. 	Separation has been provided from adjoining residential properties to reduce visual bulk impacts.	
To provide a reasonable outlook from new dwellings.	Screening has been proposed to avoid	
• To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.	direct overlooking.	
Standard D14		
• The built form of the development must respect the existing or preferred urban context and respond to the features of the site.		
Buildings should be set back from side and rear boundaries, and other buildings within the site to:		
 Ensure adequate daylight into new habitable room windows. 		
 Avoid direct views into habitable room windows and private open space of new and existing dwellings. 		
Developments should avoid relying on screening to reduce views.		
• Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.		

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 Ensure the dwellings are designed to meet the objectives of Clause 58. 	
 58.04-2 Internal views objective To limit views into the private open space and habitable room windows of dwellings within a development. Standard D15 	There has been screening proposed where required to limit unreasonable overlooking opportunities.
 Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development. 	
58.04-3 Noise impacts objectives	Services have been
 To contain noise sources in developments that may affect existing dwellings. 	located at ground floor and at the roof level.
 To protect residents from external and internal noise sources. 	
Standard D16	
 Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings. 	
 The layout of new dwellings and buildings should minimise noise transmission within the site. 	
 Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non- residential uses, car parking, communal areas and other dwellings. 	
 New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources. 	
Buildings within a noise influence area specified in Table D3 should be designed and constructed to achieve the following noise levels:	
 Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am. 	
 Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm. 	

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 Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements. 	
	hould be assessed in boms with a finished floor ws closed.
Table D3 Noise influence area	
Noise source	Noise influence area
Zone interface	
Industry 300 metres from the industrial 1, 2 and 3 zone boundary	
Roads	
Noise source	Noise influence area
Freeways, tollways and other roads carrying 40.000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane
Railways	
Railway servicing passengers in Victoria	80 metres from the centre of the nearest track
Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track
Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track
The noise influence area should be noise source.	e measured from the closest part of the building to the

58.05 ON-SITE AMENITY AND FACILITIES

Assessment	Yes	Νο
58.05-1 Accessibility objective	Complies. The	
• To ensure the design of dwellings meets the needs of people with limited mobility.	majority of dwellings are able to meet the needs of people with	
Standard D17	limited mobility.	
At least 50 per cent of dwellings should have:		
• A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.		
• A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.		
 A main bedroom with access to an adaptable bathroom. 		
• At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D4.		

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Table D4 Bathroo	m design			
	Design option A	Design option B		
Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower.		
Door design	Either: • A slide door, or • A door that opens outwards, or • A door that opens inwards that is clear of the circulation area and has readily	Either: • A slide door, or • A door that opens outwards, or • A door that opens inwards and has readily removable hinges.		
Circulation area	removable hinges. A clear circulation area that is: A minimum area of 1.2 metres by 1.2 metres. Located in front of the shower and the tollet. Clear of the tollet, basin and the door swing. The circulation area for the tollet and shower can overlap.	A clear circulation area that is: A minimum width of 1 metre. The full length of the bathroom and a minimum length of 2.7 metres. Clear of the tollet and basin. The circulation area can include a shower area.		
Path to circulation area		Not applicable.		
Shower	A hobiess (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.		
	Design option A	Design option B		
Toilet	A tolet located in the comer of the room.	A tollet located closest to the door opening and clear of the circulation area.		
objective	uilding entry an s /ide each dwellin		The entrance to the dwellings (from Glen Huntly Road) are	
•	own sense of ide		clearly identifiable from the street.	
provide	ure the internal la for the safe, fun t movement of re			
 To ensure internal communal areas provide adequate access to daylight and natural ventilation. 				
Standard	D18			
Entries to	dwellings and bu	ildings should:		
Be visi	ble and easily ide	ntifiable.		
 Provide shelter, a sense of personal address and a transitional space around the entry. 				
The layout and design of buildings should:				
 Clearly distinguish entrances to residential and non-residential areas. 				
	 Provide windows to building entrances and lift areas. 			
from th	 Provide visible, safe and attractive stairs from the entry level to encourage use by residents. 			
Provide c	ommon areas and	d corridors that:		
Include	at least one sou	rce of natural		

light and natural ventilation.	
Avoid obstruction from building services.	
Maintain clear sight lines.	
58.05-3 Private open space objective	All dwellings have
• To provide adequate private open space for the reasonable recreation and service needs of residents.	appropriate sized balconies or terraces with convenient access from living
Standard D19	rooms.
A dwelling should have private open space consisting of:	
 An area of 25 square metres, with a minimum dimension of 3 metres at natural ground floor level and convenient access from a living room, or 	
 An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or 	
 A balcony with an area and dimensions specified in Table D5 and convenient access from a living room, or 	
 A roof-top area of 10 square metres with a minimum dimension of 2 metres and convenient access from a living room. 	
 If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres. 	
Table D5 Balcony size	
Eventiling type Minimum arcau Minimum dimetes/idea Studio or 1 bedroom dwelling 8 square metres 1.8 metres 2 bedroom dwelling 8 square metres 2 metres 3 or more bedroom dwelling 12 square metres 2.4 metres	
58.05-4 Storage objective	This appears to be
 To provide adequate storage facilities for each dwelling. 	able to be met but is required to be clarified by
Standard D20	conditions.
 Each dwelling should have convenient access to usable and secure storage space. 	
 The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D6. 	

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Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
Studio	8 cubic metres	5 cubic metres
1 bedroom dwelling	10 cubic metres	6 cubic metres
2 bedroom dwelling	14 cubic metres	9 cubic metres
3 or more bedroom dwelling	18 cubic metres	12 cubic metres

58.06 DETAILED DESIGN

Assessment	Yes	No
58.06-1 Common property objectives	Complies.	
• To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.		
To avoid future management difficulties in areas of common ownership.		
Standard D21		
Developments should clearly delineate public, communal and private areas.		
 Common property, where provided, should be functional and capable of efficient management. 		
58.06-2 Site services objectives	Complies.	
• To ensure that site services can be installed and easily maintained.		
• To ensure that site facilities are accessible, adequate and attractive.		
Standard D22		
• The design and layout of dwellings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.		
 Mailboxes and other site facilities should be adequate in size, durable, waterproof and 		

blend in with the development.		
 Mailboxes should be provided and located for convenient access as required by Australia Post. 		
58.06-3 Waste and recycling objectives	A waste management plan was provided which	
 To ensure dwellings are designed to encourage waste recycling. 	is adequate, however given the recommended reduction in dwelling numbers it is	
 To ensure that waste and recycling facilities are accessible, adequate and attractive. 	recommended an updated plan be provided.	
• To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.		
Standard D23		
Developments should include dedicated areas for:		
Waste and recycling enclosures which are:		
 Adequate in size, durable, waterproof and blend in with the development. 		
 Adequately ventilated. 		
 Located and designed for convenient access by residents and made easily accessible to people with limited mobility. 		
 Adequate facilities for bin washing. These areas should be adequately ventilated. 		
 Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate. 		
 Collection, storage and reuse of garden waste, including opportunities for on-site 		

treatment, where appropriate, or off-site removal for reprocessing.	
 Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing. 	
 Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate. 	
Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:	
• Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria.	
• Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.	

58.07 INTERNAL AMENITY

Assessment	Yes	Νο
58.07-1 Functional layout objective	All bedrooms	
• To ensure dwellings provide functional areas that meet the needs of residents.	comply with this standard.	
Standard D24	All living rooms have the adequate	
Bedrooms should:	width required to	
Meet the minimum internal room dimensions specified in Table D7.	comply.	
Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.		

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Table D7 Bedroom dimension	5		_	1	
Bedroom type	Minimum width	Minimum depth			
Main bedroom All other bedrooms	3 metres 3 metres	3.4 metres 3 metres			
Living areas (excluding dining and	kitchen areas) should mee	t the minimum internal room			
dimensions specified in Table D8. Table D8 Living area dimension	ns				
Dwelling type	Minimum width	Minimum area			
Studio and 1 bedroom dwelling 2 or more bedroom dwelling	3.3 metres 3.6 metres	10 sqm 12 sqm			
58.07-2 Room d	epth obiecti	ve		Complies.	Complies
 To allow adeq 	uate daylight				
aspect habital Standard D25					
	habitable rea				
 Single aspect not exceed a 					
the ceiling hei	•				
 The depth of a 	• •				
habitable roor metres if all th					
are met:		equirements			
• The room	combines the	e living area,			
dining area	a and kitchen				
	n is located f	urthest from			
the windov					
	height is at	least 2.7 finished floor			
	shed ceiling				
This excludes	where service	ces are			
provided above					
depth should external surfa					
window to the	rear wall of	the room.			
58.07-3 Window	s objective			 	There are windows
 To allow adeq 		t into new			dwellings at level (which do not have
habitable roor	n windows.				windows which are
Standard D26					to the sky', as ther balconies on the le
Habitable room					above which over
in an external		0			the windows.
 A window may bedroom from 		light to a condary area			
within the bed					These dwellings
clear to the sk	xy.				however are
The secondar	y area shoul	d be:			supplemented by I terraces, the majo
A minimum	n width of 1.2	metres.			these areas are clo
A maximur	n depth of 1.	5 times the			the sky which will provide a reasonal
	sured from t				level of amenity to

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surface of the window.		dwellings.
58.07-4 Natural ventilation objectives	Given the	
 To encourage natural ventilation of dwellings. 	orientation, location of windows and	
To allow occupants to effectively manage natural ventilation of dwellings.	doors, balconies and terraces it is	
Standard D27	likely this can be achieved, however	
• The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.	this needs to be clarified. It forms part of the recommended conditions.	
 At least 40 per cent of dwellings should provide effective cross ventilation that has: 		
 A maximum breeze path through the dwelling of 18 metres. 		
 A minimum breeze path through the dwelling of 5 metres. 		
 Ventilation openings with approximately the same area. 		
The breeze path is measured between the ventilation openings on different orientations of the dwelling		

GLEN HUNTLY RD DEVELOPMENT 233 GLEN HUNTLY RD & 14 RIPON GROVE ELSTERNWICK VICTORIA 3185

DRAWING LIST			
TP-000	COVER PAGE		
TIP-001	EXISTING SITE PLAN		
TP-002	DEMOLITION PLAN		
TP-003	PROPOSED SITE PLAN		
TP-004	NEIGHBOURHOOD & SITE DESCRIPTION		
TIP-020	DESIGN RESPONSE 01 - CONCEPT DIAGRAMS 1		
1P421	DESIGN RESPONSE 02 - CONCEPT DIAGRAMS 2		
TP-022	DESIGN RESPONSE 03 - CONCEPT DIAGRAMS 3		
TP-023	DESIGN RESPONSE 64 - CONCEPT DIAGRAMS 4		
TP-034	DESIGN RESPONSE 05 - RENDER 1		
TP-025	DESIGN RESPONSE 06 - RENDER 2		
TP-026	DESIGN RESPONSE 07 - STREETSCAPE DIAGRAM		
T#-100	LOWER GROUND FLOOR PLAN		
TP-101	UPPER GROUND LEVEL FLOOR PLAN		
TP-102	LEVEL 01 FLOOR PLAN		
19-103	LEVELIZ FLOOR PLAN		
TP-104	LEVEL 03 PLOOR PLAN		
TP-505	LEVEL IN FLOOR PLAN		
TP-106	LEVEL 05 FLOOR PLAN		
TP-167	LEVEL 06 FLOOR PLAN		
TP-108	LEVEL 67 FLOOR PLAN		
TP-109	LEVEL 08 FLOOR PLAN		
TP-110	LEVEL 09 FLOOR PLAN		
TP-111	LEVEL 10 FLOOR PLAN		
TP-112	LEVEL 11 FLOOR PLAN		
TP-120	ROOF PLAN		
TP-150	BASEMENT 01 FLOOR PLAN		
TP-151	BASEMENT 02 FLOOR PLAN		
TP-400	EAST ELEVATION		
TP-401	SOUTH ELEVATION		
TP-402	WEST ELEVATION		
TP-403	NORTH-WEST ELEVATION		
TP-404	NORTH-EAST ELEVATION		
TP-800	LOT LANDSCAPE PLAN		
19-800	L03 LANDSCAPE PLAN		
19-801	LID LANDSCAPE PLAN		
19802	ROOF LEVEL LANDSCAPE PLAN		
TP-805-906	SHADOW DIAGRAMS - COMPARISON		



ADVERTISED PLAN

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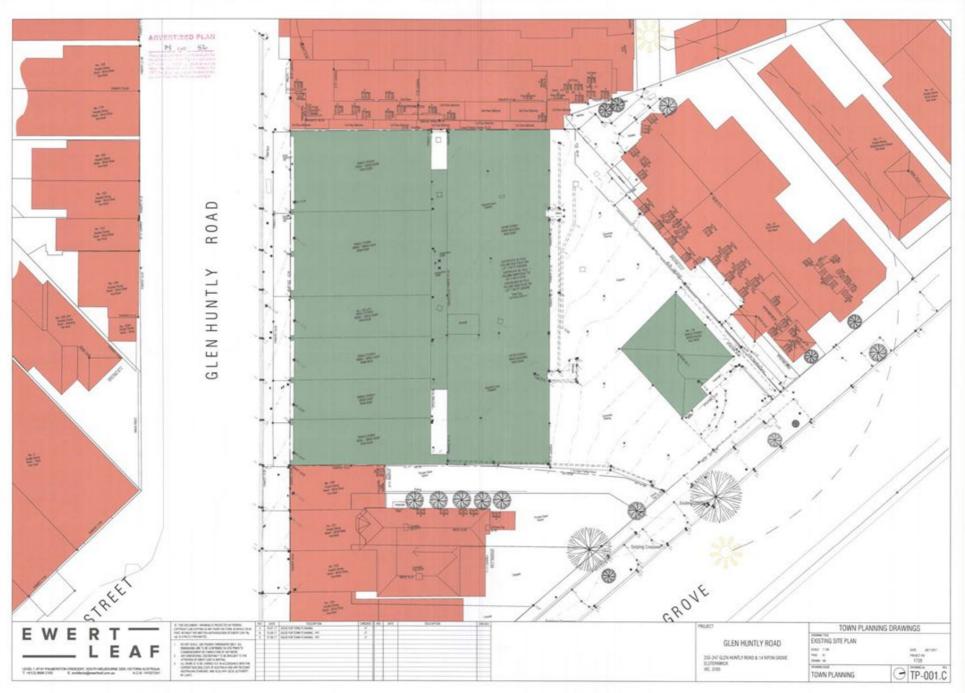
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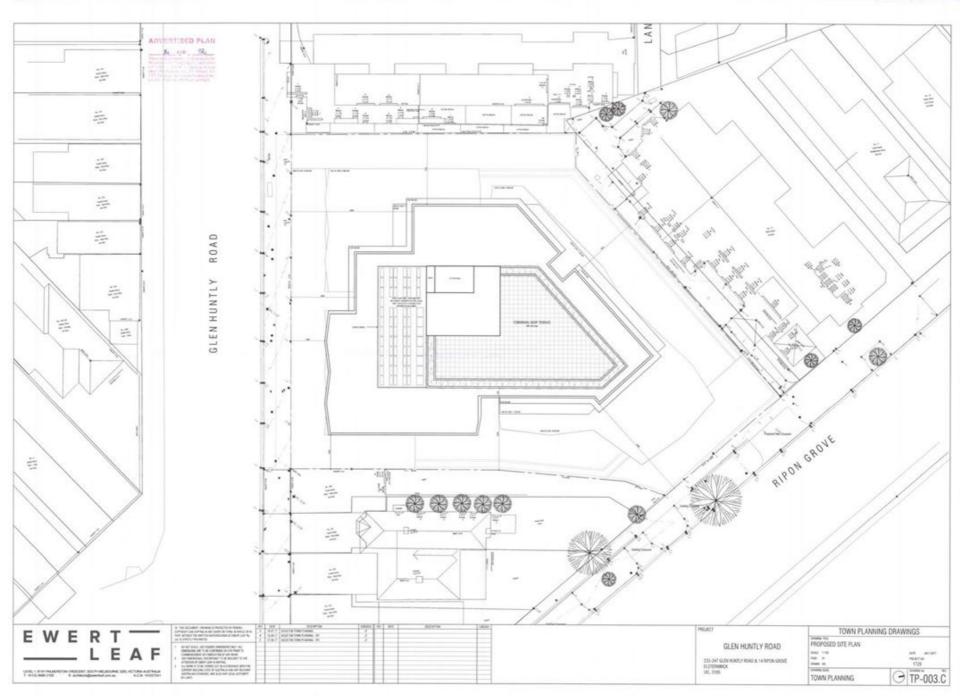
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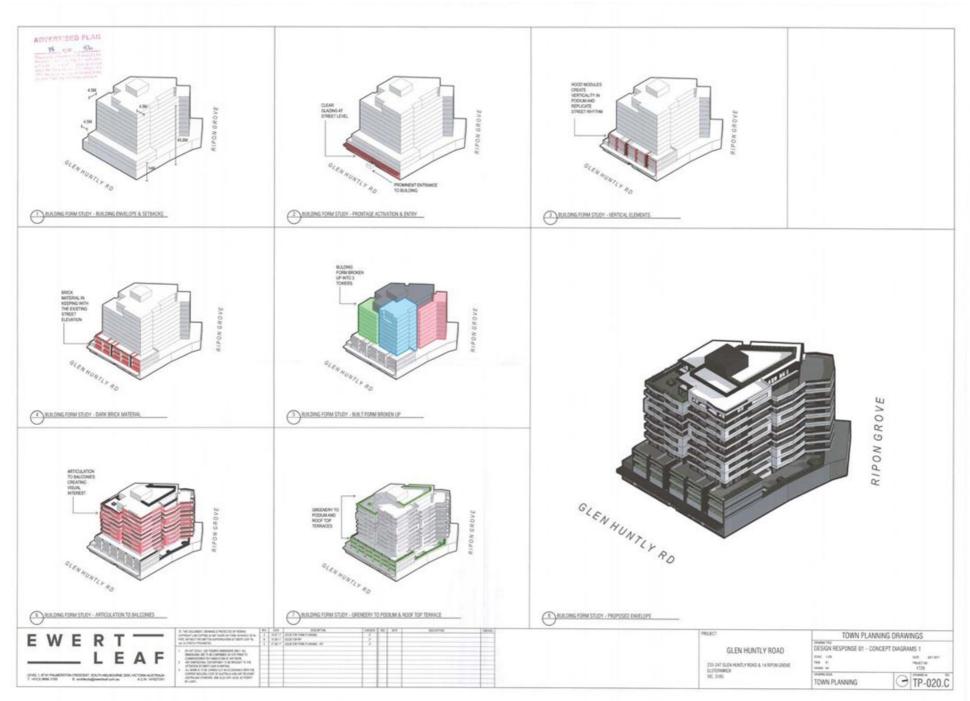
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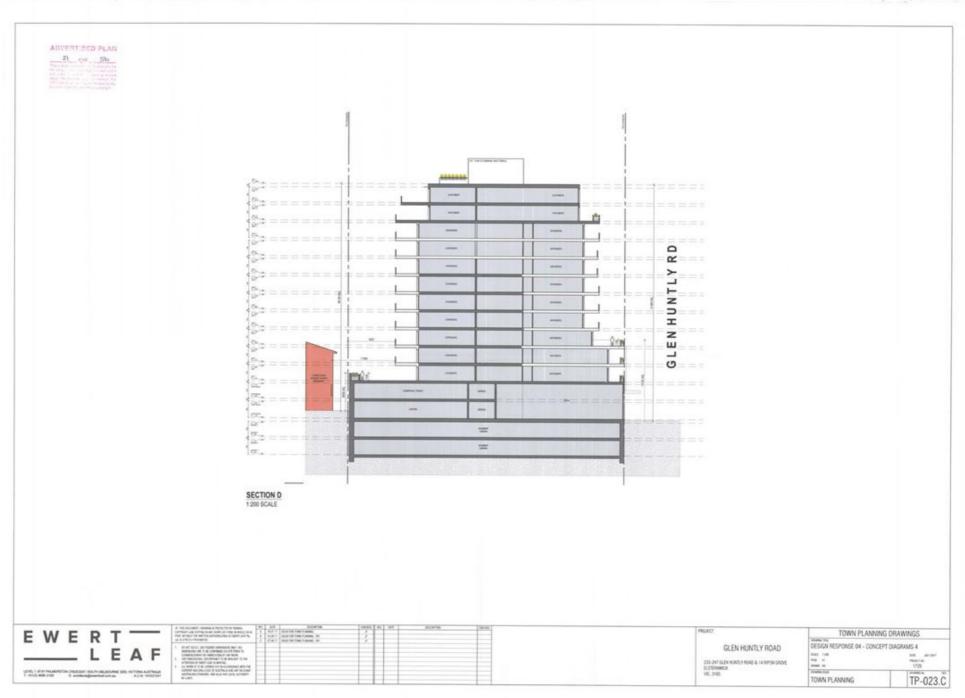












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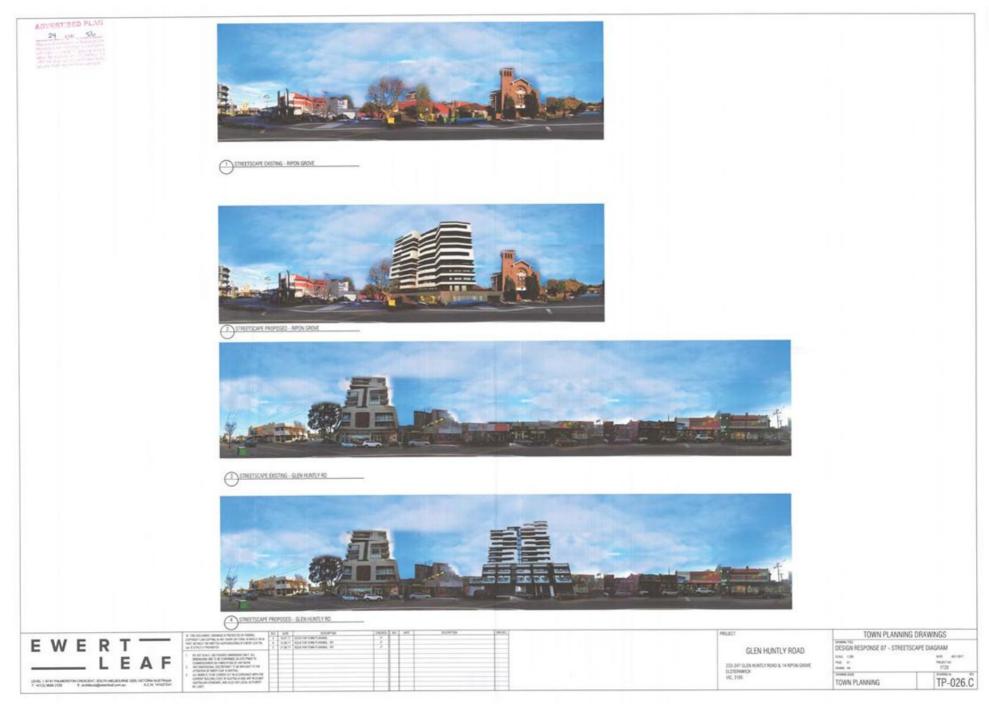


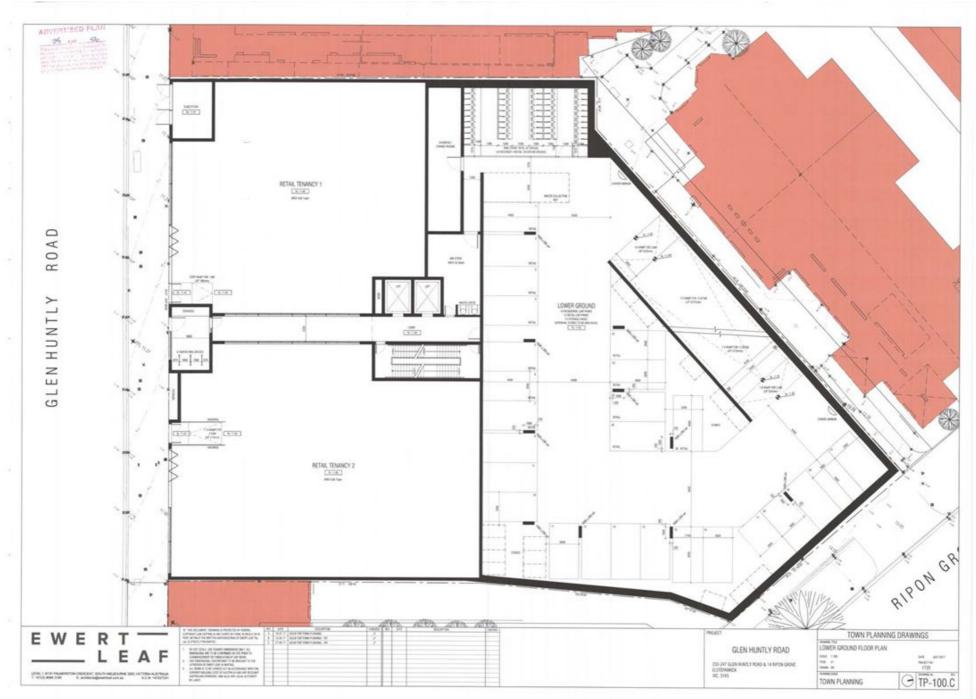
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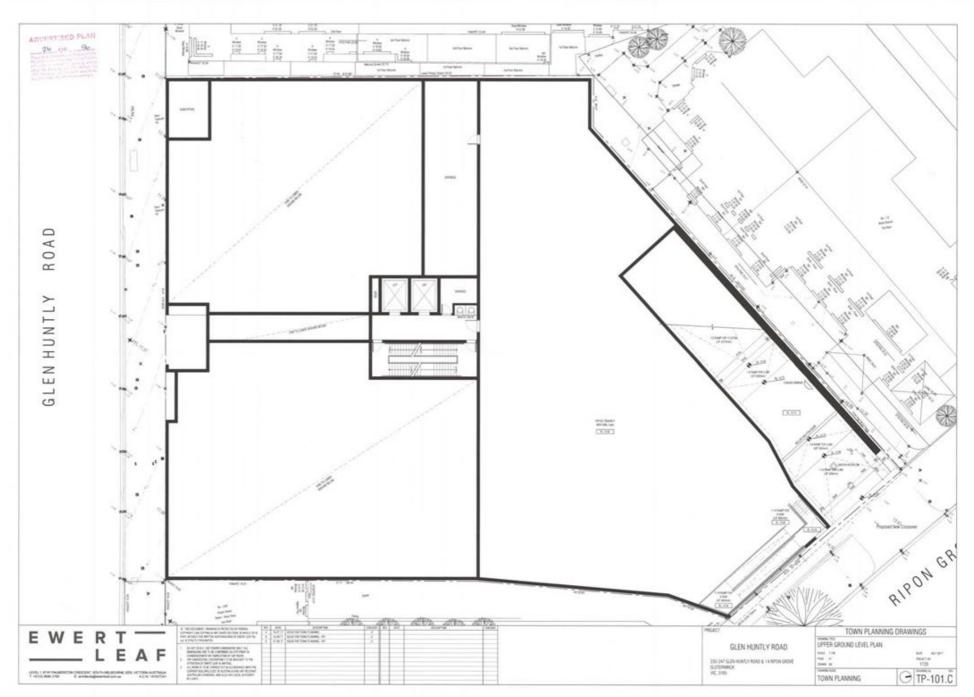




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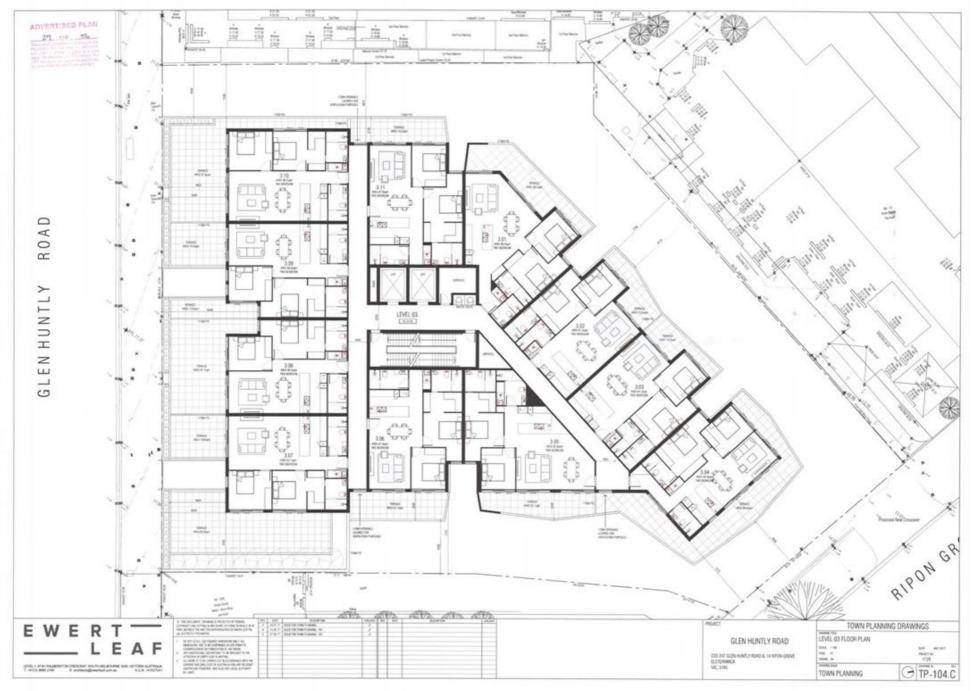
















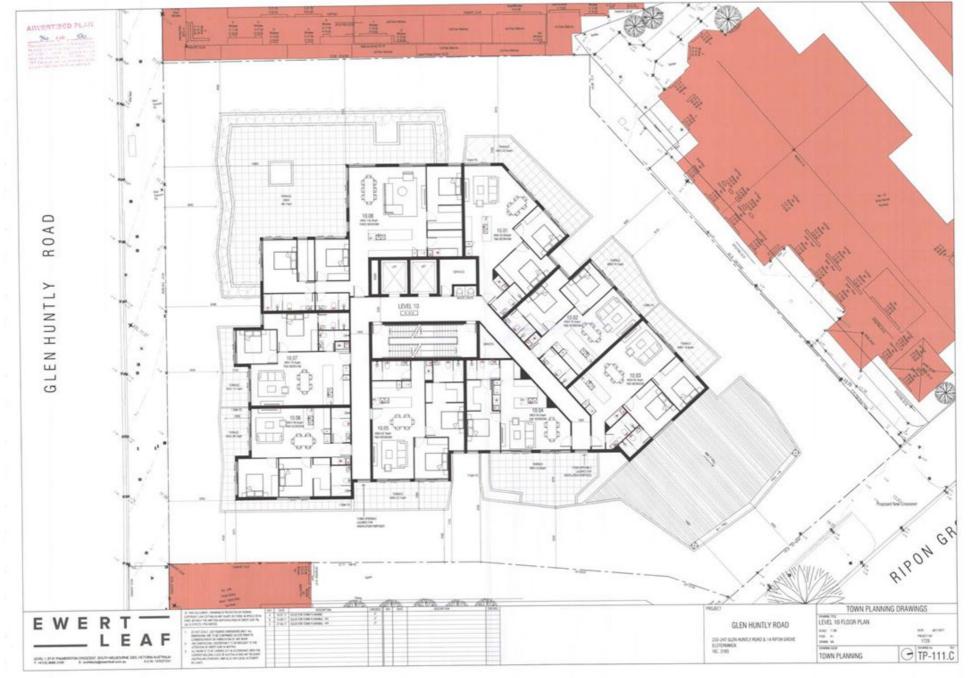




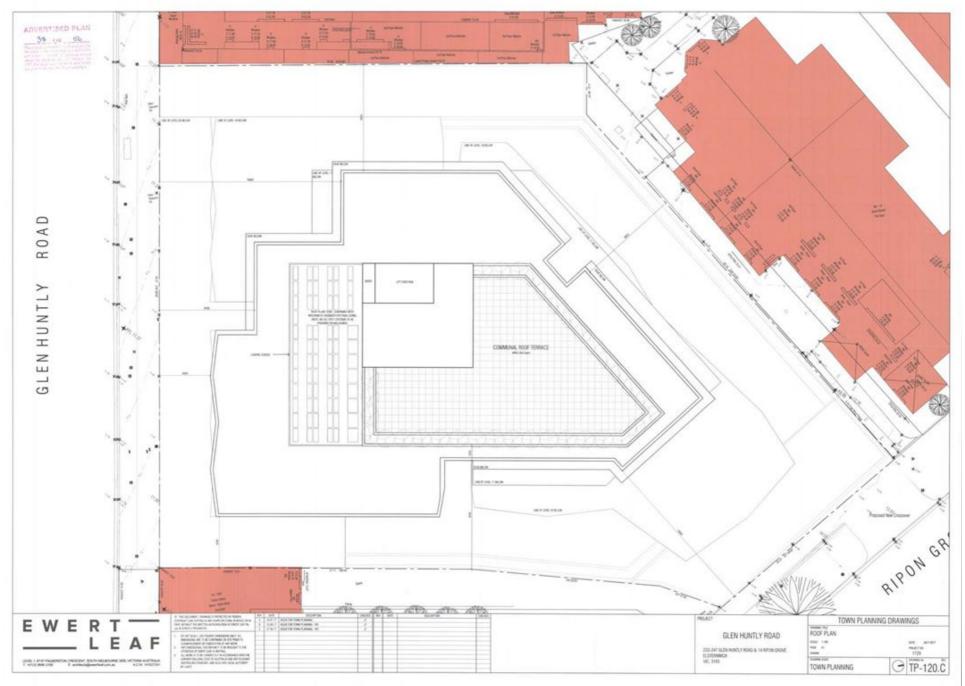


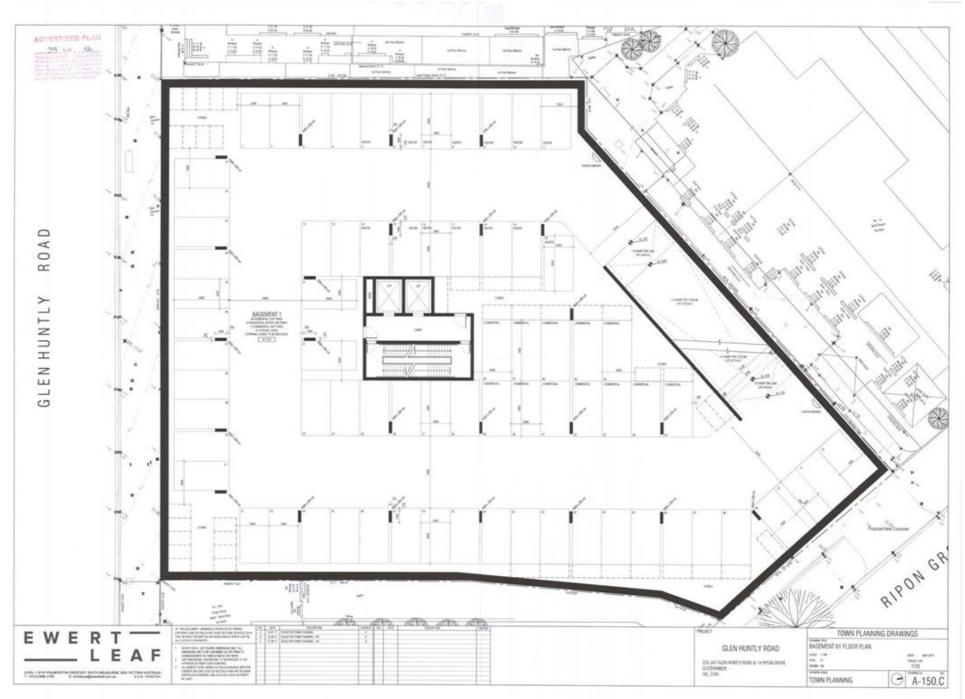


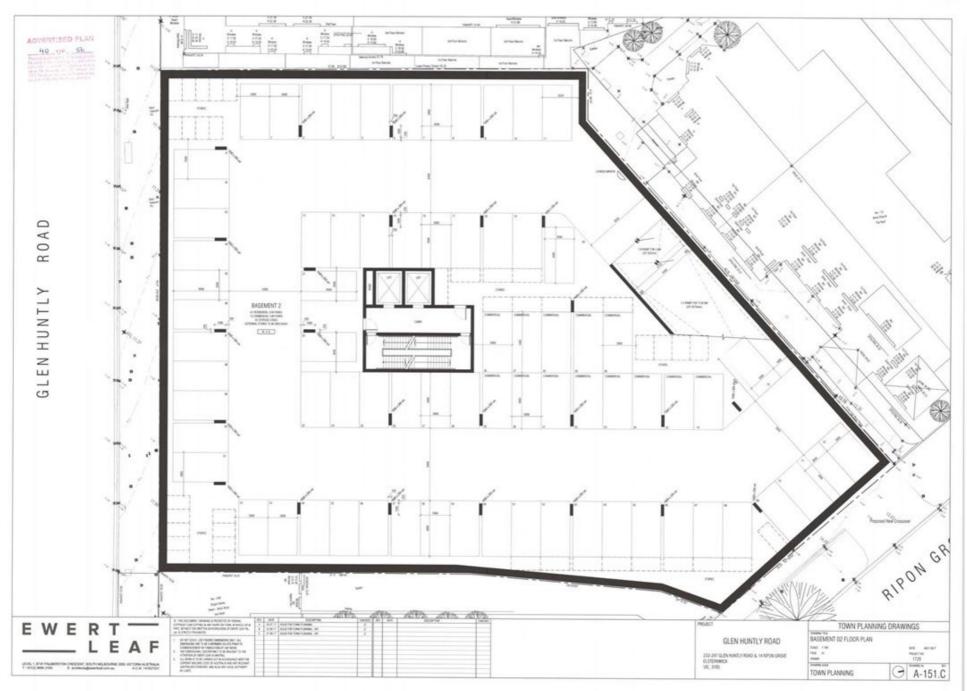






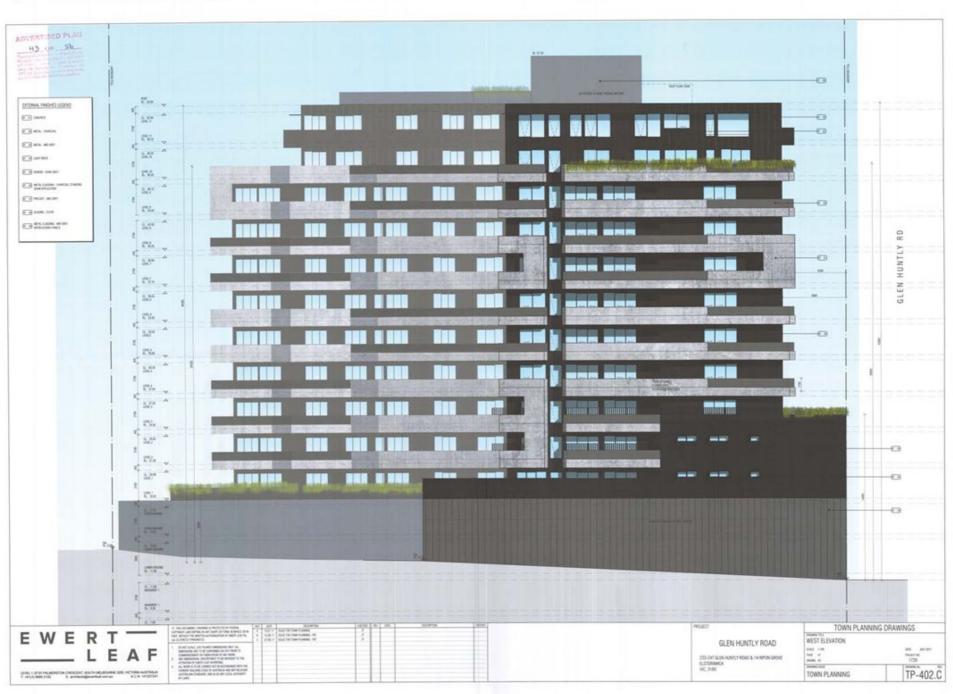




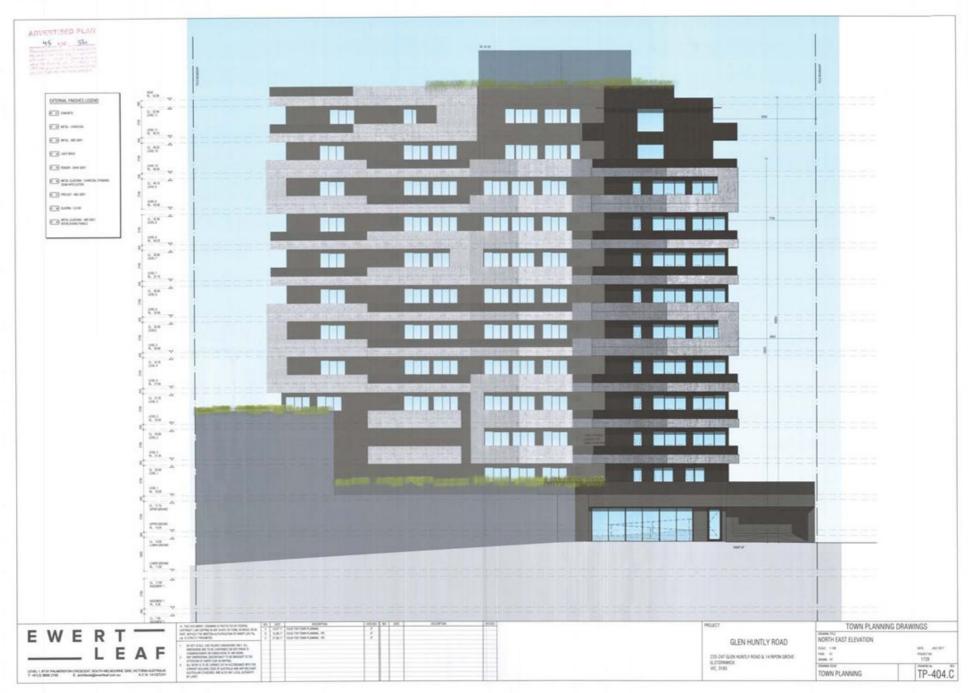








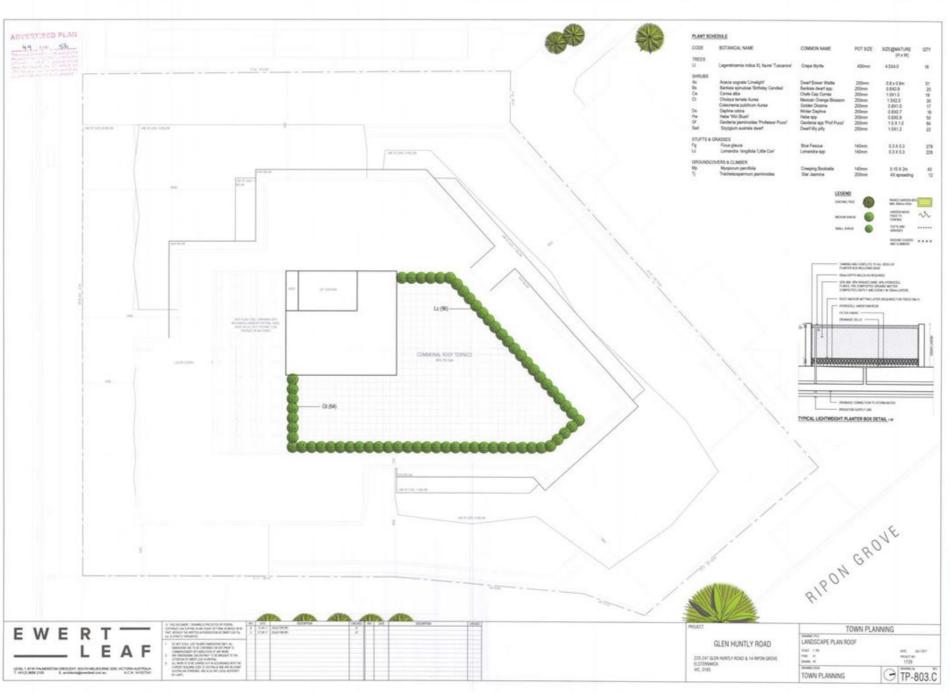


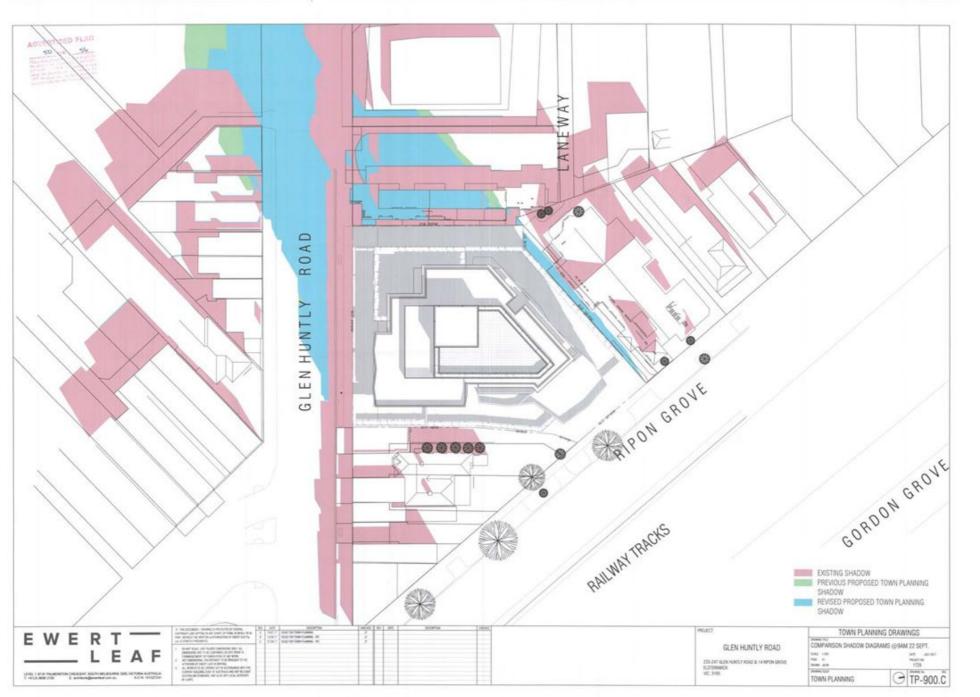


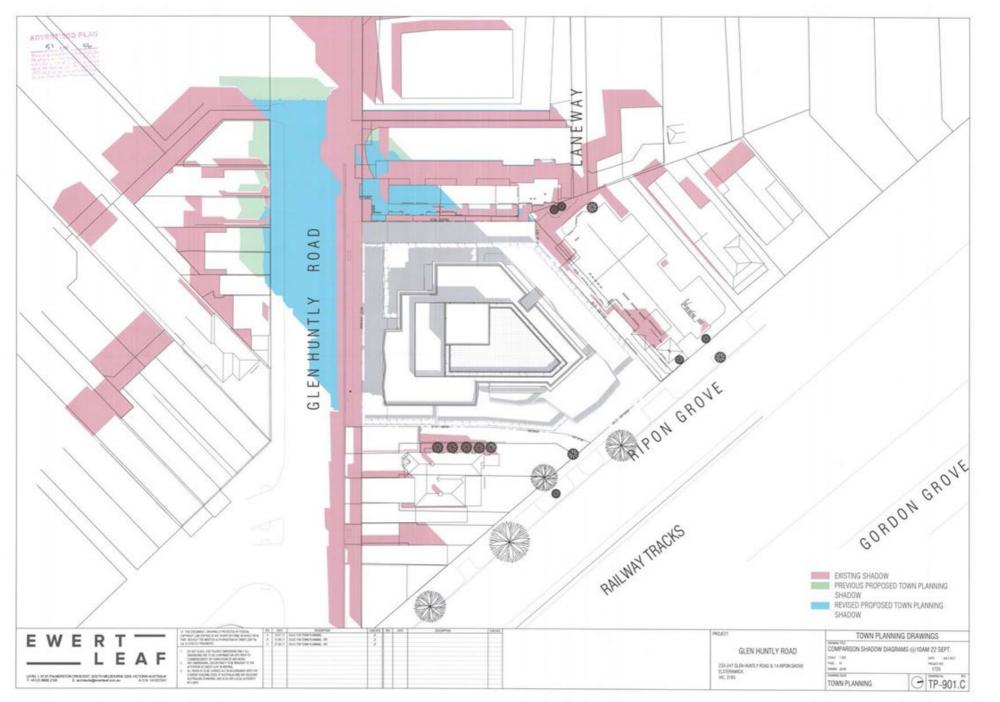


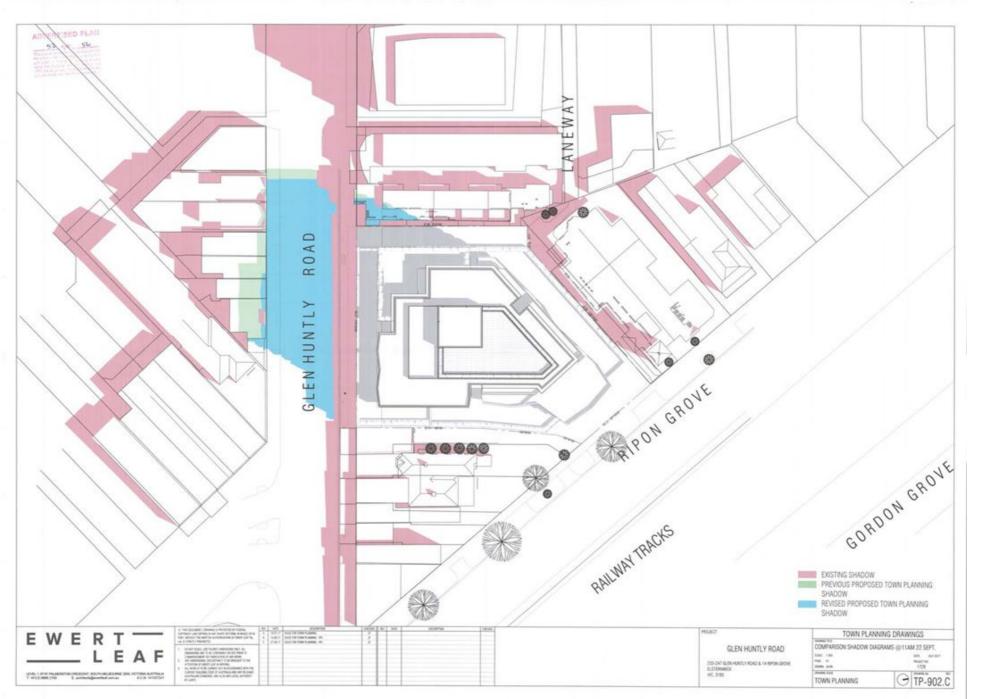


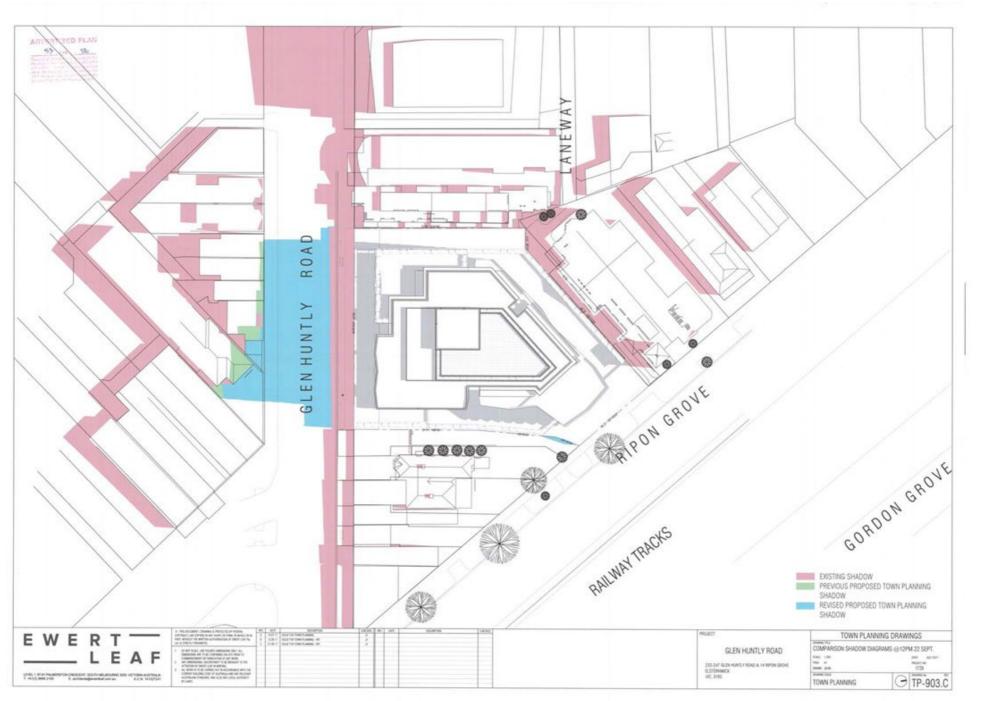


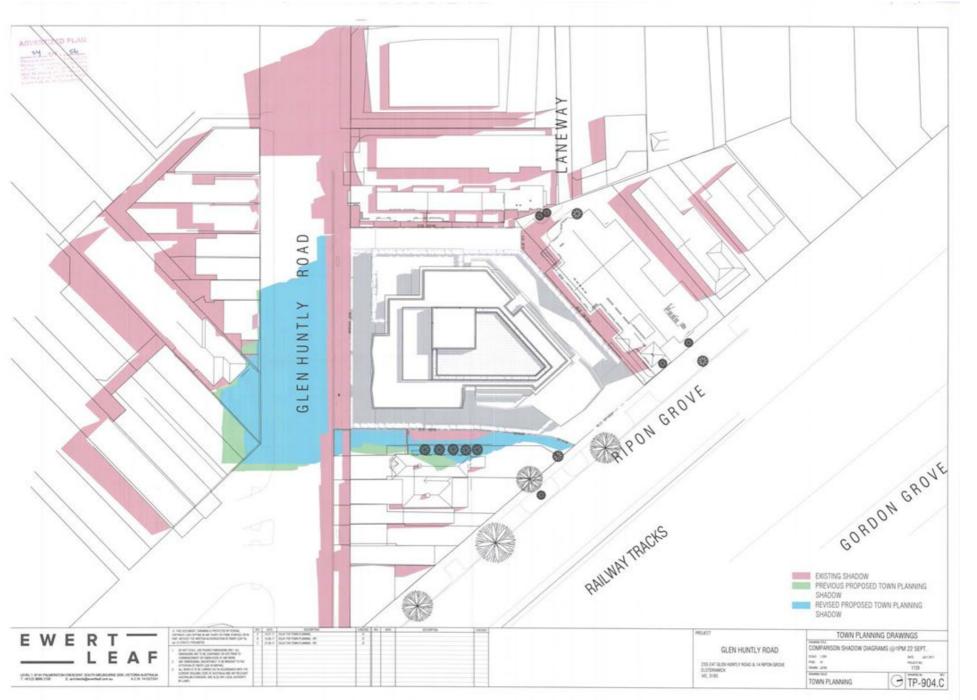


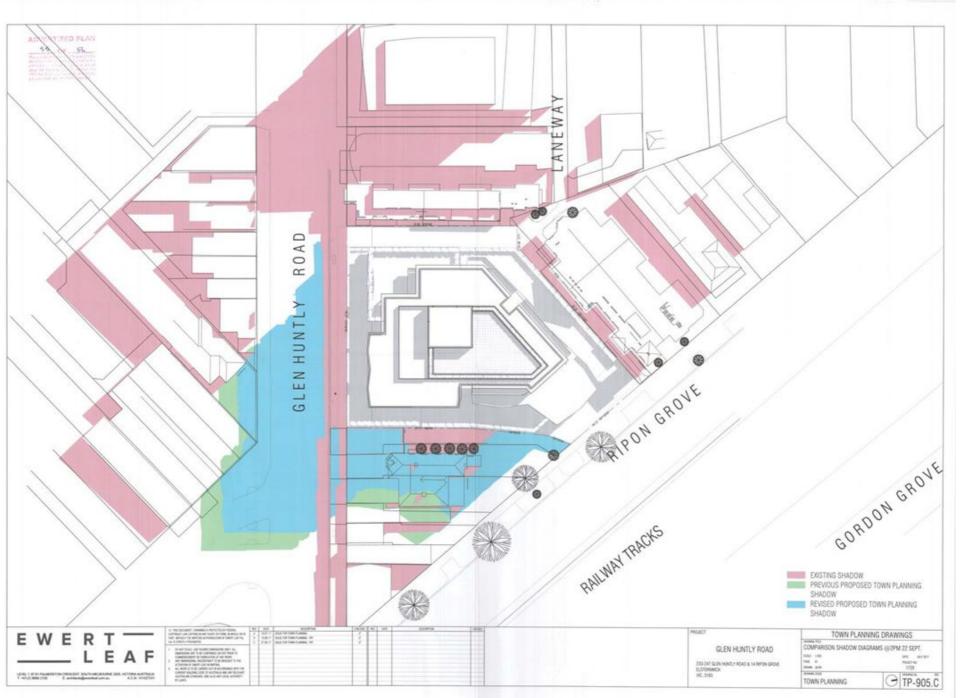


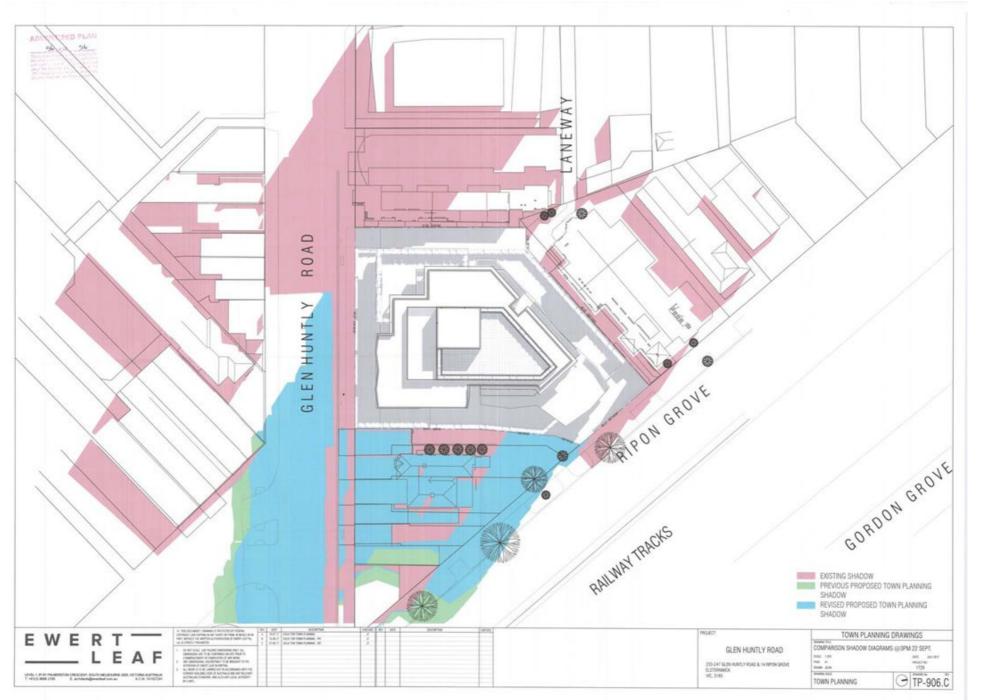












ITEM 9.5 1110-1112 DANDENONG ROAD, CARNEGIE

Author: Paul Wood, Manager Town Planning

File No: N/A

Attachments: Advertised plans

PURPOSE AND SUMMARY

To consider a Planning Permit application.



PROPOSAL	Construction of 19 dwellings of 2-4 storeys above basement car park, reduction in visitor car parking requirement and alteration of access to a road in a Road Zone, Category 1
MUNICIPAL STRATEGIC STATEMENT	Carnegie Urban Village
APPLICANT	Triple 12 Property Development Pty Ltd
PLANNING SCHEME CONTROLS	Residential Growth Zone - 1110 Dandenong Road General Residential Zone - 1112 Dandenong Road
OBJECTIONS	2

RECOMMENDATION

That Council issues a Notice of Decision to Grant a Planning Permit for Application No. GE/PP-30982/2017 for the construction of 19 dwellings of 2-4 storeys above basement car park, reduction in visitor car parking requirement and alteration of access to a road in a Road Zone, Category 1 at 1110-1112 Dandenong Road, Carnegie in accordance with the following conditions:

- 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 plans submitted with the application (identified as Drawing No's. TP.101-TP.106, TP.201-TP.203 and TP.301-TP.302, prepared by t-a square and dated 28 July 2017) but modified to show:
 - (a) A landscape plan in accordance with Condition 2.
 - (b) The south-facing stairwell windows of Units 10 and 11 to be fitted with obscure glass.
 - (c) In addition to the speed hump, give-way sign and convex mirror shown at the start of the accessway, the provision of corner splays (pedestrian sight triangles) for the vehicle accessway in accordance with Design Standard 1 of Clause 52.06-9 of the Glen Eira planning Scheme. This may be achieved by modifications to the side boundary fence allowing the corner splay to include part of the entry/exit lane of 1108 Dandenong Road.
 - (d) The radii and clearances of the curved section of the basement ramp to accord with the requirements of AS2890.1: 2004 and clearly shown and dimensioned on the plans.
 - (e) The basement ramp to incorporate 500mm kerbs.
 - (f) The 1:16 graded section of the basement ramp to include details demonstrating that there would be no sudden drop on either side of this section of the ramp.
 - (g) A convex mirror to be provided above the outside curve of the ramp to improve visibility between motorists entering and exiting.
 - (h) The internal length of the tandem garages to be increased to a minimum of 11.3m.
 - (i) A note stating that the design and layout of the bicycle parking spaces would accord with Clause 52.34 of the Glen Eira Planning Scheme, AS2890.3 or 'The Bicycle Parking Handbook' by Bicycle Victoria.
 - (j) The delineation of separate Tree Protection Zone (TPZ) and Tree Protection Fencing (TPF) for the following trees at the prescribed radial distance from the base of tree trunk to define a tree protection zone (TPZ):
 - Neighbouring trees to the south 3.0m each; and
 - Neighbouring trees to the east 3.0m each.
 - (k) The delineation of root sensitive footings where any part of the development comes within the following TPZ's:
 - Neighbouring trees to the south 3.0m each; and
 - Neighbouring trees to the east 3.0m each.
 - (I) The delineation of root sensitive permeable paving where any part comes within the following TPZ's:
 - Neighbouring trees to the south 3.0m each; and
 - Neighbouring trees to the east 3.0m each.

(m) The deletion of side and rear boundary fence and trellis notes from the plans and elevations.

When approved, the plans will be endorsed and will then form part of this Permit.

- 2. A detailed Landscape Plan must be submitted to Council, to the satisfaction of 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 the following:
 - (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 the following areas:
 - (i) 2 trees within the front north-eastern corner of the site;
 - (ii) 1 tree within the front setback of Unit 1;
 - (iii) 6 trees within the private open space areas of Units 2, 11 and 12 (2 for each dwelling);
 - (iv) 15 trees within the private open space areas of Units 3-10 and 13-19 (one for each dwelling);
 - (v) 2 trees within the rear south-eastern corner of the site;
 - (vi) 2 trees within the rear south-western corner of the site;

Or 28 trees as above in locations to the satisfaction of the Responsible Authority.

Trees are not to be sited over easements. All species selected must be to the satisfaction of the Responsible Authority.

- 3. Prior to the commencement of the buildings and works (including demolition), a tree protection fence must be erected around the following trees at the prescribed radial distance from the base of the trunk to define a tree protection zone (TPZ):
 - Neighbouring trees to the south 3.0m each; and
 - Neighbouring trees to the east 3.0m each.

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.

- Any required pruning to the overhanging canopy of any neighbouring trees is to be done by a qualified Arborist to Australian Standard – Pruning of Amenity Trees AS4373 – 2007 Standards Australia.
- 5. Any pruning of the root system of any neighbouring tree is to be done by hand by a qualified Arborist.
- 6. Root sensitive footings such as pier and beam or screw pile footings (or similar) are to be used where any part of the development comes within the following TPZ's. If used, the beam should be designed to be positioned above soil grade to minimise soil excavation and root severance:
 - Neighbouring trees to the south 3.0m each; and
 - Neighbouring trees to the east 3.0m each.
- 7. Root sensitive permeable paving such as 'on-ground' or no-dig' paving (or similar) is to be used where any part of the proposed paving comes within the following TPZ's:
 - Neighbouring trees to the south 3.0m each; and
 - Neighbouring trees to the east 3.0m each.
- 8. The landscaping as shown on the endorsed Landscape Plan must be carried out, completed and maintained to the satisfaction of the Responsible Authority.
- 9. 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.
- 10. Prior to the occupation of the approved development, the owner/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:
 - (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 or utilisation of council 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 will be endorsed to form part of this permit and 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.

- 11. 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) Truck haulage routes, circulation spaces and queuing lanes;
 - (c) Details how traffic and safe pedestrian access will be managed. These must be in the form of a Traffic Management Plan designed by a suitably qualified traffic practitioner;
 - (d) A liaison officer for contact by owners / residents and the Responsible Authority in the event of relevant queries or problems experienced;
 - (e) An outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
 - (f) Any requirements outlined within this permit as required by the relevant referral authorities;
 - Hours for construction activity in accordance with any other condition of this permit;
 - (h) Measures to control noise, dust, water and sediment laden runoff;
 - (i) Measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;
 - (j) Any construction lighting to be baffled to minimise intrusion on adjoining lots.
- 12. The car parking allocation for the approved development must be:
 - Not less than one (1) car space for each 1 or 2 bedroom dwelling;
 - Not less than two (2) car spaces for each three (3) or more bedroom dwelling;
 - Visitor spaces (2) marked accordingly.
- 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.

- 14. A vehicular crossing must be constructed to the road to suit the proposed driveway 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. 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 generally in accordance with the endorsed plans (prior to the construction of the levels above being commenced.)
- 16. 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 generally in accordance with the endorsed plans.
- 17. The permit holder must inform all purchasers about this planning permit, particularly drawing attention to Note A.
- 18. Prior to the occupation of the approved development, a permanent sign must be erected by the applicable planning permit holder in a prominent position in the car park and in any foyer/s 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.
- 19. 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.
- 20. 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.
- 21. This Permit will expire if:
 - The development does not start within two (2) years from the date of this Permit; or
 - The development is not completed within four (4) years of the date of this Permit.

The Responsible Authority may extend the time referred to if a request is made in writing before this Permit expires or within six (6) months after the expiry date if the use/development has not commenced.

If the development has commenced, the Responsible Authority may extend the time referred to if a request is made in writing within twelve (12) months of the expiry date.

Notes:

- A. Residents of the dwellings allowed under this permit will not be issued Residential Parking Permits (including visitor parking permits).
- B. 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.

- C. 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.
- D. 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. All matters relating to the boundary fences shall be in accordance with the provisions of the Fences Act 1968.
- E. Any failure to comply with the conditions of this permit may result in action being taken to have an Enforcement Order made against some or all persons having an interest in the land and may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- F. 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.
- G. Consideration is required when installing domestic services (ie, air conditioning units, heaters, pool pumps, water tanks and the like). The owner/occupier/permit holder/developer must take all reasonable and practicable measures in locating domestic services in position that reduce any amenity impact on adjoining properties. This includes selecting an appropriate installation position and enclosing the domestic service. Further information regarding noise from domestic services can be found in the Environmental Protection Act 1970.

Asset Engineering Notes

H. Council records indicate that there is an existing Council stormwater drain that runs along the southern boundary of the property. The proposed Communal area, Seating and BBQ area are proposed to be built over Council existing drain. The proposed plans may need to be amended and resubmitted to Council by retaining a minimum 1.0m horizontal offset from the existing Council drain.

Vehicle Crossing

- I. The existing Telstra pit shall be relocated to its satisfaction.
- J. The proposed vehicle crossing should be constructed as splayed vehicle crossing to Council's standards.

GLEN EIRA CITY COUNCIL

Drainage

- K. No net increase in peak stormwater runoff in Council's drainage network. Postdevelopment peak stormwater discharge to Council's drainage network must be maintained to the pre-development level for 10 year ARI. Detailed plans and computations should be submitted to Council for approval prior to any construction works.
- L. Engineering Services encourage using rainwater tanks for storage and reuse for toilet and irrigation purposes and/or a stormwater detention system.
- M. Drainage associated with basement construction (seepage and agricultural waters is to be filtered to rainwater clarity) must be discharged to the nearest Council Drain/Pit and not be discharged to the kerb and channel.
- N. All stormwater runoff must be connected to Council's underground drainage network. No uncontrolled stormwater discharge to adjoining properties and footpaths.

General

- O. Any firefighting equipment for the building shall be accommodated within the title boundary. The submitted plans do not show the location of any hydrant/booster. Council will not allow private fire equipment in the Road Reserve.
- P. Asset Protection Permit must be obtained from Council's Engineering Services Department prior to the commencement of any building works.
- Q. All relevant Engineering Permits must be obtained prior to any works within the Road Reserve and/or stormwater connection to Council's drainage network.
- R. Any modifications, amendments or changes that could impact Council's infrastructure assets are to be discussed with Engineering Services prior to issuing a planning permit.

BACKGROUND

Planning Permit GE/PP-29244/2016 for a 3-4 storey building comprising 38 apartments and a 2 level basement car park was issued on 6 June 2017. This proposal was approved by Council at its meeting of 20 December 2016. The final version of the Planning Permit was issued at the direction of VCAT following a Compulsory Conference.

ISSUES AND DISCUSSION

- Zoning and policy context
- Neighbourhood character
- Height, scale and massing
- Amenity impacts
- Landscaping
- Internal amenity
- Car parking and traffic
- Objectors' concerns

<u>Proposal</u>

- Demolition of the 2 existing dwellings
- Construction of nineteen (19) 2, 3 and 4 storey attached dwellings
- Eight dwellings would each have 2 bedrooms and 11 dwellings would each have 3 bedrooms
- Vehicle access would be from a vehicle crossing to the service lane of Dandenong Road
- Each dwelling would be provided with a single garage or 2 car spaces in either a tandem or double garage in the basement
- Two visitor car spaces would be provided in the basement, representing a shortfall of 1 visitor car space
- Maximum overall building height would be 12.65m at 1110 Dandenong Road and 9.42m at 1112 Dandenong Road
- Site coverage would be 51%
- Permeability would be 21%

Objectors' concerns

- The size and bulk of the proposal would not be in keeping with neighbourhood character
- Inadequate front setback
- Overlooking
- Overshadowing
- Inadequate visitor car parking
- Inconvenient car park layout
- Insecure bicycle parking
- Reduction of traffic safety
- Inappropriate transition to the Neighbourhood Residential Zone

Referrals

VicRoads

• No objection.

Transport Planning

- The number of car spaces for residents meets the State Government guidelines.
- The reduction of 1 visitor car space is satisfactory.
- Conditions suggested for modifications to the basement ramp design and car park layout to improve convenience and safety.

Asset Engineering

- No objection.
- Notes suggested advising the applicant about managing impacts on Council infrastructure.

Landscape Officer

• Conditions suggested for the protection of trees on neighbouring properties.

Park Services

• No street trees will be affected.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

None

POLICY AND LEGISLATIVE IMPLICATIONS

Zoning and policy context

The western part of the site (1110 Dandenong Road) is located within the Residential Growth Zone. The eastern part of the site (1112 Dandenong Road) is located within the General Residential Zone (Schedule 2).

Land to the west of the site is within the Residential Growth Zone and land to the east, fronting Dandenong Road is within the General Residential Zone. The south-eastern corner of the site adjoins 1 Chestnut Street, which is located within the Neighbourhood Residential Zone, and is included in a Neighbourhood Character Overlay.

The objectives of the Urban Villages Policy include:

- To encourage increased densities within and around commercial/transport nodes which respects transition to the surrounding residential area.
- To ensure development respects the amenity of the surrounding area and provides a transition to surrounding residential uses.

The 3 relevant purposes of the Residential Growth Zone are:

- To provide housing at increased densities in buildings up to and including four storey buildings.
- To encourage a diversity of housing types in locations offering good access to services and transport including activity centres and town centres.
- To encourage a scale of development that provides a transition between areas of more intensive use and development and other residential areas.

The 2 relevant purposes of the General Residential Zone are:

- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.

It is considered that the proposal accords with the Urban Villages Policy and the purposes of both the Residential Growth and General Residential Zones. The density, scale and massing of the proposal is considered to be appropriate for this location having regard to existing larger buildings further to the west and the frontage to Dandenong Road. The proposed building heights comply with the mandatory maximum heights allowed in each of the 2 zones.

The sensitive interface to the south-east in the Neighbourhood Residential Zone has been managed through the lower building heights toward the rear which will provide a suitable transition in scale to the dwellings in Chestnut Street. The proposal is considered to be well-designed with a good level of visual interest and architectural merit.

Neighbourhood character

The built form character of the surrounding area includes a range of dwelling types of various scales. The site is in proximity to part of the commercial area of Carnegie to the west, which includes very large buildings (eg, Carnegie Central). Buildings to the south and east of the site are more domestic in scale and appearance.

The proposal would provide a contrast to the older dwellings, but this is anticipated having regard to the zoning of the land and Council's Urban Villages Policy which support increased residential densities and buildings of 3-4 storeys.

The building has been thoughtfully designed with a good level of compliance with ResCode and would integrate well into the streetscape and with neighbouring properties. The proposal provides an appropriate transition to the sensitive southern and eastern interfaces having regard to the location of private open spaces of the existing dwellings fronting Arawatta and Chestnut Streets.

The State Government guidelines require a minimum front setback of 8.0m. The proposed front setback would be 6.7m which would provide a suitable visual transition between the 5.6m setback of 1108 Dandenong Road and the 10.4m setback of 1114 Dandenong Road.

Height, scale and massing

The dual zoning of the site results in differing mandatory maximum building heights, with 13.5m for the western part of the site and 10.5m for the eastern part. The design recognises this by including a central walkway that reflects the boundary between the 2 zones and which provides a stepping down in scale toward the east.

Side and rear setbacks are considered to be acceptable and comply with the relevant ResCode standards.

The proposed site coverage of 51% complies with the State Government guidelines which allow up to 60%. Permeability would be 21% which exceeds the minimum requirement of 20%.

The garden area provided for 1112 Dandenong Road, within the General Residential Zone, is 39%, which is more than the mandatory minimum of 35%. There is no garden area requirement for the Residential Growth Zone that covers 1110 Dandenong Road.

Amenity impacts

The development complies with the overlooking and overshadowing requirements of ResCode.

Landscaping

The layout of the proposal provides adequate landscaping opportunities. A landscape plan will be required to be submitted with provision for 29 canopy trees. Tree protection conditions are recommended for the trees on the neighbouring properties to the south and east.

Internal amenity

The habitable rooms of the dwellings will have good access to sunlight and daylight. Internal overlooking has been well managed with the careful placement of windows facing the central walkway.

Adequate private open space would be provided through a combination of ground floor courtyards, first and second floor balconies, third floor terraces and a communal open space at the rear with a BBQ and seating.

The front fences of up to 1.8m in height are considered to be acceptable as they will provide a sense of privacy for the ground floor rooms of the dwellings at the front of the site.

Car Parking and Traffic

The State Government parking guidelines require 30 resident car spaces based on 1 car space for each 2 bedroom dwelling and 2 car spaces for each 3 or more bedroom dwelling. A total of 30 car spaces for residents are provided which accords with the guidelines.

The guidelines also require 3 visitor car spaces based on 1 car space for every 5 dwellings. A total of 2 visitor car spaces are provided in the basement, representing a shortfall of 1 car space. Council's Transport Planning Department agrees with the applicant's justification for the requested dispensation of 1 visitor car space based on surveys of the availability of on-street parking and the site's proximity to public transport.

A note is recommended to be included on the permit stating that future residents would be ineligible for resident and visitor parking permits.

The basement ramp and car park layout is generally satisfactory. Some of the changes suggested by Council's Transport Planning Department will be included in the recommendation to enhance the safety and convenience of vehicle movements. These changes necessitate some modifications to the basement ramp design and car park layout. The applicant has provided an assessment provided by a qualified traffic engineer stating that some parts of the relevant design standards can be varied such as the corner splay and passing area requirements.

Council's Transport Planning Department has advised that the increase in traffic generated by the proposal is unlikely to have a significant adverse impact on the operation of the surrounding road network. VicRoads has no objection to access from the service road.

Management Plan Requirements

Conditions will require the submission of a Construction Management Plan (CMP) and Waste Management Plan (WMP).

COMMUNICATION AND ENGAGEMENT

- 1. <u>Public Notice (Statutory)</u>
 - 12 properties notified
 - 136 notices sent (owners and occupiers)
 - 2 signs erected on site
 - 2 objections received
- 2. Planning Conference (Non Statutory)

The Conference, chaired by Cr Athanasopoulos provided a forum where all interested parties could elaborate on their respective views. No objectors attended the Conference.

Undertakings by the Applicant

• The applicant gave an undertaking to install obscure glass in an upper floor stairwell window.

LINK TO COUNCIL PLAN

Liveable and Well Designed:

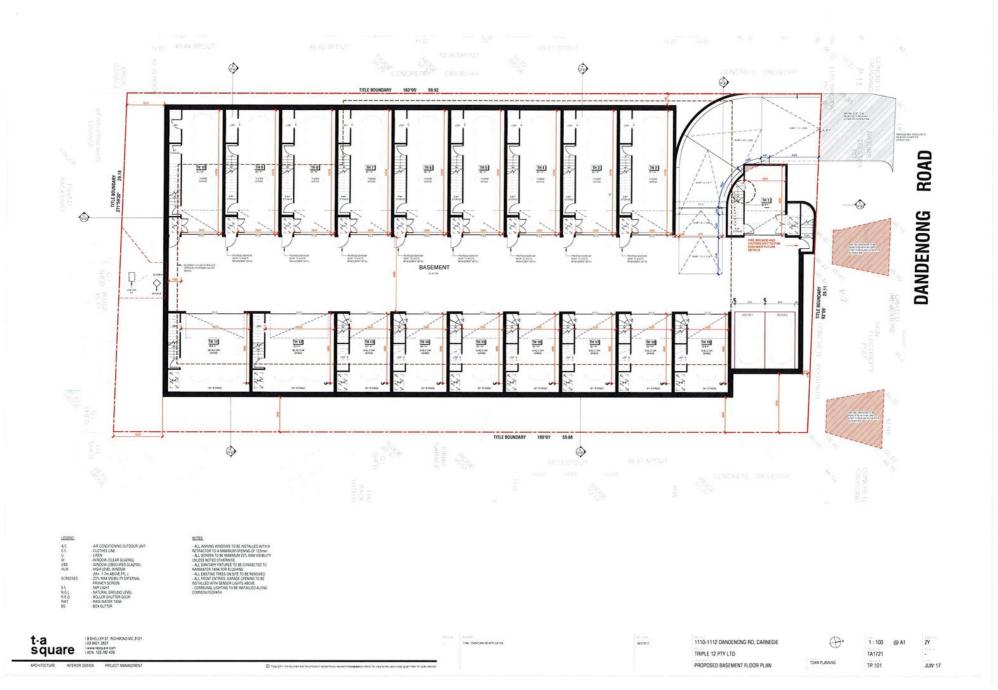
A well planned City that is a great place to live.

OFFICER DECLARATION OF CONFLICT OF INTEREST

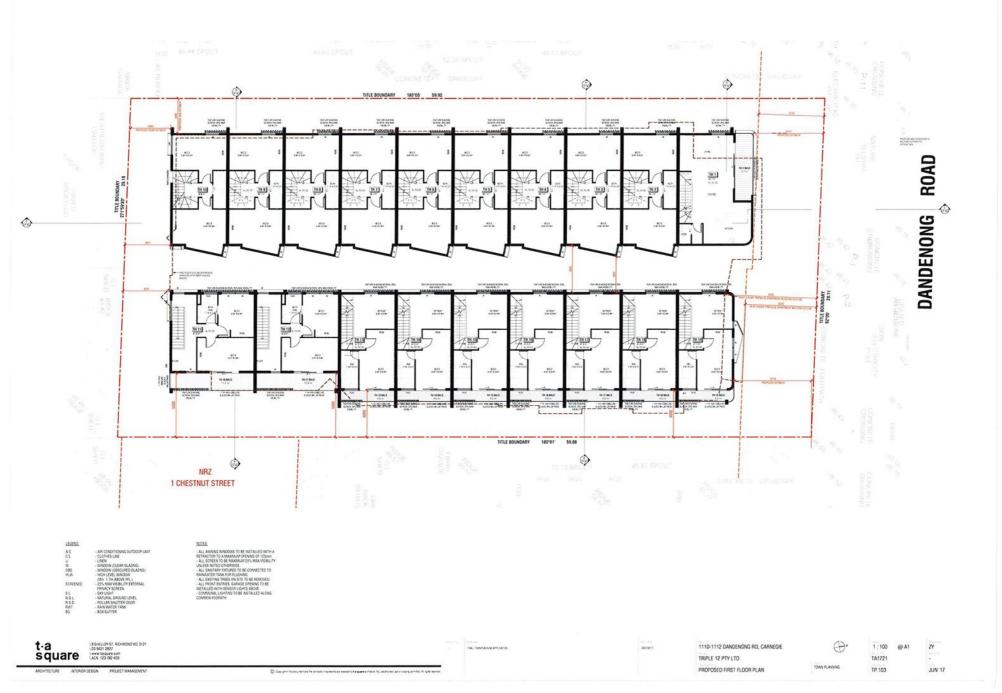
No officers involved in the preparation of this report have any direct or indirect interest in this matter.

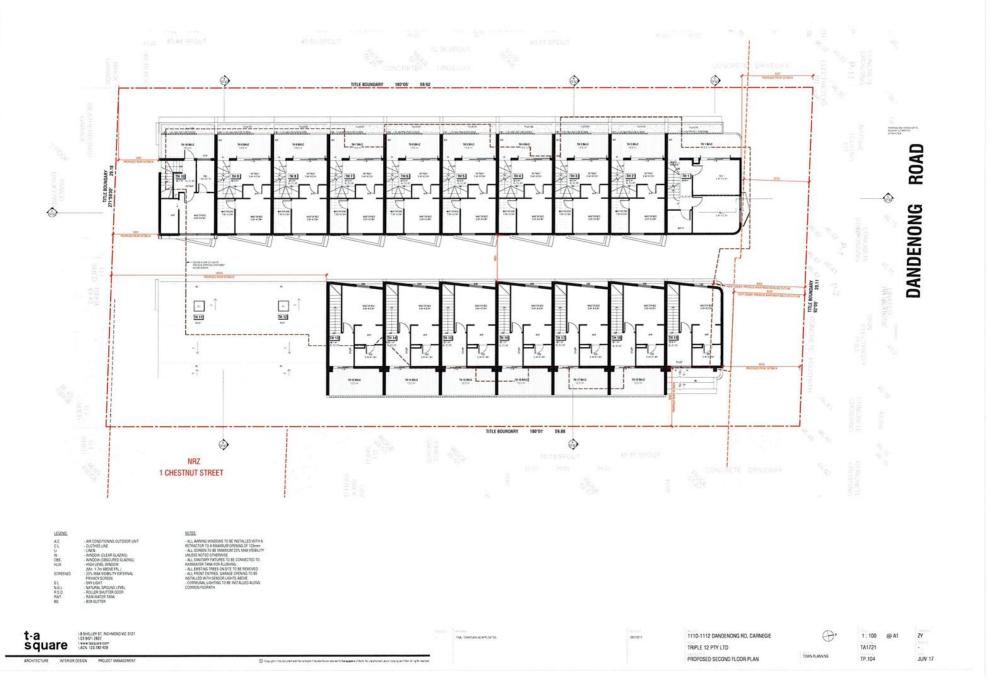
CONCLUSION

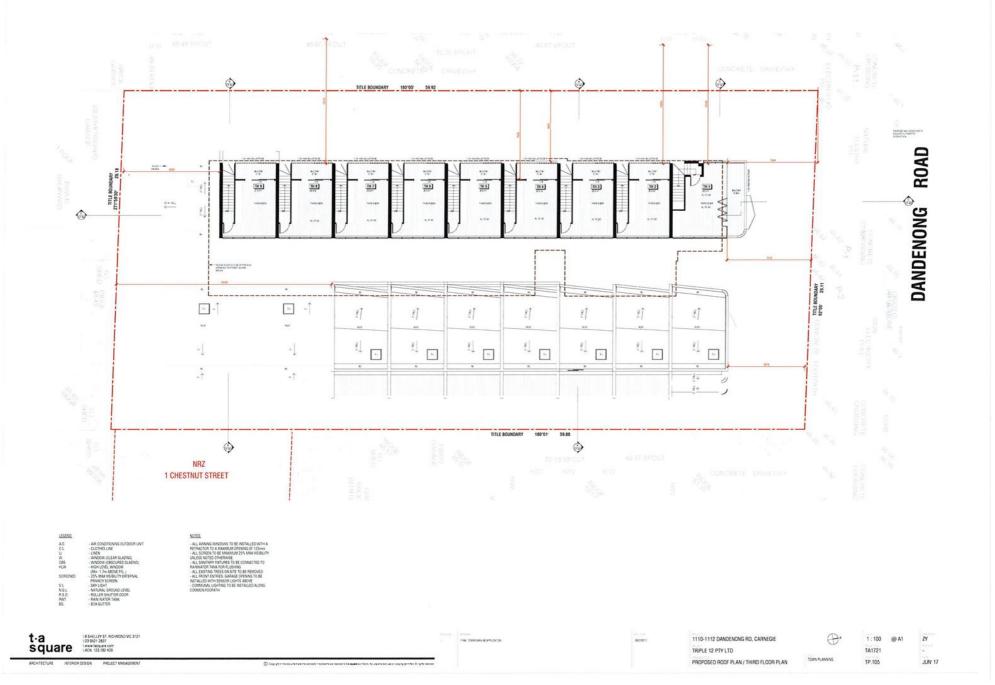
That a Notice of Decision to Grant a Planning Permit be issued.

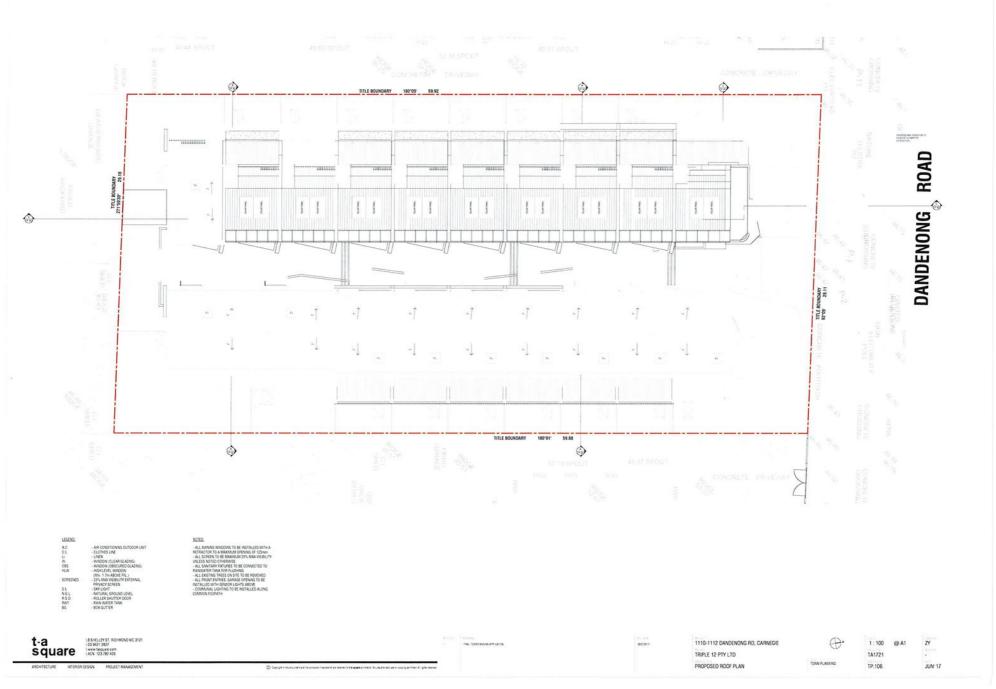


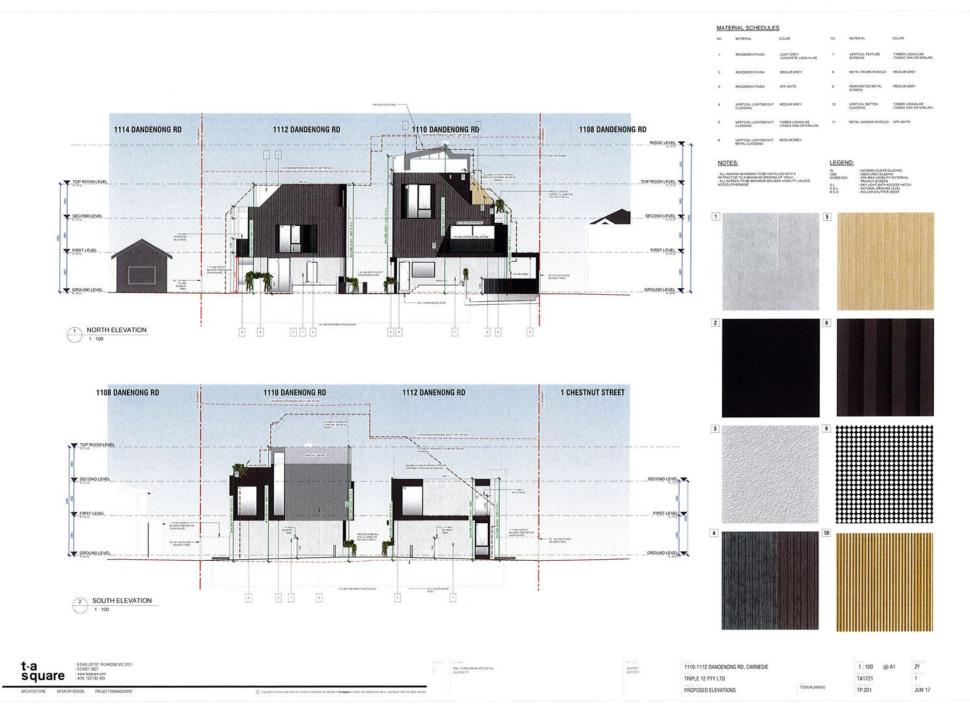




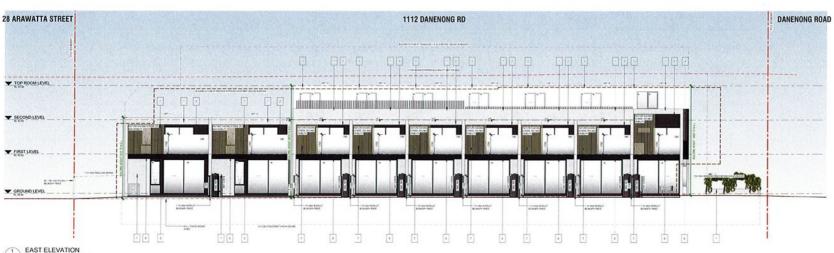






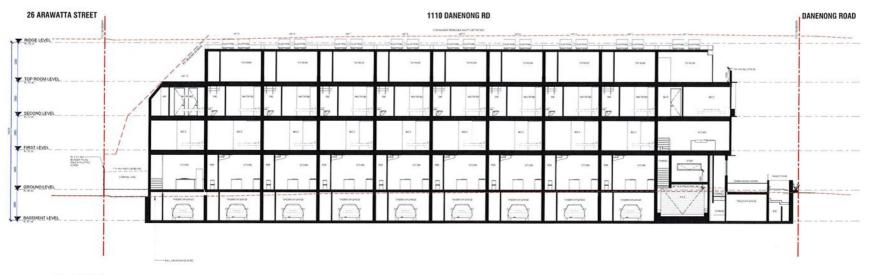




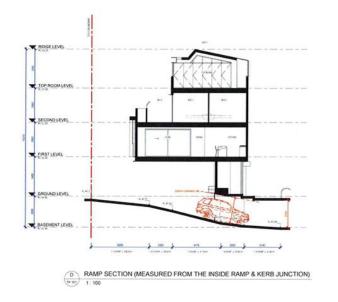








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8 SHELLEY ST. RICHMOND VC 3121 03 9421 2827

ITEM 9.6	CAULFIELD VILLAGE – PLANNING SCHEME AMENDMENT C151: SOCIAL AND AFFORDABLE HOUSING	
Author:	Tracey Mihalos - Principal Strategic Planner	
File No:	Amendment C151	
Attachment:	Clause 37.06, Schedule 2: Priority Development Zone	

PURPOSE AND SUMMARY

The Amendment applies to the development site known as 'Caulfield Village', generally bounded by Caulfield Racecourse, Kambrook Road, Balaclava Road, and Normanby Road and more particularly described in the Caulfield Mixed Use Area Incorporated Plan dated February 2014.



The amendment seeks to amend Schedule 2 to Clause 37.06 (Priority Development Zone) and the *Caulfield Mixed Use Area Incorporated Plan, February 2014* to:

- Strengthen the existing planning controls in relation to social and affordable housing requirements for future stages of the 'Caulfield Village' development by introducing a new objective, definitions and application requirements ensuring the delivery of either or both social or affordable housing representing at least five per cent of the total amount of dwellings to be developed in the Caulfield Mixed Use Area Precinct.
- Ensure that the boundaries of precincts shown on the 'Caulfield Mixed Use Area Precinct Plan' cannot be altered in future development plan submissions.

The amendment is consistent with the *Planning and Building Legislation Amendment* (Housing Affordability and Other Matters) Bill 2017.

RECOMMENDATION

That Council:

- 1. notes the submissions received; and
- 2. refers submissions and the revised documents to an Independent Panel in accordance with Section 23 of the Planning and Environment Act 1987.

BACKGROUND

At the 7 February 2017 Council meeting, Council resolved that it:

"Requests officers to undertake a review of the current town planning controls applying to the Caulfield Village Development given that planning scheme controls have evolved since the approval of Amendment C60. The review is to identify any potential gaps in the controls including the loss of on-street car parking around the Caulfield Village development site. Should any gaps be identified officers are to commence a planning scheme amendment process to address these gaps."

On the 21 March 2017, Council considered the existing planning controls for Caulfield Village and determined that it:

"Notes potential gaps identified in the current controls relating to social/affordable housing, and the precinct boundaries.

Commences a planning scheme amendment process to address these gaps in the controls, and seeks authorisation from the Minister for Planning to prepare and exhibit the amendment."

Caulfield Village is one of Glen Eira's largest urban renewal sites with a significant opportunity to contribute an appropriate level of social and affordable housing to the community.

Affordable housing was a key consideration of Amendment C60, which originally introduced the Caulfield Village provisions into the planning scheme. The independent planning panel assessing the amendment noted that:

"The Panel acknowledges the importance of the provision of affordable housing in the Caulfield Village Precinct as raised by DSE (at the time) and supported by both Council and the MRC."

The existing provisions for social and affordable housing for Caulfield Village have not been upheld by VCAT when challenged by the developer. Stage 1 of the development has been completed and Stage 2 recently approved with no 'affordable housing' or 'social housing program' implemented.

The current provisions in the Glen Eira Planning Scheme for Caulfield Village state, amongst others:

Before deciding on an application for a permit or the approval of a development plan, in addition to the decision guidelines in Clause 65, the Responsible Authority must consider, as appropriate:

••

□ The provision of affordable housing in the form of social housing

. . .

This issue was raised at the recent VCAT hearing for Stage 2, where Council's proposed social housing measures were not upheld due to 'a lack of overt policy support' amongst other matters.

This amendment seeks to strengthen the provisions to provide clear, consistent and mandatory policy requirements.

The definition of affordable housing for this proposal is:

Affordable housing means housing, including social housing, that is appropriate for the housing needs of any of the following:

- a) Very low income households;
- b) Low income households; and
- c) Moderate income households

This definition is consistent with the recently enacted *Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017.*

Precinct Boundaries

The 'Caulfield Village Mixed Use Area' within the *Caulfield Mixed Use Area Incorporated Plan, February 2014* comprises three precincts, each with varying provisions for Land Use, Built Form and Design (including building height). The current precinct boundaries within the 'Caulfield Village Mixed Use Area Precinct Plan' can be interpreted as indicative, which enables the developer to propose alterations not originally considered by Amendment C60 (such as extended mixed use zoning and raised building heights in areas originally nominated as residential). This amendment ensures that precinct boundaries must not be altered in future development plan submissions

ISSUES AND DISCUSSION

The key planning issues for this amendment are:

- Appropriateness of changes to the planning scheme;
- Consistency with the *Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017.*

The amendment was exhibited from 19 October - 20 November 2017. A total of eleven submissions were received.

Supporting submission

One submission was received from a resident supporting the amendment, however, a number of questions were raised in regards to the affordable/social housing aspect. These include:

- Given no affordable housing has been provided to date, what are the impacts of clustering a lot of this housing together in the remaining stages? Who will be responsible for assessing these impacts?
- Who will wear the cost of this housing?
- Who will be responsible for the management of these dwellings and their tenants?
- Do affordable housing units require a lesser amount of car parking?
- Maintaining the boundaries of the East Village precinct is a good thing. It is important that the boundaries that are set for the Mixed Use Zone cannot be varied at the whim

of the developers to suit their review of market conditions and to suit their own ends as the development proceeds.

The Environment Protection Authority (EPA) and Transport for Victoria have no objection to the amendment, but would like to be consulted in the process of any Development Plan for the precinct.

Opposing submissions

The opposing submissions can be summarised as follows:

- Amendment is unlikely going to enhance the already high level of cultural diversity.
- The integration of social/affordable housing into the local area is unlikely to be successful. Therefore the social/affordable housing residents are unlikely to enjoy the lifestyle in the local area.
- Caulfield Village is one of the largest development projects, the number of social/affordable housing residents will be large in absolute numbers. This is too dramatic change in too short a period of time.
- The proposed amendment is unnecessary. The objective in the existing incorporated plan has already been achieved with the present units in Stage 1.
- The proposed amendment is unlawful. The amendment claims to be based on the Housing Affordability and Other Matters Bill 2017 which is not law as yet and may never become law.
- Do not want social housing in Caulfield Village, as suburbs can be detrimentally impacted with trouble and antisocial behaviour.
- Rules should not be changed retrospectively.
- The issue of social housing was already decided at VCAT where it decided to reject the social housing component.
- Amendment will hinder saleability of our property.
- Phoenix Precinct policy refers to creating a "high quality, vibrant urban environment" how do you propose to create this environment when in creating affordable housing you will not be providing a car space for each dwelling?
- The amendment does not include proposed heights.
- Loss of investment.
- Council should redevelop its own land for social housing.
- Oppose amendment in its entirety.
- Lack of consultation with MRC prior to amendment being exhibited.
- The proposed changes will directly impact the developer's rights to develop the land and threaten the overall vision as set out in the Incorporated Plan.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

N/A

POLICY AND LEGISLATIVE IMPLICATIONS

Planning Scheme Amendment Process

The planning scheme amendment 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' requests, or request the Minister to appoint an Independent Panel to hear the submissions.
- 4. If a Panel is appointed, submissions are heard and the panel reports its findings to Council in the form of a <u>recommendation</u>.

The Panel may make a recommendation to:

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

The process required to amend the Glen Eira Planning Scheme is lengthy and provides opportunities for input from interested parties. With regard to the current proposal, Council is at **Step 3**.

COMMUNICATION AND ENGAGEMENT

The amendment was exhibited from 19 October - 20 November 2017.

- 1,461 notices notifying owners and occupiers posted
- · Notices posted to referral authorities and prescribed ministers
- 1 notice in both local newspapers (Moorabbin and Glen Eira Caulfield Leader)
- 1 notice in the Government Gazette
- Amendment documentation available on Council's website.

A total of eleven submissions were received.

A Planning Conference was held on 30 November 2017 and was chaired by the Mayor. Seven submitters attended the conference. The responses from submitters appearing at the Planning Conference helped inform this report.

The main concerns raised at the Planning Conference included:

Concern

- Melbourne Racing Club (MRC) object to the amendment.
- MRC have not agreed to the provision of 5% of social/affordable housing.
- Currently, the affordable housing requirement is one of many decision guidelines in the current controls that apply to the MRC land.

Officer response

Social/affordable housing has been from the onset an objective of the Caulfield Village Project, and is reflected in the decision guidelines of the Schedule of the Priority

Development Zone (which is the planning controls that apply to Caulfield Village). This amendment is strengthening the planning control.

Concern

- Management of these dwellings. Who will be responsible for managing these dwellings and the residents?
- How will affordable housing be provided? Will it be gifted, leased?

Officer response

Social/affordable housing can come in different forms. They can be managed by community housing providers that are registered and regulated by the state government, such as housing associations and rooming houses. Or it can be managed more like a private rental property with eligibility criteria.

Management of the social/affordable housing will be determined by the developer when planning for the development of the dwellings.

Concern

• Council is acting unlawfully by requesting affordable housing. The Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017 *is* not law as yet. The Bill does not allow pricing of dwellings until the Bill becomes law.

Officer response

Council is not acting unlawfully in requesting for the provision of social/affordable housing.

The current planning scheme includes provisions which seek social/affordable housing. Clause 16 of the Planning scheme includes as an objective;

"To deliver more affordable housing closer to jobs, transport and services".

Plan Melbourne includes the delivery of social/affordable housing as an outcome for Councils.

The Council Plan includes also includes as an objective "To seek opportunities for social/affordable housing in urban renewal sites".

It is anticipated that the Bill will become law by June 2018.

<u>Concern</u>

• Stage 3 of the development is advanced. Plans are approved and are now selling land. How do we ensure affordable housing is developed on these sites?

Officer response

Stage 3 has yet to be developed.

The developers will need to submit a Development Plan to Council which will need to show location and a level of detail of the affordable housing to be provided on the land.

LINK TO COUNCIL PLAN

Theme One: Liveable and Well Designed Long-term community goal: A well planned City is a great place to live.

The strategic objectives of this long-term community goal are:

- Create prosperous, accessible and vibrant urban places
- Encourage development that benefits the community

"We will proactively seek opportunities to incorporate social and/or affordable housing outcomes in urban renewal sites"

- Proactively plan for and manage change within our urban places

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

This amendment proposes to strengthen the social and affordable housing requirements for future stages of development of the Caulfield Village precinct. It is therefore recommended that Council progress the amendment by referring all submissions to an independent planning panel for consideration.

05/06/2014 GC6 --/--/---Proposed C151

SCHEDULE 2 TO THE PRIORITY DEVELOPMENT ZONE

Shown on the planning scheme map as **PDZ2**.

CAULFIELD MIXED USE AREA

Land

This schedule applies to the land generally bounded by Caulfield Racecourse, Kambrook Road, Balaclava Road, and Normanby Road being the area more particularly described in the *Caulfield Mixed Use Area Incorporated Plan, February 2014*, 2017.

Objective

To facilitate the redevelopment of the Caulfield Mixed Use Area for leisure, commerce, living and shopping to form an integrated transit orientated urban village.

To ensure that the redevelopment of the Caulfield Mixed Use Area is integrated with and complements the redevelopment of the Monash University Caulfield Campus – Western Precinct Development.

To ensure that the redevelopment of the Caulfield Mixed Use Area provides for links to the racecourse to the south.

To give effect to the objectives and design principles of the *Caulfield Mixed Use Area* Incorporated Plan, February 2014 <u>April 2017</u>.

To ensure delivery of either or both social or affordable housing, representing at least five per cent of the total number of dwellings to be developed in the Caulfield Mixed Use Area.

1.0

Table of uses

05/06/2014 GC6

Section 1 - Permit not required

Use	Condition
Accommodation (other than Camping and caravan park, Corrective Institution, Host	
farm, Bed and breakfast and caretaker's house)	Any frontage at ground floor level within the Mixed Use Precinct or the Smith Street Precinct must not exceed 2 metres.
Art Gallery	
Bank	Must be located in the Mixed Use Precinct or the Smith Street Precinct as shown in the Incorporated Plan
Betting Agency	Must be located in the Mixed Use Precinct or the Smith Street Precinct as shown in the Incorporated Plan
Bus terminal	
Car park	Must not be in the Residential Precinct unless used in conjunction with another use in Section 1 or Section 2.
	If the use is located in accordance with the approved Development Plan applying to the land.

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Use	Condition
Child care centre	
Cinema Cinema based entertainment facility	Must be located in the Mixed Use Precinct o the Smith Street Precinct as shown in the Incorporated Plan.
Convenience restaurant	Must be located in the Mixed Use Precinct o the Smith Street Precinct as shown in the Incorporated Plan
	The use must form part of an integrated development that incorporates at least one other use being accommodation, office o shop.
Electoral office	Must not be in the Residential Precinct as shown in the Incorporated Plan.
Exhibition Centre	Must not be in the Residential Precinct as shown in the Incorporated Plan.
Food and drink premises (other than convenience restaurant, hotel and tavern	Must be located in the Mixed Use Precinct o) the Smith Street Precinct as shown in the Incorporated Plan.
Home occupation	
Informal outdoor recreation	
Library	
Minor utility installation	
Natural systems	
Office (other than Medical centre)	Must not be located in the Residentia Precinct as shown in the Incorporated Plan.
	Any frontage a ground floor level must no exceed 2 metres and access must not be shared with a dwelling (other than a caretaker's house), unless the office is a bank, real estate agency, travel agency, o any other office where the floor space adjoining the frontage is a customer service area accessible to the public.
Postal agency	
Railway	
Shop (other than Adult sex bookshop, Restricted retail premises and Department store)	Must not be located in the Residentia Precinct as shown in the Incorporated Plan.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.
Section 2 - Permit required	
Use	Condition
Bed and breakfast	
Department Store	Must not be in the Residential Precinct as shown in the Incorporated Plan.
Education Centre	÷
Gambling Premises (other than Betting	

PRIORITY DEVELOPMENT ZONE - SCHEDULE 2 Doc ID 439279623/v2 PAGE 2 OF 13

Use	Condition
Hotel	Must not be in the Residential Precinct as shown in the Incorporated Plan.
Landscape gardening supplies (otł Garden supplies)	ner than
Leisure and recreation (other than racing track)	Motor
Medical centre	Any frontage a ground floor level must no exceed 2 metres and access must not be shared with a dwelling (other than a caretaker's house), unless the use is where the floor space adjoining the frontage is a customer service area accessible to the public.
	public.
Place of Assembly (other than Art (Carnival, Cinema, Circus and Libr	Gallery,
	Gallery, ary)
Carnival, Cinema, Circus and Libr	Gallery, ary) Must not be in the Residential Precinct as
Carnival, Cinema, Circus and Libr Restricted retail premises	Gallery, ary) Must not be in the Residential Precinct as shown in the Incorporated Plan. The use must form part of an integrated development that incorporates at least one other use, being accommodation, office of
Carnival, Cinema, Circus and Libr	Gallery, ary) Must not be in the Residential Precinct as shown in the Incorporated Plan. The use must form part of an integrated development that incorporates at least one other use, being accommodation, office o

Any other use not in Sections 1 or 3

Section 3 - Prohibited

Use	
Adult Sex Bookshop	
Agriculture	
Brothel	
Camping and caravar	ı park
Cemetery	
Corrective Institution	
Crematorium	
Extractive Industry	
Funeral Parlour	
Garden supplies	
Host farm	
Industry (other than D	Dry Cleaner and Laundromat)
Manufacturing sales	

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Use

Mining Motor racing track

Motor vehicle, boat or caravan sales

Primary produce sales

Saleyard

Warehouse (other than a Mail Centre)

2.0 Use of land - General

07/07/2011 C60

A use must not detrimentally affect the amenity of the surrounding area, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil.

A permit must not be granted to use land until a development plan for the land has been approved by the responsible authority under this Schedule.

An application for a permit, for use of land, which is generally in accordance with an approved development plan is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

3.0 Subdivision

07/07/2011 C60

Other than to create or close roads, consolidate titles, re-align boundaries or alter easements a permit must not be granted until a development plan for the land has been approved by the responsible authority under this Schedule.

Buildings and works

4.0 16/01/2014 C111

A permit must not be granted to construct a building or construct or carry out works other than to construct:

- minor drainage works;
- minor earth works;
- or carry out works necessary to provide infrastructure services to the site;

before a development plan for the land is approved by the responsible authority under this Schedule.

A permit is not required to construct a building or construct or carry out works if the buildings or works are in accordance with a development plan for the land which has been approved by the responsible authority under this Schedule and do not exceed the preferred maximum heights or encroach into the preferred setbacks set out in the Incorporated Plan.

The preferred maximum height is to be measured to Australian Height Datum (AHD) and is the building height excluding architectural features (such as domes, eaves, downpipes, towers, masts etc), lift overruns and building services structures or screens which may exceed the AHD building height by up to 1.5 metres within 3 metres of a wall edge that faces a road or 2 metres in all other areas.

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Minor buildings and works, such as verandas, architectural features, balconies, eaves, downpipes, shelters, sunshades, art works, street furniture and fences may encroach into the minimum preferred setback.

An application for a permit is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

5.0 Other provisions of the Scheme

07/07/2011 C60

Other than clauses 52.04, 52.05, 52.27, 52.28 and 52.29 no particular provisions in this Scheme apply to a development which is in accordance with a development plan approved by the responsible authority under this Schedule.

6.0 Definitions

16/01/2014 C111 --/--/----Proposed C151

For the purposes of this Schedule:

- Affordable housing means housing, including social housing, that is appropriate for the housing needs of any of the following:
 - a) Very low income households;
 - b) Low income households; and
 - c) Moderate income households.
- **Developer** means the developer or developers (from time to time, whichever the case may be) of the land affected by this Schedule.
- Participating Registered Agency has the meaning given to it in the *Housing Act* <u>1983</u>
- **Registered Housing Association** has the meaning given to it in the *Housing Act* <u>1983</u>
- **Registered Housing Provider** has the meaning given to it in the *Housing Act* <u>1983</u>
- Social housing has the same meaning as in section 4(1) of the *Housing Act 1983*

7.0 Development Plan

d C151

A development plan submitted to the responsible authority for approval under this Schedule must:

- Be to the satisfaction of the responsible authority;
- Relate to the whole of the relevant Staged Development Area as identified in the Precinct Plan forming part of this Schedule or any altered Staged Development Area sought to be approved pursuant to this Schedule;
- Not alter the boundaries of the precincts, as shown on the Caulfield Mixed Use Area <u>Precinct Plan;</u>
- Be generally in accordance with the Incorporated Plan; and
- Include as appropriate:
 - A site analysis and design response, including the boundaries and dimensions of the site, adjoining buildings and roads, generally in accordance with the provisions of Clause 52.35.

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^{16/01/2014}

- A detailed assessment against the vision, objectives, design guidelines and preferred maximum heights and setbacks contained within the Incorporated Plan.
- The location and height of all buildings and works, including the relevant ground levels and building heights to AHD.
- Detailed elevations and sections drawn to scale including heights to Australian Height Datum (AHD).
- A coloured set of elevations and or perspectives including a samples board detailing the colours and materials to be used.
- Shadow diagrams detailing existing and proposed shadows at 9am, 12noon and 3pm at the equinox.
- · The proposed uses for each building.
- · The number and layout of all car parking spaces and access lanes.
- · The number and location of all bicycle parking and associated facilities.
- · The location of all loading areas and access to and from.
- Construction details of all roads, accessways, drainage works, vehicle parking and loading areas.
- Transport management measures in accordance with the Integrated Transport Plan approved under this schedule.
- A pedestrian access and movement plan, including details of access for people with disabilities.
- The location of all vehicle, bicycle and pedestrian accessways, including links to the east side of the railway line.
- The location and details of all open space, including areas available to the public.
- $\cdot\,$ A landscape plan in accordance with the Landscape Plan approved under this schedule.
- · Details of waste and recycling collection, storage and removal facilities and areas.
- · Details of external lighting treatment.
- The indicative location, type and design of proposed signs.
- A site assessment of the land by a suitably qualified environmental professional including:
 - · Detail of the nature of the previous and existing land use/activities on the land;
 - An assessment of the potential level and nature of contamination on the land; and
 - Advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all, or part, of the land is recommended having regard to the Potentially Contaminated Land General Practice Note June 2005, DSE.

The development plan must include the following documents:

- Car Parking Management Plan;
- Waste and Recycling Management Plan;
- Drainage Management Plan;
- Integrated Transport Plan;
- Landscape Plan;

- Staging Plan: and
- Environmental Management Plan; and,
- Social and Affordable Housing Plan.

The Car Parking Management Plan must show or include as appropriate:

- Proposed traffic management and control works on site and on adjoining roads.
- Preferred access points and locations for goods loading and unloading areas.
- The overall operation of car parks including any proposed parking restrictions, hours of
 operation and security arrangements where relevant.
- An analysis of the impact of the displacement of members' car parking on the amenity of the area.

The Waste and Recycling Management Plan must show or include as appropriate:

- Preferred general location of waste storage facilities for the major uses proposed for the site.
- Potential methods of waste collection (either private contractor or Council) for larger commercial and residential developments.
- Details of waste and recycling collection, storage and removal facilities and areas.
- A statement of the waste and recycling objectives for the development.
- An outline of the proposed management systems to ensure the development can be set up and managed effectively to achieve the waste and recycling objectives.

The Drainage Management Plan must show or include as appropriate:

- A drainage system of a design that ensures that the quantity of stormwater discharged from the site is appropriately managed.
- The incorporation of water sensitive urban design principles that address the quality of stormwater leaving the site and entering the local drainage system.
- An outline of ongoing management arrangements for internal drainage and water sensitive urban design elements.

The Integrated Transport Plan must show or include as appropriate:

- The expected number of trips generated by persons working within the precinct, shoppers, residents and visitors to the site.
- Estimate of each transport mode's share of travel.
- Public transport arrangements and pedestrian access routes.
- Any works considered necessary for public transport vehicles or passenger facilities within the area covered, including any modal interchanges.
- Document proposed sustainable travel initiatives including estimated mode share targets and actions to encourage increased usage of public transport and non motorised trips to and from the site.
- Public transport arrangements that respond to the Public Transport Guidelines for Land Use and Development and pedestrian access routes.
- Any road with a public transport service should be designed as an Undivided Connector Road – B Public Transport Guidelines for Land Use and Development with a 4.2 wide shared bike/bus lane and 2.3 m wide parking lane.
- Any works, or facilities proposed to improve access to public transport services to the site, encourage bicycles and pedestrians within the area and how such works will be funded.

- How the plan responds to state government transport objectives.
- A traffic analysis which has regard to the likely pattern and intensity of development in all three precincts.
- Works necessary to existing and proposed intersections to accommodate traffic increases and safe pedestrian movement.
- Public transport arrangements that respond to the Public Transport Guidelines for land use and development and pedestrian access routes.
- Location of taxi ranks as may be appropriate.
- The signalisation of the intersection of The Boulevard and Station Street on the basis that:
 - The design of the roads is to be such that Station Street is continuous with The Boulevard intersecting into Station Street to form a modified "T type" intersection; and
 - There is provision for safe pedestrian movement through the intersection to the activity centre core and the railway station.

The Landscape Plan must show or include as appropriate:

- All existing vegetation to be retained and/or removed.
- A landscaping theme for the open spaces within the area and identify proposed dominant plant species.
- Protection and management requirements for any significant vegetation to be retained during the construction phase.
- Street furniture, public lighting and embellishments to public spaces or proposed buildings within the site consistent with an urban design concept prepared as part of the Landscape Plan.

The Environmental Management Plan must show or include as appropriate:

- An explanation of the ecologically sustainable development (ESD) principles adopted for the proposed development.
- A statement of the ESD targets proposed for the development of the site covered by this schedule and what key design initiatives will be incorporated to achieve these targets.
- An outline of the proposed management systems to ensure that the development can be set up and managed effectively to achieve and maintain the ESD performance targets identified for the site.

The **Staging Plan** must <u>identify show</u> the precinct boundaries, <u>strictly in accordance with</u> the boundaries shown on the Caulfield Mixed Use Area Precinct <u>-andPlan</u>, and staging of development within the precincts, <u>including staging of the supply of either or both social or</u> affordable housing as required by clause 11.0 of this Schedule.-

The Social and Affordable Housing Plan must show or include as appropriate:

- A statement confirming how the either or both social or affordable housing requirement of Clause 11.0 of this Schedule is satisfied;
- The form of either or both social or affordable housing to be provided, as required by clause 11.0 of this Schedule (eg. 1 bedroom, 2 bedroom, townhouse); and
- The location and proposed staging of either or both social or affordable housing.

If the development plan is the first development plan submitted to Council for approval under this Schedule, the development plan must also include a Staging Plan and

PRIORITY DEVELOPMENT ZONE - SCHEDULE 2 Doc ID 439279623/v2 additionally, the **Drainage Management Plan** and **Integrated Transport Plan** must relate to the whole of the land subject to this Schedule.

A development plan may be approved by the responsible authority:

- with or without conditions relating to the use and/or development of the land;
- which exceeds the preferred maximum heights or reduces the setbacks in the Preferred Maximum Height and Setback Diagrams in the Incorporated Plan; or

which alters the Precinct Boundaries or the Staged Development Areas shown in the Precinct Plan of the Incorporated Plan and in this Schedule.

Approval of the development plan must require the following condition/s:

- 1. Before any buildings or works are commenced, a Construction Management Plan for the buildings and works must be prepared to the satisfaction of the Responsible Authority. The Construction Management Plan must show or include as appropriate:
 - Hours for construction activity (including demolition);
 - · Measures to control noise, dust, water and sediment laden runoff;
 - The location of vehicle wash-down bay/s for construction vehicles in the precinct;
 - Measures to minimise the disruption to traffic flow and the impact on available car parking in and around the precinct;
 - Measures to minimise inconvenience to surrounding residents from construction noise and altered or temporary traffic conditions;
 - Identification of the location of parking areas for construction and sub-contractors' vehicles;
 - Measures to minimise the disruption to traffic flow and impact on car parking in and around the precinct specifically during MRC events and during the refurbishment of Caulfield Railway Station;
 - Measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;
 - Contact details of key construction site staff; and
 - The location of any site sheds and the like.

If a development plan was accompanied by a site assessment recommending an environmental audit of all or part of the land, then the development plan is subject to and must require for that part of the land:

- 1. Either:
 - A certificate of environmental audit issued for the relevant land in accordance with Part 1XD of the *Environmental Protection Act* 1970, or
 - A statement by an environmental auditor appointed under the *Environment Protection Act 1970*, in accordance with Part 1XD of that Act that the environmental conditions of the relevant land are suitable for a sensitive use (with or without conditions on the use of the site);

must be provided to the Responsible Authority before any buildings and works are commenced;

2. If a statement by an environmental auditor is provided rather than a certificate of environmental audit and the statement indicates that the environmental conditions of the relevant land are suitable for a sensitive use subject to conditions, the owner of the land must enter into an agreement with the responsible authority under section 173 of the *Planning and Environment Act 1987* before any building works are carried out to provide for:

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- Ongoing compliance with all conditions in the Statement by the Environmental Auditor; and
- The responsible authority's reasonable legal costs and expenses of drafting/reviewing and registering the agreement on title to be borne by the owner of the relevant land.

Once approved, a development plan may be amended to the satisfaction of the responsible authority.

<u>3</u>.0

Display of development plan

Before deciding to approve or amend a development plan, the responsible authority must:

- Display the development plan for public comment for at least 14 days, but no longer than 28 days;
- Give notice to Monash University, Department of Transport, Director of Public Transport, Melbourne Water, VicRoads and the owners and occupiers of adjacent residential land of the request to approve a development plan or an amendment to a development plan; and
- Consider any comments received in response to the display of the development plan.

A development plan must be displayed or further information requested about the development plan within 28 days of the plan being received by the responsible authority.

If further information is requested about a development plan, the development plan must be displayed within 14 days of the request for further information being satisfied.

The responsible authority must decide whether to approve a development plan or amendment to a development plan within 60 days after the display of the development plan is completed.

The responsible authority may approve a minor amendment to a development plan without displaying the amended development plan for comment.

89.0 16/01/2014 C111 --/--/----Proposed C151

Car parking and Loading

Car parking must be provided on the land in accordance with Schedule 1 to the Parking Overlay and for student accommodation where appropriate, in accordance with Clause 22.09 – Student Housing Policy.

A permit may be granted to vary the number of car spaces required for a particular use if the responsible authority is satisfied that the number of space/s required:

- Is unnecessary in the circumstances; or
- Can be provided on nearby land.

Before deciding on an application, the responsible authority must consider:

- The supply of on street car parking spaces.
- The likely demand for car parking spaces.
- The extent to which the various uses of the land are likely to generate different levels of demand for car parking at different times.
- The possible multi-use of car spaces.
- The demand for car spaces generated by the uses established in previous stages of the development.
- The accessibility of the site to vehicle traffic.
- The proposed layout of parking areas.

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Any relevant approved development plan.

Loading and unloading of Vehicles must be provided to the satisfaction of the responsible authority.

910.0 Open Space Requirement

07/07/2011 C60 --/--/----Proposed C151

Prior to the occupation of buildings on the land, or at such other time as is agreed with Council, the owner must make a monetary public open space contribution to Council as follows:

- 5% of the site value of the land which is contained within the Mixed Use Precinct and the Smith Street Precinct; and
- 4% of the site value of the land which is contained within the Residential Precinct.

Either or Both Social or Affordable Housing Requirement

--/--/ Proposed C151

110.0

Prior to commencement of the development:

- a Social and Affordable Housing Plan must be prepared to the satisfaction of the Responsible Authority. Once endorsed, the Social and Affordable Housing Plan must be implemented as part of the development of each precinct as appropriate; and
- a section 173 agreement must be registered on title for the land affected by this Schedule, securing the provision of either or both social or affordable housing representing five percent of the total number of dwellings to be developed in the Caulfield Mixed Used Area in accordance with this schedule.

Prior to completion of each precinct, either or both social or affordable housing representing five per cent of the total number of dwellings to be developed in the Caulfield Mixed Use Area, must be provided to the satisfaction of the Responsible Authority in accordance with the approved Social and Affordable Housing Plan.

The dwellings provided in satisfaction of either or both the social or affordable housing requirement must be transferred, upon completion of each stage, to a Registered Housing Association, Registered Housing Provider or Participating Registered Agency.

The dwellings provided in satisfaction of the either or both social or affordable housing requirement must be set aside on a permanent basis for the provision of social or affordable housing. A section 173 agreement must be registered on title for these dwellings, and must provide for the following:

- The dwellings provided in satisfaction of the either or both social or affordable housing requirement, must be offered to prospective tenants by the Registered Housing Provider, Registered Housing Association or Participating Registered Agency, in cooperation with the developer.
- Future tenants of the dwellings provided in satisfaction of the either or both social or affordable housing requirement, are to be chosen by the Registered Housing Provider, Registered Housing Association or Participating Registered Agency, in cooperation with the developer.
- Management of the dwellings provided in satisfaction of the either or both social or affordable housing requirement, is the responsibility of the selected Registered Housing Association, Registered Housing Provider or Participating Registered Agency, with cooperation of the developer; and
- Management of the tenants occupying the dwellings provided in satisfaction of the either or both social or affordable housing requirement, is the responsibility of the Registered Housing Association, Registered Housing Provider or Participating Registered Agency.

PRIORITY DEVELOPMENT ZONE - SCHEDULE 2 Doc ID 439279623/v2 PAGE 11 OF 13

A permit cannot be granted to vary this requirement.

12.0 Advertising signs

Advertising sign requirements are at Clause 52.05. The land identified in the Mixed Use Precinct and Smith Street Precinct covered by this schedule is in Category 1. The land identified in the Residential Precinct covered by this schedule is in Category 3.

A permit may be approved prior to the approval of a development plan for any sign related to the use of the land for a temporary portable land sales office located on the land.

1<u>3</u>4.0 Decision Guidelines

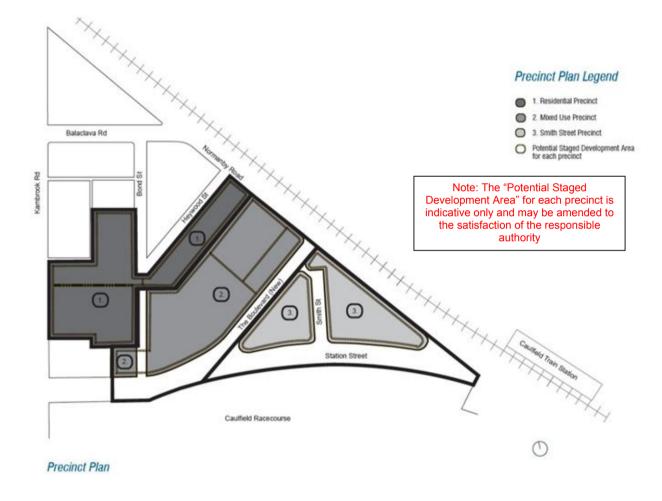
Before deciding on an application for a permit or the approval of a development plan, in addition to the decision guidelines in Clause 65, the Responsible Authority must consider, as appropriate:

- The objectives of the zone and this schedule.
- The Incorporated Plan.
- Any relevant approved development plan.
- The impact of traffic generated by a proposal in respect of one precinct in the context of the likely traffic generated by the development of other precincts and the Monash University Western Precinct Development Area and whether it is likely to require special traffic management or control works in the neighbourhood.
- The interim treatment, use and management of those parts of the land not required for the proposed use.
- The staging of development.
- The provision of affordable housing in the form of social housing either or both social or affordable housing.
- Provision for vehicles providing for supplies, waste removal and emergency services and public transport.
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services, and public transport.
- The provision of car parking and in particular consolidation of parking for retail use in conjunction with the development of any supermarket.
- The relationship to adjoining zones, including the relationship with residential areas, and in particular No. 3 Normanby Road while it remains in individual residential use.
- The drainage of the land.
- The availability of and connection to services.
- The provision made for the storage of rubbish and materials for recycling.
- The proposed management arrangements for the maintenance of buildings, landscaping and paved areas.
- The design of buildings in response to Environmentally Sustainable Design principles.
- The design of buildings and public spaces in response to Crime Prevention Through Environmental Design (CPTED) principles.
- The design of the proposed buildings, their relationship to the streetscape and surrounding development and uses. This includes the design of weather protection, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of

buildings or their immediate spaces and the landscaping of land adjoining a road, surrounding development and uses.

- The provision and location of public space and community facilities.
- The integration between existing and proposed uses.
- Clause 22.09 Student Housing Policy.

CAULFIELD MIXED USE AREA PRECINCT PLAN



<u>*The precinct boundaries shown on the Caulfield Mixed Use Area Precinct Plan must not be altered.</u>

 $\label{eq:priority} \begin{array}{l} \mbox{Priority Development Zone - Schedule 2} \\ \mbox{Doc ID 439279623/v2} \end{array}$

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ITEM 9.7 450 DANDENONG ROAD, CAULFIELD NORTH - PLANNING SCHEME AMENDMENT C153

Author: Jacqui Brasher, Principal Strategic Planner

File No: n/a

Attachments: 1. Citation

- 2. Heritage Overlay Map
- 3. Schedule of Heritage Overlay

PURPOSE AND SUMMARY

The purpose of this report is for Council to consider Amendment C153 for adoption.



Map of 450 Dandenong Road, Caulfield North

Proposal	The amendment proposes to apply a permanent Heritage Overlay (HO154) to 450 Dandenong Road, Caulfield North.	
Proponent	Glen Eira City Council	
Planning Scheme Controls	General Residential Zone 2Parking Overlay	
Municipal Strategic Statement	 "To identify, protect, enhance and promote understanding of Glen Eira's heritage. Protect places identified as having architectural, cultural or historical significance". 	

RECOMMENDATION

That Council:

- 1. amends the citation for 450 Dandenong Road Caulfield North to more clearly define the internal controls as listed in this report;
- 2. adopts Amendment C153; and
- 3. forwards Amendment C153 to the Minister for Planning for approval.

BACKGROUND

Local Heritage – Interim Controls (Amendment C152)

At the Ordinary Council Meeting of July 4th 2017, Council resolved the following:

That Council requests the Minister for Planning to prepare, adopt and approve a Planning Scheme Amendment in accordance with Section 20(4) of the Planning and Environment Act 1987 for an interim heritage control over the property at 450 Dandenong Road, Caulfield North.

This request was approved by the Minister for Planning on 11 September 2017. The interim controls will lapse on 31 July 2018.

Local Heritage – Permanent Controls (Amendment C153)

On 15 August 2017, Council resolved the following:

That Council seeks authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C153.

Exhibition of this Amendment is now complete and no objections haven been received. This report considers adoption of the Amendment by Council.

Victorian Heritage Register Nomination

On 26 July 2017, a nomination was made to Heritage Victoria to include the property on the Victorian Heritage Register under CEO delegation. On 22 September 2017 Council received notification from Executive Director of Heritage Victoria that he would be recommending that Lind House NOT be included in the Victorian Heritage Register. Council Officers have submitted an appeal against this decision.

ISSUES AND DISCUSSION

Independent Heritage Expert Advice

Council engaged heritage expert Simon Reeves of Built Heritage Pty Ltd to provide a citation detailing the heritage significance of the property. Simon Reeves is an expert in modern heritage and is the author of a book written about the architect of the property, Anatol Kagan (Gentle Modernist: The Nine Lives of Anatol Kagan).

The citation states the dwelling was constructed in the mid-1950's and designed by architect Anatol Kagan, who is renowned for his contribution to mid-century modernist architecture in Melbourne during the post-war period. The dwelling is in pristine condition and is identified as the only post-war modernist design by Anatol Kagan that remains intact in Glen Eira.

It is considered that the exhibited citation should be amended to more clearly describe all of the significant internal fabric in this dwelling. In particular, rooms containing significant fabric should be noted. For example, the citation notes parquetry flooring and wooden panelling as important characteristics of the dwelling but does not state which room/s contain this fabric. The citation should be altered to include the following details for significant internal fabric:

- parquetry flooring to the Living, Study, Master Bedroom/WIR;
- wall paneling, recessed shelving and built in furniture within the Living, Study, Powder Room, Master Bedroom/WIR;
- mirror backed cocktail cabinet with downlights and fold out radiogram within the Living area;
- floating internal staircase and balustrades and area under the stairwell;
- upholstered sliding door between the Living and Study;
- glass sliding door between Living and Dining area, and upper floor Hall and Living area".

The new owners of the property have been advised of the potential changes to the Citation.

Providing greater clarity in terms of internal controls prevents issues at the planning permit stage if internal changes to the property are proposed.

Permanent Local Heritage Controls

As the property is one of the most intact remaining examples of architect Anatol Kagan's high-end domestic work in Melbourne, it is considered appropriate to seek permanent heritage protection of the site.

The amendment seeks to apply a Heritage Overlay (HO154) to 450 Dandenong Road, Caulfield North. Specifically, the amendment seeks to:

- Amend Map No. 1HO to apply Heritage Overlay HO154 to 450 Dandenong Road, Caulfield North.
- Amend the Schedule to the Heritage Overlay to include HO154. The schedule also applies External Paint Controls and Internal Alteration Controls to the Heritage Place.

Planning Scheme Amendment Process

The planning scheme amendment must go through the following fixed statutory steps:

- 1. Council must first resolve to seek authorisation from the Minister of Planning, in line with this report.
- 2. The Minister for Planning must then authorise the preparation of the amendment before exhibition can occur. Following this, notice (exhibition) of the amendment will commence, inviting public submissions.

- 3. 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.
- 4. 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.
- 5. If a Panel is appointed, submissions are heard and the panel reports its findings in the form of a <u>recommendation</u> to Council.

The Panel may make a recommendation to:

- adopt the amendment
- abandon the amendment
- modify the amendment
- 6. 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).
- 7. If Council adopts the amendment, it is then referred to the Minister for Planning for approval.
- 8. The Minister for Planning can then approve, modify or refuse the amendment. For the amendment to be included as part of the Planning Scheme, the Minister for Planning must approve and formally gazette the update to the scheme.

The process required to amend the Glen Eira Planning Scheme is lengthy and provides many opportunities for input from interested parties. With regard to the current proposal, Council is at Step 3 as no objections have been received to this amendment.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The financial and resource implications are within the normal operation of the Council's City Futures Department.

POLICY AND LEGISLATIVE IMPLICATIONS

Permanent heritage controls would mean that a proposal to demolish or carry out construction on the site would require a planning permit. Therefore, an assessment would be carried out by Council officers for any future proposal, including a referral to Council's Heritage Advisor.

COMMUNICATION AND ENGAGEMENT

The amendment was authorised on 7 September 2017.

The exhibition process included:

- 181 letters sent to relevant Ministers and referral authorities, owners and occupiers of adjoining and nearby land as well as to objectors to the previous planning application for the subject site.
- A notice in the local newspaper.
- A notice in the Government Gazette.
- Amendment documentation on Council's website.

ORDINARY COUNCIL MEETING

Two submissions stating no objection to the amendment were received. A Planning Conference was therefore not required for this amendment and Council is not required to forward these submissions to a Planning Panel.

LINK TO COUNCIL PLAN

Theme one: Liveable and well designed: A well planned City that is a great place to be.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

It is considered appropriate to adopt the amendment with changes to the Citation for the property as discussed in this report and forward it to the Minister for Planning for approval.

Attachment 1: Citation

		Built HIBITAGE
IDENTIFIER	HOUSE	Citation No N/A
Other name/s	Lind House (former)	Melway ref 58 K9
Address	450 Dandenong Road CAULFIELD NORTH	Date/s 1954-55
Designer/s	Anatol Kagan & Associates	Builder/s Unknown
Photograph by Built Her Heritage Croup		Condition Excellent
Heritage Group Heritage Category	Residential building (private) House	Intactness Excellent (very few changes)
Significance	Local (potentially state, as a notably intact example of Kagan's domestic work)	
Recommendation	Include on heritage overlay schedule as individual heritage place External Paint Controls Interior Alteration Controls Tree Controls	

History

The house at 450 Dandenong Road, Caulfield North was erected in 1954-55 for émigré textile manufacturer Leo Lind and his wife Dorothy, to a design by Russian-born architect Anatol Kagan.

The son of a flour mill owner, Leo Lind (*ne* Jehuda Lajb Lindwaser) was born in Poland on 12 October in either 1908 or 1912 (sources differ). The youngest of thirteen children, he was the only one to survive the Holocaust. He was still living in Warsaw when, on 17 March 1938, he married Dwojra (Devorah) Eizenberg (1919-1983). Nearly a decade passed before the couple migrated to Australia. They flew in to Sydney on 8 March 1947 and moved thence to Melbourne, where they had already secured accommodation at *El Sonia*, a block of flats in Palm Court, St Kilda East. They would reside there for the next seven years.

Upon arrival in Australia in early 1947, Lindwaser gave his occupation as 'merchant'. By the end of that year, he and his wife had started their own business in Melbourne, the L Z Trading Company, working from their private address in St Kilda East. Within a few years, the couple had entered into partnership with two fellow émigrés to establish Lind's Trading Company, manufacturers and importers, with city premises at 6a Elizabeth Street. In 1952, having resided in Australia for the requisite five years, the Lindwasers applied for naturalisation and duly anglicised their names to become Leo and Dorothy Lind. During the 1950s, their business interests broadened with the establishment of a textile manufacturing firm, Lind's Textile Ltd, latterly operating from Flinders Lane, the heartland of Melbourne's Rag Trade.

By this time, the Linds had two young daughters, Margaret and Naomi. Still residing in the *El Sonia* flats, the growing family clearly felt the need of a larger residence. To that effect, the couple acquired a block of vacant land on the south side of Dandenong Road in Caulfield North. According to the Certificate of Title, ownership of this site was transferred to Leo and Dorothy Lind on 27 April 1954 (COT V8079/F463).

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It has not known how Leo and Dorothy Lind came to engage Anatol Kagan as their architect, although it is likely that they were aware of his reputation as one of the most sought-after architects to Melbourne's postwar Jewish community. Born in St Petersburg, Kagan (1913-2009) was the only son of Russian intelligentsia who were exiled by Lenin's regime in 1922. The family moved to Berlin, where Kagan completed his architectural studies before fleeing to England in 1938 to escape persecution by the Nazis. After a brief stint working for a Swiss-born modernist architect in London, Kagan and his wife migrated to Australia, settling in Melbourne in early 1939. He spent the next few years gaining experience in the office of several leading architectural firms and the Department of Works & Housing, while also undertaking a few private commissions. However, it was not until 1949 that he was able to fully establish himself in sole practice as Anatol Kagan & Associates. For the next decade, his business boomed. Although he designed factories, kindergartens and even a war memorial, it was high-end residential work that formed the mainstay of his Melbourne practice. Many of these houses were commissioned by wealthy clients who, like Leo Lind, were self-made émigré businessmen and who, like Lind and even Kagan himself, had fled Europe in the late 1930s to seek a new life in Australia. Kagan's Melbourne practice effectively ended in 1961, when the architect moved to Sydney to take up an architectural position in the Department of Public Works.

While the book *Gentle Modernist* nominally dated the Lind House as 'circa 1956', further research confirms that it was actually finished slightly earlier and its date can now be more accurately cited as 1954-55. The City of Caulfield Rate Book for 1955-56 (dated 29 November 1955) records that the house was already completed by that time. Then addressed as 62 Dandenong Road, the property was rated as an eight-roomed brick house with a Net Annual Value of £230, owned and occupied by Leo and Dorothy Lind. A pencilled note, stating "brick dwelling, £11,000, 20/12/54", presumably refers to the project cost and date of building permit. The MMBW property service plan for the house, which would have been prepared following the final inspection, is dated March 1957.

Although not published at the time, the completed house attracted public attention due to its large scale, unusual form and its prominent siting on one of Melbourne's major thoroughfares. Not long after it was finished, Leo Lind was approached by one passerby who was thinking about building a house for himself. A plumber from Wangaratta, Spencely Ross happened to drive past Lind's house during a visit to Melbourne and, impressed by its design, knocked on the door to enquire as to the name of the designer. After being told that it was Kagan, Ross immediately drove to the architect's office, then located in nearby St Kilda Road, and engaged Kagan to design his new house at Wangaratta, which was completed in 1960.

The Lind House remained in the family's ownership for nearly four decades. Dorothy and Leo were still there at the time of their deaths in the early 1980s (respectively on 23 August 1983 and 13 May 1984). As Leon's wife predeceased him, ownership of the Caulfield North house was temporarily vested in the executor of his estate until 1991, when it passed to their eldest daughter Margaret (by then Mrs Ulli Katz). After leaving the ownership of the Lind family in 1992, the house was occupied by another couple until 2006. When it came up for sale that year, the house was praised by veteran mid-century architect Neil Clerehan in his *Melbourne Weekly* property column, including an allusion to its status as a roadside landmark:

A gem from the 1950s... it has been viewed by millions of motorists speeding to Cairns or Melbourne because of its position... It presents a momentary, perfectly framed view to even the most conscientious driver. On completion, it would have been admired for its bold asymmetry, dramatic fenestration, black and white boarding and stone feature wall. It would have been accepted as a splendid example of the ruling Contemporary style.

Clerehan also commented on the property's notable level of physical intactness. This would be carefully maintained by its next owner, reported to be a "fashion designer who kept it in its original condition during her time living there." (*Weekly Times*, 05/07/2017). The property changed hands again in 2016.

Description

The house at 450 Dandenong Road, Caulfield North, is a double-storey butterfly-roofed modernist house of cream brick construction. Typifying what has been described as Kagan's 'upside down house' approach, the principal living areas are at the upper level while the lower level forms an undercroft, garage and entry foyer. When the house is seen from the street, the taller and more embellished upper level thus dominates over the lower and simpler ground floor level. This façade is double-fronted and asymmetrical, with a projecting bay to the left (east) side that incorporates a narrow garage at street level with a projecting balcony above. To the right, the recessed portion of the façade (approximately two-third of the total width) a full-height window wall at the upper level and an undercroft at the lower level, supported in white metal poles.

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The street façade exhibits a range of details and finishes typical of Kagan's best work. The cream brick is enlivened by random stone cladding to the undercroft and a feature wall along the inner side of the projecting bay. The window wall has a geometric pattern of fixed and operable white-painted timber sashes, with lower spandrels of blue-tinted glass. The main entry, inside the undercroft, has a blue-painted door beside a pair of full-height windows revealing the floating staircase within. The wide eaves of the butterfly roof have exposed rafters, gently tapering and painted in a dark tone to contrast with the pale-coloured eaves lining. The spandrel between eaves and window heads has an unusual finish of vertical timber boards in a black and white colour scheme with a row of circular vents. The solid balustrade to the balcony is similarly treated.

Much of this detailing is echoed on the east elevation of the house, which can be glimpsed from the street. Windows are similarly expressed with white-painted timber sashes, blue glass spandrels and the vertical panelled bay under the eaves. The distinctive profile of the butterfly roof, with central box gutter to the rear, is also strongly evident when the house is seen from this angle. The rear elevation, which is not visible from the street, is known to incorporate a large sun terrace at the upper level, shielded by a timber egg-crate pergola on metal pipe columns, with vertical louvred screen wall to one side.

The modernist character of the house is enhanced by its front garden, which includes palm trees, succulents, cacti, strelitzia and other plantings that, even if not actually original, are all highly evocative of the 1950s. The concrete paving to the front porch, the low front wall (of random coursed stonework) and the letterbox (in the form of a skillion-roofed box mounted on hairpin-like metal rods) are all original; Kagan is known to have used letterboxes of similar form in several of his other houses.

While an internal inspection has not been made, photographs accompanying real estate listings from the most recent sale reveal the interiors of main rooms to be notably intact. Kagan's best houses were characterised by high-quality bespoke joinery such as panelling, screens, stair balustrades and built-in furniture. The Lind House has parquetry floors (inlaid to delineate a panelled basketweave pattern), feature walls of vertical timber strips, recessed shelving, and, notably, a built-in unit with mirror-backed cocktail cabinet, downlights and fold-out radiogram. Also of note are the upholstered doors and the floating staircase, with wedge-shaped timber treads and continuous metal rod balustrade.

Comparative Analysis

Kagan was a prolific architect at the peak of his practice in the 1950s, but the later loss of his office records means that a definitive list of his buildings may never exist. By Kagan's own admission, he designed 'more than 300 projects' over eleven years of his Melbourne practice, yet research for the book *Gentle Modernist* identified only eighty. Some new projects have since come to light; more will inevitably follow. As such, it cannot be categorically stated how many Kagan-designed buildings may have been built in what is now the City of Glen Eira. While it is well known that the architect received many commissions from Melbourne's émigré community, research to date has identified only three Kagan houses in Caulfield, a suburb that (with St Kilda East, Elwood and Elsternwick) formed the community's heartland. Dating from 1954-55, the Lind House is the earliest of the three. It was followed by the Arnott House at 380 Glen Eira Road (c1958) and the Rose House at 21 Waiora Road (1959-60). The former is still standing but has a second storey addition; it is otherwise relatively intact externally and also internally. However, it is a much less striking design, indicative of the more pared-back style that Kagan adopted in his later years. The Rose House, apparently designed in association with fellow émigré Dr Ernest Fooks (or perhaps even built to an entirely new Fooks design after Kagan moved to Sydney in 1960) has long since been demolished.

More broadly, Kagan's output in the Caulfield area can compared to that of other European-trained émigré architects who were professionally active therein. During the 1950s and '60s, the two such individuals most prolific in Caulfield and environs were Czech-born Dr Ernest Fooks (1906-1985) and Austrian-born Kurt Popper (1910-2008), each of whom undertook at least two dozen projects in Caulfield alone. Both, notably, were local residents, and lived in houses of their own design: Popper at 63 Gordon Street, Elsternwick (built 1956) and Fooks at 32 Howitt Street, Caulfield North (built 1966; recently added to the *Victorian Heritage Register*). Others émigré architects known to have designed at least one building in Caulfield in the 1950s and '60s include Mordechai Benshemesh, Michael Feldhagen, Oscar Gimesy, Harry Hershberg, Erwin Kaldor, Robert Rosh and Bernard Slawik (another local resident; designer of at least four houses). From the mid-1960s until the early 1990s, the émigré architects most active in the Caulfield area were probably the Polish-born husband-and-wife team of John & Helen Holgar, who designed at least a dozen houses therein.

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It can thus be concluded that the Lind House is the finest, most prominently sited and most intact (both internally and externally) of the few buildings that leading architect Anatol Kagan is currently known to have designed within what is now the City of Glen Eira. The house is potentially of state significance as one of the most intact remaining examples of Kagan's high-end domestic work in Melbourne or even Victoria.

Statement of Significance

What is significant?

Built in 1954-55 to a design by Anatol Kagan, the former Lind House at 450 Dandenong Road, Caulfield North, is a large double-storey cream brick house in the Modernist style, with broad-eaved butterfly roof and an asymmetrical double-fronted façade that incorporates feature stone cladding, a recessed undercroft, a balcony (and eaves spandrels) with vertical timber boarding, and an expansive window wall with white-painted sash windows and blue glass spandrels.

The significant fabric is defined as the exterior of the entire house, the interior (to the extent of those rooms known to substantially retain original fittings and finishes), the stone wall along the street boundary and the letterbox. The front garden landscaping, which includes cacti, succulents, palm trees and strelitzia, provides an appropriate and evocative setting and (even if not entirely original) should be retained.

How is it significant?

The former Lind House satisfies the following criteria for inclusion on the heritage overlay schedule to the City of Glen Eira planning scheme:

- Criterion E: Importance in exhibiting particular aesthetic characteristics
- Criterion H: Special association with the life or works of a person of importance in our history

Why is it significant?

The former Lind House is significant for the following reasons:

This house is significant as a notable (and notably intact) example of modern residential architecture of the 1950s, and specifically the distinctive sub-style associated with émigré architects who were born, qualified as architects and often practiced in Europe before settling here. This house displays many of the key motifs associated with European Modernism, such as its broad-eaved butterfly roof, window walls and feature stone cladding, as well as its articulation as an 'upside down house' (ie, principal rooms to an emphasised upper level and service areas/undercroft to an understated lower level), creating the effect of an elevated volume. The house also exhibits more unusual detailing and finishes such as the blue glass windows spandrels, the black-and-white vertical timber boarding along the eaves line and front balcony, and interiors with floating staircase and extensive bespoke panelling, joinery and built-in furniture. Prominently sited on a major Melbourne thoroughfare, this large and distinctly eye-catching dwelling has a billboard-like quality, forming a landmark in the suburban landscape, enhanced by its high level of physical intactness. (*Criterion E*).

The house is significant as an exceptional example of the residential work of Russian-born and Germantrained Anatol Kagan, one of Melbourne's leading émigré architects of the 1950s. Keenly sought-after by members of Melbourne's post-war migrant community, Kagan made his name as a designer of large and well-appointed houses for wealthy businessmen. The house, which typifies Kagan's approach to such highend projects, is not only the best remaining example of his work in Caulfield (and the City of Glen Eira), but also one of his finest, most intact and most prominently-sited surviving houses in Melbourne. While Kagan seems to have designed few houses in Caulfield, evidence of his presence there forms part of a broader and highly significant local theme of émigré architects (eg Ernest Fooks, Kurt Popper and Bernard Slawik) who made an important contribution to the re-shaping of Caulfield in the post-war era. (*Criterion H*).

References

MMBW Property Service Plan No 276526, dated 5 March 1957. Held by South West Water. Neil Clerehan, 'Elevated living', *Melbourne Weekly*, 19 April 2006. Simon Reeves, *Gentle Modernist: The Nine Lives of Anatol Kagan* (Fremantle: Vivid Publishing, 2014)

Originally identified by

City of Glen Eira (research and assessment by Built Heritage Pty Ltd, 7 July 2017)

CITY OF GLEN EIRA

4



Additional images

Vintage photographs from the Anatol Kagan Collection, now held by the RMIT Design Archives



Additional photographs taken by Built Heritage Pty Ltd, dated 2011



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Photographs accompany online real estate listing, 2016 (Archived at http://modernistaustralia.com/2016/04/450-dandenong-rd-caulfield-north-vic)







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GLEN EIRA CITY COUNCIL

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Attachment 2: Overlay Map



ORDINARY COUNCIL MEETING

15 AUGUST 2017

Attachment C: Schedule of Heritage Overlay

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporate d Plan under Clause 43.01-2	Aboriginal heritage place?
HO154	450 Dandenong Road, Caulfield North	Yes	Yes	no	no	no	no	no	no

ITEM 9.8	NEW PUBLIC TOILET, EAST BENTLEIGH SHOPPING CENTRE
Author: File No:	Christine Van Der Ark, Manager Buildings and Properties
Attachments:	1. Heather Street car park – Site Plan 2. Location plan of options 3. Assessment of sites

PURPOSE AND SUMMARY

This report recommends a location for a new toilet in East Bentleigh and seeks approval to proceed.

At the Ordinary Council Meeting of 12 April 2017, Cr Nina Taylor requested the following report:

"That officers prepare a report considering the possible location(s) for a public toilet within the East Bentleigh Shopping Centre."

Officers have explored a range of options which have been discussed with Councillors. Councillors have indicated a preference to proceed with a public toilet on Council land on the north side of Centre Road in the East Bentleigh Shopping Centre.

RECOMMENDATION

That Council:

- 1. endorses proceeding with the design and construction of a new public toilet within the Heather Street car park, Bentleigh East near the south west corner as shown in Attachment 1; and
- 2. endorses a 2017/18 budget forecast adjustment of \$145,000 for the construction of the public toilet.

BACKGROUND

Councillors and community members have requested that Council considers constructing a public toilet to the north of Centre Road to serve the East Bentleigh community.

Previous discussions with Councillors considered a range of options for providing public toilet facilities in the East Bentleigh Shopping Centre.

In 2019, a new Council public toilet will be available to the south of Centre Road in East Bentleigh as part of the development of 670-672 Centre Road. Council has entered in to a 99-year lease with the developer, which commences on completion of the development and handover of the toilet. The developer has advised they plan to start construction in October 2017 with completion in 18 months. This timing of construction is dependent on the developers' program, which has been delayed in the past.

ISSUES AND DISCUSSION

Location in Heather Street car park

The construction of a new public toilet to service East Bentleigh Shopping Centre is proposed in the Heather Street car park, adjacent to Heather Street and towards the Centre Road end of the car park (Attachment 1).

Other options for location were considered, namely the pedestrian path at 735A Centre Road fronting Centre Road and fronting the car park. Both these locations have significant drawbacks, including poor passive surveillance, lack of drainage infrastructure, constrained area and impact on the footpath.

Within the Heather Street car park, officers recommend locating the toilet near the south west corner, as it is close to Centre Road shops and therefore visible and a short walk. It is also close to existing underground services, which minimises construction cost.

Size and style of the facility

The public toilet will be a 2-3 stall toilet block, including a fully accessible toilet. The images below provide an indication of the size of the block and accessible features.

Wayfinding signage will be included to advise the public of the new public toilet.

The façade and exterior of the toilet will be considered during design to enhance the visual amenity and provide a good quality facility.

Example of accessible toilet and showing size of block

Note: The exterior of the toilet block will be considered during the design phase.



FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The cost to construct a new automated toilet is estimated at approximately \$330,000 for a two toilet exeloo block and underground works and signage.

This cost can be partially funded from the 2017/2018 Public Toilet Upgrade program (\$185k).

In addition, a forecast increase of \$145k would be required to the 2017/18 capital works program.

The current annual cost for maintenance and cleaning will be in the order of \$20,000, which will be included in operating budgets from 2018/19.

POLICY AND LEGISLATIVE IMPLICATIONS

The *Public Toilet Strategy 2010* and *Public Toilet Strategy Review 2015* indicates that a new public toilet should be approximately 500m from an existing public toilet (not necessarily a Council facility). Construction of a new public toilet facility within the Heather Street car park would eventually result in East Bentleigh having a higher standard of service, when the nearby toilet is constructed at 670-672 Centre Road which will be 190m away, although it will be across a major road.

No other policy or legislative implications are applicable.

COMMUNICATION AND ENGAGEMENT

Officers sought initial feedback from traders in November 2017 on the possibility of a new toilet in the car park. The response was positive and the traders expressed support for the public toilet.

Officers will inform the local traders and surrounding residents of Council's decision.

LINK TO COUNCIL PLAN

Theme 1 Liveable and Well designed: A well planned city that is a great place to live.

Theme 7 – Sustainability. Community Assets and Infrastructure: Enhance and develop sustainable community assets and infrastructure to meet the needs of the current and future generations.

OFFICER DECLARATION OF CONFLICT OF INTEREST

Nil.

CONCLUSION

Officers recommend locating a new public toilet for East Bentleigh in the Heather Street car park.

ATTACHMENT 1

ATTACHMENT 1



Location plan 558 and 670-672 Centre Road, Bentleigh East

ATTACHMENT 2 – Location Plan



ORDINARY COUNCIL MEETING

ATTACHMENT 3 – Assessment of Sites

Location options:

- 1. the Heather Street car park.
- the pedestrian path at 735A Centre Rd fronting Centre Road. the pedestrian path at 735A Centre Rd fronting the carpark. 2.
- 3.

#	Site	Benefits	Drawbacks	Officer's assessment
1	Heather Street car park, adjacent to Heather Street	Reasonably good passive surveillance from both Centre Road, and from the IGA Away from cafes and other non- complimentary uses. Car spaces will be replaced during car park design and construction works in 2018/2019	 Little walk past traffic. Loss of 2-3 car spaces. Some risk of antisocial behaviour. 	Recommended location for Council facility.
2	Laneway fronting Centre road	Visible to passers by.	 May deter other uses nearby such as food premises. Loss of pedestrian walkway. May have to be constrained in size. Remaining part of the laneway would need to be closed to prevent antisocial behaviour. Drainage under the laneway would need technical feasibility assessment. 	Not recommended due to the significant drawbacks as a location.
3	Laneway fronting carpark		 Poor passive surveillance increases risks of antisocial behaviour. Loss of pedestrian walkway. Remaining part of the laneway may need to be closed to prevent antisocial behaviour. Drainage under the laneway would need technical feasibility assessment. 	Not recommended due to the significant drawbacks as a location.

ITEM 9.9	FOCH STREET, ORMOND ROAD DISCONTINUANCE
Author:	Christine Van Der Ark, Manager Buildings and Properties
File No:	
Attachments:	1. Road Discontinuance Plan
	2. EE Gunn Reserve Masterplan
	3. EE Gunn Reserve Masterplan Flyer

PURPOSE AND SUMMARY

At the 5 September 2017 Ordinary Council Meeting, Council considered a report on the EE Gunn Reserve Masterplan consultation feedback and resolved:

That Council:

- 1. notes the feedback received from the community consultation and the changes made to the draft landscape masterplan;
- 2. endorses the EE Gunn Reserve landscape masterplan;
- 3. authorises distribution of the revised masterplan, noting the relocated cricket facility to the EE Gunn Reserve Advisory Committee and residents near Foch Street; and
- 4. authorises officers to commence the statutory procedure to discontinue the section of road to the south of the Scout Hall, acting under section 206 and clause 3 Schedule 10 of the Local Government Act (1989) following consultation with EE Gunn Reserve Advisory Committee and nearby residents.

The purpose of this report is to provide detail of the statutory procedure to discontinue the section of road to the south of the scout hall and transfer the land to Council.

RECOMMENDATION

That Council:

- commences the statutory procedures pursuant to Section 206 and Schedule 10 (3) of the Local Government Act, 1989 (the Act).to discontinue part of Foch Street, Ormond, adjoining the side of 23 Newham Grove, as shown Blue on Attachment 1 to this Report, and the land be transferred to Council and retained for municipal purposes (Proposal);
- 2. gives public notice of the Proposal in the Caulfield Glen Eira Leader and Moorabbin Glen Eira Leader newspapers and on Council's website and write to owners of all properties that abut the road reserve advising of the same;
- authorises the Chief Executive Officer to undertake the administrative procedures necessary to enable the Council to carry out its functions under Section 223 of the Local Government Act 1989 in respect of the Proposal;

- 4. if submissions are received to the public notice:
 - a) authorises the Chief Executive Officer to fix the time, date and place of a meeting for the section 223 hearing for persons who wish to be heard in support of their submission;
 - b) appoints a Special committee of Council comprising of all Councillors, but not less than three Councillors, present at the meeting to hear and consider all submissions;
 - c) receives a further report from the Special Committee at the next appropriate Council Meeting to determine the Proposal;
 - if no submissions are received to the public notice, implements the proposal to discontinue part of Foch Street, Ormond, adjoining the side of 23 Newham Grove, as shown Blue on Attachment 1 to this Report, and the land be transferred to Council and retained for municipal purposes; and
 - 6. publishes the road discontinuance in the Victorian Government Gazette and once published authorise officers to remove the section of road reserve from Council's Register of Public Roads in accordance with the provisions of section 19 of the Road Management Act 2004.

BACKGROUND

The EE Gunn Reserve masterplan provides a structural framework, design intent and strategic direction for future development within the Reserve.

A key action of the masterplan includes the removal of the scout hall to allow the construction of a four bay multi-sport (cricket and baseball) training facility in this location. In order to accommodate the necessary footprint of the multi-sport training facility, a partial road discontinuance will be required at the eastern end of Foch Street.

ISSUES AND DISCUSSION

Council and all necessary service authorities will be consulted in order to determine if there are any objections to the proposal to discontinue the road and any requirements for the creation of easements to protect any assets under the road.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The cost to Council in undertaking the road discontinuance procedure will be approximately \$5,000. This includes costs for surveying, public notice, legal and titles office registration fees.

POLICY AND LEGISLATIVE IMPLICATIONS

Open Space Strategy (Very High priority – 6.13C-1): Prepare and implement a Landscape Masterplan to guide future improvements to this open space including:

• Provide a safe east-west shared trail link through the northern end of the reserve outside of the car park footprint, and resolve a dedicated and clearly signed shared trail entry at Dorothy Avenue.

- Investigate feasibility to provide a circuit fitness trail in the reserve and/or other facilities to provide additional unstructured recreational activities in the reserve and connection between different areas and features.
- Redesign the picnic area to improve its natural setting and character in the reserve.

Council's Roads and Reserves Discontinuance and Sale Policy 2015

COMMUNICATION AND ENGAGEMENT

Following Council's endorsement, officers distributed the masterplan to the EE Gunn Reserve Advisory Committee at the meeting of 12 September 2017 and undertook a mailbox drop with the updated masterplan brochure (refer Attachment 3) to residents in the vicinity of EE Gunn Reserve.

The EE Gunn Reserve Advisory Committee was very complimentary of the masterplan consultation process and final outcome.

Officers have also had constructive discussions with the resident located at 23 Newham Grove. The property is sited immediately opposite the proposed training facility and the resident also has an access gate from Foch Street to the rear of the property. Officers will continue to discuss the proposal with this property owner.

Officers will continue consultation in relation to the proposal to discontinue the road and transfer the land to Council with internal Council departments and statutory authorities, before giving public notice in the local newspapers and on Council's website.

LINK TO COUNCIL AND COMMUNITY PLAN

Theme 1: Liveable and Well Designed. Create prosperous, accessible and vibrant urban places – We will deliver improvements to buildings, open spaces, parks and roads, as well as progress planning for future improvements to key Council facilities.

Theme 4: Clean and Sustainable. Preserve and develop our open space to meet current and future needs. We will Improve and upgrade our open spaces for passive and active recreation through our capital works program.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

It is considered that the land that forms part of Foch Street would be better used as part of the EE Gunn Reserve for municipal purposes, as proposed in the masterplan.

ATTACHMENT 1: Road Discontinuance Plan





ATTACHMENT 2: EE Gunn Reserve Master Plan

19 DECEMBER 2017

ATTACHMENT 3: EE Gunn Reserve Master Plan Flyer



GLEN EIRA CITY COUNCIL

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GLEN EIRA CITY COUNCIL

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ITEM 9.10	ACCESS FOR PEOPLE OVER 70 YEARS OF AGE TO GLEN EIRA FACILITIES
Author: File No:	Mark Collins, Group Manager Recreation and Leisure
Attachments:	Attachment 1 – Updated GEL 2017-18 Fees and Charges Attachment 2 – Updated GEL 2017–18 Fees and Charges Alternative Option (including casual swim)

PURPOSE AND SUMMARY

At its 28 November 2017 Ordinary Meeting, Council resolved that it:

- 1. endorses the removal of startup fees for people aged 70 years and over joining Glen Eira Sports and Aquatic Centre (GESAC) or Caulfield Recreation Centre (CRC) as new members;
- 2. approves the subsidised rate for aquatic and gym group fitness classes of \$2 per session for concession card holders and \$6.95 for non-concession card holders for non-members aged 70 and over;
- 3. endorses free health assessments with qualified trainers for non-members aged 70 and over who participate casually in any activity at GESAC and CRC.

The purpose of this report is for Council to formally adopt the updated changes to the 2017-18 Fees and Charges for Glen Eira Leisure.

RECOMMENDATION

That Council incorporates the new fees and charges outlined in Attachment 1 into the 2017-18 Fees and Charges for Glen Eira Leisure facilities commencing 1 February 2018.

OR

That Council:

- approves the subsidised rate for casual swimming at Carnegie Swim Centre and GESAC at \$2 per session for concession card holders who are 70 and over and are not members, and \$6.95 for those aged 70 and over who do not hold a concession card and are not members; and
- 2. incorporates the new fees and charges outlined in Attachment 2 into the 2017-18 Fees and Charges for Glen Eira Leisure facilities commencing 1 February 2018.

BACKGROUND

An initial report, investigating the community benefit of free access to Glen Eira Sports and Aquatic Centre (GESAC) for people aged over 70 years, was presented to Council at the 4 July Ordinary Meeting. The initial report captured information on existing over 70 year old users of GESAC. The report presented a number of options that Council could potentially explore and the potential impacts for each of those options.

At that meeting, Council endorsed a trial on three specific options through the month of October in conjunction with the Victoria Seniors festival and associated activities. These options were:

1. Increased Subsidy of Current Aquatic and Gym Group Fitness Classes (Nonmembers)

Glen Eira already runs specifically targeted older adults programs for those over 60 at \$12.50 per session. A further subsidised rate was offered for over 70 year olds, reducing the cost to \$3.50 per session for concession card holders and \$6.95 for non-concession card holders. These are programs specifically tailored to older adults.

 Remove Start Up Fees for Over 70's (Members) No membership joining or administration fees for people aged over 70 were offered. These fees are normally \$49 for joining and \$49-95 for administration.

3. Free Health Assessments (Non-members)

Free health assessments with qualified trainers (normally \$34 each for non-members) for all people aged 70 and over. This will cost approximately \$3,600 per annum to implement based on current user numbers, but could increase.

Council formally adopted these options permanently at its 28 November 2017 Ordinary Meeting with one change to the concession rate on the first option, reducing it from \$3.50 to \$2.

Councillors have also subsequently discussed considering extending the subsidies to include casual swimming at both Carnegie Swim Centre and GESAC.

ISSUES AND DISCUSSION

It is intended to adopt the new fees and charges from 1 February 2018. This will enable enough time to make the necessary administrative changes and to communicate and promote the new initiative effectively to staff, existing customers and the general public.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The reduction in the charges for the older adult aquatic and gym group fitness classes, membership start-up fees and health assessments for those aged over 70 year old will cost Council approximately \$90,000 per annum.

If the subsidies are extended to include casual swimming at both Carnegie Swim Centre and GESAC, the additional cost to Council would be approximately \$93k per annum.

POLICY AND LEGISLATIVE IMPLICATIONS

There are no policy or legislative implications associated with this report.

COMMUNICATION AND ENGAGEMENT

Notification of the new initiative will be communicated through Glen Eira Leisure facilities, Council's website, Council's older adult publications, Senior Citizen's Centres and GE News.

LINK TO COUNCIL PLAN

Community Plan 2017-21

Theme 3: Safe, healthy and Inclusive. Work in partnership to make our city a safe and inclusive place for all – We will support and run events, programs and activities, that help people to connect with each other and create a sense of community.

Theme 3: Safe, healthy and Inclusive. Support access to a range of quality and valued services that meet the community's needs – We will provide services for children, youth and the aged that enhance the health and wellbeing outcomes of residents.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

The official adoption of the new fees and charges for people aged over 70 will remove cost as a barrier for many and will promote increased participation and health outcomes for this group.

ATTACHMENT 1 – Updated GEL 2017-18 User Fees

ANNUAL BUDGET 2017-2018 Schedule of User Charges and Other Fees - Glen Eira Leisure						
User Charges and Other Fees	Description	GST Status	Cost Centre	Account Number	Charges per unit 2017- 2018 (\$)	New charges per unit 2017 2018 (\$)
Glen Eira Sports & Aquatic Centre - (GESAC)						
4788 - Gesac - Sport, Health & Wellbeing - Group Exercise						
Casual Group Exercise	Casual Activate Over 70 Group Exercise Classes	Taxable	4788	4724	N/A	6.95
Casual Group Exercise	Casual Concession Activate Over 70 Group Exercise Classes	Taxable	4788	4724	N/A	2.00
4752 - Caulfield Recreation Centre						
Group Fitness	Group Fitness Over 70	Taxable	4752	4542	N/A	6.95
	Group Fitness	Taxable	4752	4542	N/A	2.00

	ANNUAL BUDGET	2017-2	2018			
Schedule of	f User Charges and Oth	er Fee	s - Gle	en Eira	Leisure	
User Charges and Other Fees	Description	GST Status	Cost Centre	Account Number	Charges per unit 2017- 2018	New charges per unit 2017 2018
			1		(\$)	(\$)
Glen Eira Sports & Aquatic Centre - (GESAC)						
4766- Gesac Aquatics - Casual Entry						
Adult Swims	Adult Swim Over 70	Taxable	4766	4656	N/A	6.95
Concession Swims	Concession Swim Over 70	Taxable	4766	4657	N/A	2.00
4788 - Gesac - Sport, Health & Wellbeing - Group Exercise						
Casual Group Exercise	Casual Activate Over 70 Group Exercise Classes	Taxable	4788	4724	N/A	6.95
Casual Group Exercise	Casual Concession Activate Over 70 Group Exercise Classes	Taxable	4788	4724	N/A	2.00
4751 - Carnegie Swimming Pool						2.0
Casual Swims	Concession Over 70	Taxable	4751	4509	N/A	\$2
4752 - Caulfield Recreation Centre						
Group Fitness	Group Fitness Over 70	Taxable	4752	4542	N/A	6.95
	Group Fitness	Taxable	4752	4542	N/A	2.00

ATTACHMENT 2 - Updated GEL 2017-18 User Fees – Alternative Option

ITEM 9.11	DEED OF SURRENDER OF LEASE - EE GUNN SCOUT HALL
Author: File No:	Christine Van Der Ark, Manager Buildings and Properties
Attachments:	1. Leased area and extract from EE Gunn Masterplan 2. Letter from Scouts Victoria

PURPOSE AND SUMMARY

This report seeks Council approval to execute a Deed of Surrender of Lease with The Scout Association of Australia, Victorian Branch Council (the Scouts) for their surrender of the EE Gunn Scout Hall and garage.

Surrendering the lease is part of implementing Council's decision of 5 September 2017 at its Ordinary Council Meeting, where Council endorsed the EE Gunn Reserve Landscape Masterplan.

A key action of this Masterplan is the removal of the EE Gunn Scout Hall and garage to allow the construction of a four bay multi-sport (cricket and baseball) training facility in this location.

The Deed of Surrender of Lease will provide for the Scouts to relinquish ownership of the leased area and revert control of the land back to Council. This enables Council to proceed with demolishing the EE Gunn Scout Hall and garage to facilitate outcomes of the EE Gunn Reserve Masterplan that requires the leased area to be included in the space for a four bay multi-sport training facility.

In return for surrendering their lease entitlements, the Scouts have sought financial compensation from Council in the amount of \$150,000. The purpose of this compensation is to enable the Scouts to refurbish the Birch Street Scout Hall in Caulfield South to accommodate activities that would have occurred at EE Gunn Scout Hall.

RECOMMENDATION

That Council:

- 1. notes the need for the leased area that comprises EE Gunn Scout Hall and garage in the EE Gunn Reserve Master Plan;
- authorises officers to proceed to negotiate and finalise a Deed of Surrender of Lease with The Scouts Association of Australia, Victorian Branch for the lease dated 11 October 2016 of the premises referred to as the Scout Hall, part of EE Gunn Reserve Scout Hall and include the following conditions:
 - a. Council will provide financial compensation to The Scout Association of Australia, Victorian Branch in the sum of \$150,000 after:
 - i. exchange of a fully signed copy of the Deed of Surrender between Council and The Scout Association of Australia, Victorian Branch to Council; and
 - ii. the Scout Association of Australia, Victorian Branch confirm in writing that the total amount of compensation will be used solely for the refurbishment of the Birch Street Scout Hall; and
 - iii. the Scout Association of Australia, Victorian Branch providing Council with a tax invoice for payment of the compensation and noting payment method of either cheque or electronic transfer.
- 3. executes the Deed of Surrender of Lease in an appropriate manner including affixing of the common seal of Council if required and finalising any other documents that may be required to facilitate the compensation payment.

BACKGROUND

In November 2015, Council resolved to enter into nine different lease agreements with the Scouts for various scout halls across the municipality. One of these leases was for the EE Gunn Reserve Scout Hall and garage (lease plan shown in Attachment 1).

At the 5 September 2017 Ordinary Council Meeting, Council endorsed the EE Gunn Reserve Landscape Masterplan.

A key action of this Masterplan is the removal of the EE Gunn Scout Hall and garage to allow the construction of a four bay multi-sport (cricket and baseball) training facility in this location.

ISSUES AND DISCUSSION

The Scouts own the EE Gunn Reserve Scout Hall that is located on Council land. Council also installed and gave them the abutting garage when the old Bailey Reserve Scout Hall was demolished to make way for GESAC.

The EE Gunn Reserve Scout Hall is not a home base for any scout group. It is used by the Scouts as a meeting venue for Group Leaders across the municipality and occasionally as a host for other groups visiting the reserve for outdoor activities. The Scouts have also permitted other community groups (i.e. cricket clubs) to use the hall from time to time.

The EE Gunn Reserve Scout Hall is in very poor condition. It is often subjected to graffiti vandalism due to lack of natural surveillance. There have been several break-ins in the last few weeks.

Proposal

Surrender of Lease

Officers have met with the representatives of the Scouts and have their in-principle agreement to release the property to Council prior to the expiry of their leased term (see letter at Attachment 2). However, this release is subject to final agreement between the two parties on Council's financial contribution to the refurbishment of the Birch Street Scout Hall in Caulfield South.

The Birch Street Scout Hall is well located, being next to St John Ambulance and Caulfield South Kindergarten and with direct access to Princes Park. There is an active scout group at the hall with the facility available to the community for casual hire or use. The hall was constructed in the mid 1960's and has been well looked after but is in need of internal refurbishment, with dated internal fittings and fixtures. There is also asbestos in the building which needs to be removed as part of any refurbishment.

Compensation

The Scouts are not asking Council to carry out the works or fund them in their entirety. They are seeking compensation in the form of a contribution of \$150,000 towards a scope of works detailed in a quote that was obtained and provided to Council.

Officers regard this request as reasonable for the nature of the works considering that once internal works occur on a building of this age, the need to make the building disability compliant is required along with associated essential safety measure upgrades. The existing asbestos also needs to be removed.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

Action	Cost excluding GST		
Demolition of Scout Hall and garage	\$60,000.00*		
Legal fees associated with Deed of Surrender	\$ 2,000.00		
Compensation to Scouts Victoria	\$150,000.00		

The breakdown of costs to Council is as follows:

* Final amount will be dependent on the environmental results of a pre-demolition inspection. This will be funded from the EE Gunn masterplan 2017/18 capital works budget.

ORDINARY COUNCIL MEETING

Based on the proposal, the compensation amount of \$150,000 will be paid to the Scouts. Funding for this has not been provided in the 2017-18 annual budget or 10 year strategic resource plan adopted by Council. Officers would adjust the 2017-18 forecast to include this in 2017-18.

POLICY AND LEGISLATIVE IMPLICATIONS

There are no policy or legislative implications.

COMMUNICATION AND ENGAGEMENT

Extensive community engagement has been undertaken during the development of the EE Gunn Masterplan, with a formal Council Resolution on 5 September 2017.

There has been extensive communication with Scouts Victoria to reach provisional agreement on this matter.

No wider community engagement or public notice is required nor proposed to faciliate the surrender of the hall or resultant compensation.

Council's Recreation and Open Space department will advise abutting neighbours prior to the demoltion of the hall.

LINK TO COUNCIL PLAN

Theme 7 Sustainability- Community Assets and Infrastructure: Enhance and develop sustainable community assets and infrastructure to meet the needs of the current and future generations.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

The EE Gunn Reserve Masterplan cannot be realised without the removal of the scout hall and garage. This is a key action of the Masterplan endorsed by Council at its Ordinary Council Meeting on 5 September 2017.

The Scouts are willing to give up the EE Gunn Reserve Scout Hall and garage and surrender their lease to Council and have requested compensation.

ATTACHMENT 1

Leased area (shown hatched)



Extract from EE Gunn Masterplan for same area – post scout hall demolition



ATTACHMENT 2

Letter from Scouts



GLEN EIRA CITY COUNCIL

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ITEM 9.12	LEASE TO EAST BENTLEIGH SPORTING AND RECREATION CLUB
Author: File No:	Christine Van Der Ark, Manager Buildings and Properties
Attachments:	<i>1. Location plan and leased area 2. Letter from East Bentleigh Sporting and Recreation Club</i>

PURPOSE AND SUMMARY

The East Bentleigh Sporting and Recreation Club Incorporated (EBSRC) plans to change its name to Coatesville Bowling Club Incorporated. This means that the current lease between Council and EBSRC needs to be assigned to the new entity, Coatesville Bowling Club Incorporated, via a Deed of Assignment of Lease.

This report recommends that Council enters into a Deed of Assignment of Lease (Deed) with EBSRC to facilitate the transfer of the remaining term of the lease and all its powers and obligations to Coatesville Bowling Club Incorporated (CBC).

RECOMMENDATION

That Council:

- 1. notes the change of name from East Bentleigh Sporting and Recreation Club Incorporated to Coatesville Bowling Club Incorporated;
- enters into a Deed of Assignment of Lease with East Bentleigh Sporting and Recreation Club Incorporated to Coatesville Bowling Club Incorporated for the leased area shown in Attachment 1; and
- 3. executes the above Deed of Assignment of Lease in an appropriate manner including affixing the Council Seal.

BACKGROUND

The area of Mackie Reserve used as a bowling club has been leased by Council to the EBSRC/CBC for over 30 years at a community rental of \$1.00 per annum. This area is identified on the attached locality plan. The last renewal of lease to EBSRC was executed by Council in July 2015 for a term of 5 years, plus a further term of 4 years.

ISSUES AND DISCUSSION

The Committee for EBSRC recently advised officers that it had changed its registered name to Coatesville Bowling Club Incorporated and that this new entity will resume management of the facility effective immediately (refer letter from EBSRC in Attachment 2).

The Committee confirmed that with two entities being involved in the management of the club, it had caused unnecessary confusing at both a management and an operational level. In addition, the club has always been known or referred to as the CBC, so the assignment of lease is a logical step.

ORDINARY COUNCIL MEETING

Other than assigning the current lease to the new entity there are no other changes required to the current lease arrangements. The new entity is registered for GST and is incorporated as a not-for-profit organisation with Registration No: A0056875H.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

There are no financial, resource or asset management implications with the recommendations of this report. The Coatesville Bowling Club Incorporated has agreed to reimburse Council's legal fees incurred in preparation of the Deed of Assignment of Lease.

POLICY AND LEGISLATIVE IMPLICATIONS

There are no policy or legislative implications.

COMMUNICATION AND ENGAGEMENT

Not required.

LINK TO COUNCIL PLAN

Theme 3 – Safe, Health and Inclusive: We will support local community groups, organisations and networks that play an important role in providing opportunities and settings for people to connect.

Theme 4 – Clean and Sustainable: We will be a leader in providing access to high quality parks, open space and active recreation facilities, which are vibrant and accessible.

OFFICER DECLARATION OF CONFLICT OF INTEREST

Nil.

CONCLUSION

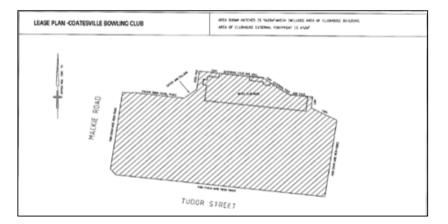
The East Bentleigh Sporting and Recreation Club has always been known within the local and bowling community as the Coatesville Bowling Club. This Deed of Assignment of Lease is a simple administrative matter to recognise the change of legal entity with the Club's tenure arrangements at Mackie Reserve.

ATTACHMENT 1



Location plan with leased area (approximately 5,535m²) shaded in red

Formal lease plan



ATTACHMENT 2

Letter from East Bentleigh Sport and Recreation Club



EAST BENTLEIGH SPORTING AND RECREATION CLUB Inc. Reg. No. ADDIXION P. ABILST OF SEA ST

> 62 Machie Print, East Berlingh, Victoria 3165 Australia Phones: Office & Bar 9576 5909 Hall 3655 3164 - Fax 3653 5164 www.chart@poluseet.com.au

Attention: Amanda Mills Property Cordinator Glen Eira Council PO Box 42 Caulfield South Vic 3162

13.11.2017

Dear Amanda

I refer to your correspondence in relation to the re-assignment of the Lease from East Bentleigh Sporting and Recreation Club to Coatesville Bowling Club and advise the following -:

We accept cost of \$2000.00 plus any disbursements plus GST for the Deed of Assignment.

We also wish to advise that -

- East Bentleigh Sporting and Recreation Club wishes to cease operation and the Coatesville Bowling Club Inc (A0056875H) will resume management.
- 2. This is occurring as it is difficult to run the day to day operations with two entities being involved for the one club. The club has always been known as the Coatesville Bowling Club and has caused a lot of confusion with two entities being involved. As the Bowling Club is now registered for GST there is no need to have a parent organization.
- 3. No changes will be made to the normal club operations.

With Regards crusal Jane Stevens Secretary EBSRC

ITEM 9.13	ITEM 9.13 LEASE 6 AILEEN AVENUE, CAULFIELD SOUTH		
Author:	Christine Van Der Ark, Manager Buildings and Properties		
File No:	N/A		
Attachments:	1. Locality Plan 2. Draft Public Notice		

PURPOSE AND SUMMARY

This report seeks Council approval to enter into a new lease of Council's property at 6 Aileen Avenue, Caulfield South by commencing the public notification process pursuant to Sections 190 and 223 of the Local Government Act 1989 (the Act).

Council purchased the property at 6 Aileen Avenue, Caulfield South in 2016 with a view to creating new open space. Until future plans for the site are realised there is an opportunity to continue to lease the property for a further one year term.

The existing tenants have confirmed they would like to renew the lease for another year. Since November 2016 Council has leased out the property via a residential lease agreement. The first term of the current lease expires on 27 April 2018.

Section 190 of the Act requires Council to give public notice for any lease with a term of one year or more and where the current annual market rental is \$50,000 or more.

Whilst the new lease will only be for a term of one year, the revised annual rental income is \$51,272. This triggers the need to comply with Section 190 of the Act with a public notification process, including complying with Section 223 of the Act.

RECOMMENDATION

That Council:

- 1. commences the statutory procedures in accordance with Sections 190 and 223 of the Local Government Act 1989 for Council to enter into a lease of its property at 6 Aileen Avenue, Caulfield South being the land contained in certificate of title volume 5656 folio 133 (the Property).
 - a. That the term of the lease will be one year.
 - b. That the annual rental for the Property will be \$51,272;
- 2. authorises the Chief Executive Officer to undertake the administrative procedures necessary to enable the Council to carry out its functions under Section 223 of the Local Government Act 1989 in respect of the lease;
- gives public notice of the lease in accordance with Section 223 of the Local Government Act 1989 in local newspapers and on Council's website in the week commencing Monday 8 January 2018. Submissions are to be received by 5:00pm, Thursday 8 February 2018;

- 4. hears submitters who have elected to speak to their submission and considers their submissions at the Ordinary Council Meeting to be held at 7.30pm on 27 February 2018.
- 5. authorises officers to proceed with the lease if no submissions are received in response to the public notice.

BACKGROUND

At its Ordinary Council Meeting on 9 August 2016, Council resolved to purchase the Property with a view to creating new open space in Gap Area CS1, under Council's Open Space Strategy. This gap area (also shown in Attachment 1) was identified in the Strategy as requiring two new small local open spaces to cater for the existing and forecast population.

At a subsequent Ordinary Council Meeting on 15 November 2016 Council resolved to lease out the Property until such time as it is required for its intended purpose as public open space.

A lease was entered into and the term of this lease expires on 27 April 2018.

ISSUES AND DISCUSSION

There are no immediate plans to convert the property into open space and as such there is an opportunity to continue to lease the property for a further one year term.

This opportunity has been discussed with the existing tenant who responded that they would like to continue to lease the Property.

The current rent for the Property is \$950.00 per week. After a market rental review the new rental was determined to be \$986.00 per week or \$51,272 per annum.

As the annual rental exceeds the \$50,000 threshold stipulated in Section 190 of the Act, Council is required to give public notice of its proposal to enter into the new lease and invite submissions in accordance with Section 223 of the Act.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

Continuing to lease the Property until it is needed for its intended purpose provides Council with income and a level of security that the Property is being maintained and is not vacant and lending itself to vandalism.

The known (fixed) financial costs for Council for the one year term are as follows:

Description	Income	Expense incl GST
Public Notice		\$1,467.35
Annual rental (GST free)	\$51,272	
Managing Agent Fee (5.5% plus GST)		\$3,101.95

1. The tenant is responsible for all applicable utility charges associated with their tenancy.

GLEN EIRA CITY	COUNCIL
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2. Council is responsible for insurance, rates, taxes and any maintenance obligations outside those expected of a residential tenant.

POLICY AND LEGISLATIVE IMPLICATIONS

The recommendations of this report will ensure Council complies with its obligations under sections 190 and 223 of the Act.

COMMUNICATION AND ENGAGEMENT

Internal communication has included discussions with internal stakeholders on the needs and plans for the Property.

External communication has included discussions with the existing tenant and the managing agent on the opportunity to continue with a lease of the Property and a revised rental amount.

The public notice pursuant will provide the community with an opportunity to comment on the proposal and demonstrate Council's transparency with its property management processes.

LINK TO COUNCIL PLAN

Theme 1 – Liveable and Well Designed:

- We will deliver improvements to buildings, open spaces, parks and roads, as well as progress planning for future improvements to key Council facilities.
- We will ensure new infrastructure assets meet the needs of our community.

Theme 4 – Clean and Sustainable:

• We will be a leader in providing access to high quality parks, open space and active recreation facilities, which are vibrant and accessible.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

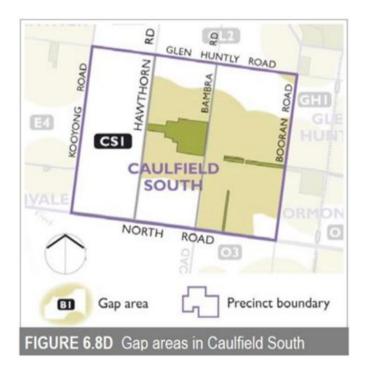
The existing tenant would like to remain in the property for another year. This presents Council with the opportunity to enter into a further one year rental agreement until the future of the site is determined.

ATTACHMENT 1

Locality Plan open space gap areas for Caulfield South



Gap Area CS1 – located between Kooyong and Hawthorn Roads.



ATTACHMENT 2

Draft Public Notice

	O LEASE LAND AT 6 AILEEN AVENUE, CAULFIELD SOUTH	L
	uncil (Council) acting under section 190 of the Local Government Act 1989 (Act), 6 Aileen Avenue, Caulfield South (land).	GLEN E
It is proposed that	t the lease will be on the following terms and conditions:	BENTLEOH
Commencing	28 April 2018	BROHTON
• Term	one year	CALL
 Rental 	\$51,272 pa	BLSTER/
In accordance wit must do so in wri	h section 223 of the Act, any person wishing to make a submission on the proposal ting no later than tbc February 2018. Submissions should be addressed to:	DLEN HU MORP
Glen Eira City Co Manager Buildings PO Box 42, Caulf (Quote reference	and Properties field South 3162	ST KALDA
Submissions may Roads, Caulfield.	also be delivered to Council's Service Centre, corner Glen Eira and Hawthorn	
person, or to be r	a submission is entitled to request in the submission that they wish to appear in represented by a person specified in the submission, in support of the submission at ncil or its committee on a date, time and place to be determined by Council.	
Any person makir and personal infor	ng a written submission under section 223 of the Act is advised that all submissions mation in the submission will be handled by Council in accordance with the Privacy and Data Protection Act 2014.	
All submissions w	ill be considered in ection 223 of the Act.	
	ration of submissions, if any, we to enter into the lease or	
	nation, contact Council's nator Amanda Mills on	

ITEM 9.14LEASE OF 1134 GLENHUNTLY ROAD, GLEN HUNTLYAuthor:Christine Van Der Ark, Manager Buildings and PropertiesFile No:2704000047A

Attachments: 1. Location plan and photo

PURPOSE AND SUMMARY

This report seeks Council approval to enter into a new lease for premises at 1134 Glenhuntly Road, Glen Huntly (Attachment 1).

This new lease will enable Council's continued occupation of the premises and the ongoing provision of community support services via our sub-licence to Community Information and Support Victoria (CISVic).

Council has leased these premises since 2008, when the Community Information Glen Eira (CISVic's predecessor) was relocated from Town Hall to this property.

Whilst the location for this service needs to be considered in the long-term, officers recommend continuing the existing arrangement by entering into a new lease for an initial three year period with options for extension, until agreement has been reached on any alternate locations.

RECOMMENDATION

That Council:

- 1. authorises officers to finalise the terms of a new lease with Rosalind Jane Bird, Claire Dorothy Miller and Noeleen Ann Miller for their property at 1134 Glenhuntly Road, Glen Huntly for an initial term of 3 years plus two further options of 3 years each; and
- 2. executes the above lease in an appropriate manner by affixing the Council Seal.

BACKGROUND

CISVic is the peak body representing local community information and support services. These services assist people experiencing personal and financial difficulties by providing information, referral and support services including Emergency Relief.

In 2007 Council resolved to relocate this service from the Town Hall precinct to an area of increased need within the municipality. As no Council properties were suitably located or available to house the service, Council resolved to enter in to a ten year commercial lease with the owners of 1134 Glenhuntly Road.

This lease arrangement expires on 28 February 2018.

GLEN EIRA CITY COUNCIL

ISSUES AND DISCUSSION

Whilst there may be future opportunities to relocate this service as we develop our activity centre precincts and consider co-locating Council services, there is still no Council owned property in Glen Huntly or other suburbs to accommodate the service.

The current location continues to provide several benefits in meeting the needs of the service including:

- Fully fitted out and operational premises tailored to this service
- Close proximity to public transport
- Centralised, shopping strip location
- Off street parking for two cars
- Reasonable security with a main road frontage in an active shopping centre including disability access

It is recommended that Council continues with the existing arrangements until either a new location can be found or Council decides to review the service. As such it is proposed that officers finalise a lease with the landlords as follows:

- Rental term of 3 years, plus two further options of 3 years each (9 years);
- Market rental of \$62,000 plus GST for the first year with annual CPI increases during the first term;
- Market rent reviews at the commencement of each Option followed by annual CPI increases during the terms of the Options;
- Public liability insurance of \$20million to be maintained by Council; and
- Requirement for Council to be responsible for maintenance of the premises

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The current year's rental is \$59,106 plus GST. The new rental, starting at \$62,000 plus GST, is considered fair and so the total cost of the new lease is shown below:

Year	Cost	excl GST	Note
Year 1	\$	62,000	
Year 2	\$	63,116	CPI increase applied ¹
Year 3	\$	64,252	CPI increase applied ¹
Year 4	\$	65,409	OPTION 1 (estimate) a market rent review may be applied
Year 5	\$	66,586	CPI increase applied ¹ to estimate
Year 6	\$	67,785	CPI increase applied ¹ to estimate
Year 7	\$	69,005	OPTION 2 (estimate) a market rent review may be applied
Year 8	\$	70,247	CPI increase applied ¹ to estimate
Year 9	\$	71,511	CPI increase applied ¹ to estimate
Total	\$	599,910	estimated

¹ calculation based on current CPI Melbourne 1.8%

ORDINARY COUNCIL MEETING

Council will also be responsible for applicable costs such as Rates, Taxes, Building Insurance and general maintenance and repair costs for the premises as defined within the lease.

Council will receive a community rental fee of \$104.00 per annum plus GST from its sub licence with CISVic.

POLICY AND LEGISLATIVE IMPLICATIONS

There are no policy or legislative implications where Council is the tenant.

COMMUNICATION AND ENGAGEMENT

No community engagement or public notice requirements are required by entering in to the new lease.

LINK TO COUNCIL PLAN

Theme 3 Safe, Healthy and Inclusive: Support access to a range of quality and valued services that meet the community needs.

OFFICER DECLARATION OF CONFLICT OF INTEREST

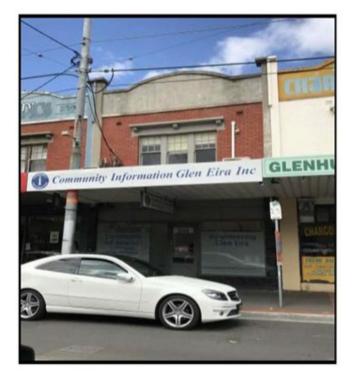
No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

Officers recommend entering in to a new lease for continued occupation of 1134 Glenhuntly Road, Glen Huntly. By entering into a 3 year lease, with two further options available, Council has time and flexibility to consider long term options for its ongoing delivery and location for this service.

ATTACHMENT 1





ITEM 9.15 COMMUNITY GARDENS

Author: Gaye Stewart, Manager Community Development and Care

File No:

Attachments:

PURPOSE AND SUMMARY

Council requested that community consultation be undertaken with residents and community groups regarding community gardens in Glen Eira.

This report provides a summary of community engagement and recommends next steps in response to community feedback.

RECOMMENDATION

That Council:

- 1. Establishes a community garden at Moorleigh Village in 2018-19. As part of the 2018/19 budget process allocate funding to support the project at an estimated capital start-up cost of \$65,000 and short-term operational cost of \$30,000.
- Provides information about community gardening on Council's website including different types of community gardens and locations of existing community gardens in Glen Eira; and
- 3. Includes consideration of community garden plantings in public open space in the development plans for parks and the review of the *Open Space Strategy*.

BACKGROUND

At the Council meeting of 28 February 2017 Council resolved that officers prepare a report on Community Garden(s) including such aspects as viable location(s), resource requirements, setup and maintenance costs, social benefits and comparable activities in other Councils (e.g. Hobsons Bay).

In response to this request, a report was provided to the Ordinary Council Meeting on 4 July 2017, where Council resolved to:

- 1. commence a consultation process regarding traditional and pop up community gardens examining; locations, style of gardens and community governance arrangements. This consultation should include community groups currently operating community gardens, gardening groups, sustainability groups and Moorleigh Village tenants, as well as individuals in the broader community who might be interested in participating in a community garden.
- 2. receive a report regarding the outcomes of the consultation including preferred community location, style of garden and governance arrangements.

ISSUES AND DISCUSSION

The Glen Eira community was invited to participate in a community gardens consultation from Monday 25 September until Friday 3 November 2017. There was a variety of ways for the community to provide their input, including:

- Have Your Say Glen Eira (Survey tool, Brainstormer tool, Map locations tool)
- Face-to-face consultation forums on 19 November (morning and evening sessions)
- Emails, letters or phone calls to the Community Planning and Engagement team
- Postcards with open comments section (no stamp required).

During the six week period there were 304 engagements with the community, with 75 individual responses. This included 229 visits to Have Your Say Glen Eira (42 survey responses, two brainstorm ideas and one map location), 25 people attended the face-to-face forum, one hard copy submission was received and four postcard responses were submitted.

Throughout the community engagement period, the interest in community gardens ranged from public shared gardens and the more traditional 'allocated plots' to pop-up temporary garden beds/planter boxes and rooftop gardens. Participants indicated that the benefits of community gardens included health and wellbeing, promoting healthy food, connections across neighbourhoods and communities, and instilling environmental values.

Outcomes of the consultation

The community response to the question on whether they would commit to future involvement in community gardening had over 40 participants expressing interest in setting up, hosting and/or providing resources to support community gardening in Glen Eira.

A number of participants were not aware that the City of Glen Eira has two 'traditional' community gardens in Caulfield South and Murrumbeena, both situated on private land and auspiced by the Caulfield South Neighbourhood House and Murrumbeena Uniting Church respectively. These community gardens are open to the community and stated they have current vacancies for new members. It was suggested that Council could contribute to awareness building about these gardens.

Governance discussion

Participants were interested in various ways that community gardens can be provided and also the importance of direct community involvement in the management and operation of community gardens. It was noted that while Council needs to be supportive of community gardening projects, that it is the community and individuals coming together that will create a successful and sustainable project.

The preferred management model for a community garden at Moorleigh Village is a lease/licence agreement with a community based management group, however this will need to be negotiated and agreed in further community engagement to be undertaken in early 2018.

Council can take on various roles to promote, support and encourage community gardening in Glen Eira. Providing information and linking residents to resources, information and support can be easily achieved through a dedicated webpage on Council's website. Further to this, ongoing engagement with interested residents will continue the conversations that started through the consultation period.

Location

A variety of locations were suggested by the community for community gardens. The locations can be categorised into; Council owned and managed land including parks, Council buildings and facilities; unused/vacant private land; private land such as churches and synagogues, and State Government or Crown owned land.

There was community interest in community gardens being located in the new open space created by the Level Crossing Removal Project between Caulfield and Dandenong. However, inclusion of community gardens was not supported by the Community Open Space Expert Panel due to feasibility issues such as space, lighting, soil contamination and access.

Discussion included that establishing a community garden at Moorleigh Village would provide residents in the Tucker Ward access to a community garden; recognising that Caulfield South Community Garden is located within Camden Ward and Murrumbeena Community Garden is located within Rosstown Ward.

• Style

Interest in community gardening on verges and nature strips was identified during the consultation. Council is currently undertaking a project to prepare guidelines for nature strip plantings, taking into consideration issues such as soil quality, safety, amenity and community benefit, to guide appropriate plantings.

Most interest was expressed around a pilot project with pop-up community garden boxes. The preferred style is for unfenced, accessible and shared planter boxes. This was seen as a good way for the community to get involved in a specific project to establish a community garden to see if it can become sustainable. The site at Moorleigh Village in Bentleigh East provides available space and has a large number of user groups who have either expressed interest or have regular members who may be interested in a community garden.

Next steps

A pilot project would need to commence with further community engagement with interested people to develop a proposal that considers:

- the scale and type of pop-up garden boxes,
- governance arrangements that enable community management, and
- operations of a pilot project.

It is estimated that \$65,000 will be required to establish a pop-up garden pilot project. A budget allocation would need to be made for this as part of 2018-19 budget preparation. Consideration would also be required for a short term project worker for 2018-19 at a cost of \$30,000.

The ongoing engagement with interested residents will provide guidance and information about how residents can create and participate in community gardening. Further discussion will cover exploration of gardens on private and non-Council public land.

Participants felt there may be opportunities for consideration of community gardens in park development plans, and through the review of the *Open Space Strategy* to consider the establishment of edible and community garden plantings in open space areas. These would be open to the public and developed in accordance with contemporary planning approaches.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The development of a pilot pop-up community garden will require consideration of an estimated capital start-up cost of \$65,000 and funding for a short-term project worker at a cost of \$30,000 in the 2018-19 budget;

POLICY AND LEGISLATIVE IMPLICATIONS

There are no policy and legislative implications associated with this report.

COMMUNICATION AND ENGAGEMENT

Community gardens consultation occurred from Monday 25 September until Friday 3 November 2017. During the six week period there were 304 engagements with the community, with 75 individual responses.

LINK TO COUNCIL PLAN

Theme 3: Safe, Healthy and Inclusive

Theme 4: Clean and Sustainable

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

The community consultation revealed that there is strong community interest in community gardening in Glen Eira. There are existing opportunities that could be better promoted and there is potential for greater community involvement in the establishment and management of additional community gardens.

The success of any community garden relies on the commitment and involvement of local community groups and residents. It is noted that during the community consultation process many participants expressed interest in supporting the development of community gardens. The proposal to establish a community garden at Moorleigh Village provides an opportunity to test community interest and support the establishment of more permanent gardens.

ITEM 9.16 ADVOCACY STRATEGY

Author: Peter Jones

File No: 17/1136295

Attachments: Attachment 1 – GLEN EIRA ADVOCACY STRATEGY

PURPOSE AND SUMMARY

To adopt the *Glen Eira Advocacy Strategy 2018-2020* that sets out the advocacy priorities for the City of Glen Eira.

RECOMMENDATION

That the Glen Eira Advocacy Strategy 2018-2020 be adopted.

BACKGROUND

Consultation on the 2017-2021 Council and Community plan revealed that advocacy is one of the main community concerns for residents. In response to this community feedback a Council and Community Plan 2017-2018 commitment was made that *"we will develop an advocacy strategy which informs the community of our advocacy program and outlines our advocacy goals."*

The Glen Eira Advocacy Strategy is an important step in maintaining and developing our City to ensure Glen Eira is a place where people want to live now and in the future. The primary purpose of an Advocacy Strategy is to influence those who hold governmental (bureaucratic), political or economic power to implement public policies and projects for the benefit of the current and future communities in the City of Glen Eira.

Council recognises that it has limited resources and in order for the City to achieve its full potential, it is imperative that Council advocates for delivering outcomes in partnership with other levels of government, the private sector, the not-for-profit sector, and the broader community.

ISSUES AND DISCUSSION

This Glen Eira Advocacy Strategy summarises the priority advocacy activities that are both critical and imperative to secure the vision for our City, and meet the future needs of our growing City. The Strategy identifies six advocacy areas:

- 1. Vibrant community hubs and precincts;
- 2. Efficient transport;
- 3. Additional open space;
- 4. A safer community and reduced incidence of family violence;
- 5. A sustainable City; and
- 6. Affordable and social housing.

The strategy also contains 25 advocacy activities that Council will pursue and highlights 10 key projects that require significant funding and/or co-operation from other levels of government. The advocacy requests and projects contained in the strategy are clear, realistic, and attainable and supported by evidence.

GLEN EIRA CITY COUNCIL

Council will address these advocacy areas by a range of strategies including direct lobbying of decision-makers; making effective submissions to federal and state governments; ongoing community engagement and public media campaigns.

Council is an active member of the Inner South Metropolitan Mayors' Forum (ISMMF) which represents the municipalities of Bayside, Boroondara, Glen Eira, Kingston, Port Phillip, Stonnington and Yarra. The ISMMF has developed shared regional advocacy priorities to effectively manage population growth and meet the needs of future communities for the region. Many of the advocacy activities contained in the Glen Eira Advocacy Strategy align with the regional priorities of the ISMMF.

This strategy will be evaluated each year to ensure it remains relevant, and that it keeps pace with changing social and political environments. Council will also report on its advocacy activities annually through its Annual Report, which is made available to the community via www.gleneira.vic.gov.au.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The *Council and Community Plan 2017-2021* is the Council's primary strategic document for the next four years. The *Strategic Resources Plan 2017-18 to 2026-27* outlines Council's financial direction for the next ten years.

POLICY AND LEGISLATIVE IMPLICATIONS

Theme 5 of the Council and Community Plan includes a 2017-18 Commitment that "We will develop an advocacy strategy which informs the community of our advocacy program and outlines our advocacy goals."

COMMUNICATION AND ENGAGEMENT

In 2016 a comprehensive community consultation process was undertaken to develop the Council and Community Plan which identified that advocacy was a key community concern for residents. Demographic data and key government and social policies also informed the development of the draft Council and Community Plan 2017-2021.

The draft community plan was subject to a public consultation process whereby the draft Council and Community Plan 2017-2021 (including the SRP) was advertised in The Age, the Caulfield Leader, the Moorabbin Leader and on Council's website and Facebook page.

Importantly, the *Glen Eira Advocacy Strategy* also commits Council to ongoing engagement with the community to identify and address new and emerging advocacy issues.

OFFICER DECLARATION OF CONFLICT OF INTEREST

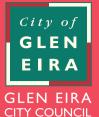
No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

The Glen Eira Draft Advocacy Strategy 2018–2020 is an important step in maintaining and developing the City of Glen Eira as a place where people want to live now and in the future. Council alone cannot deliver on all the changes required and strong advocacy on behalf of the community is required.

Council will implement the strategy by working in collaboration with other levels of Government and the community, building strong partnerships and alliances.

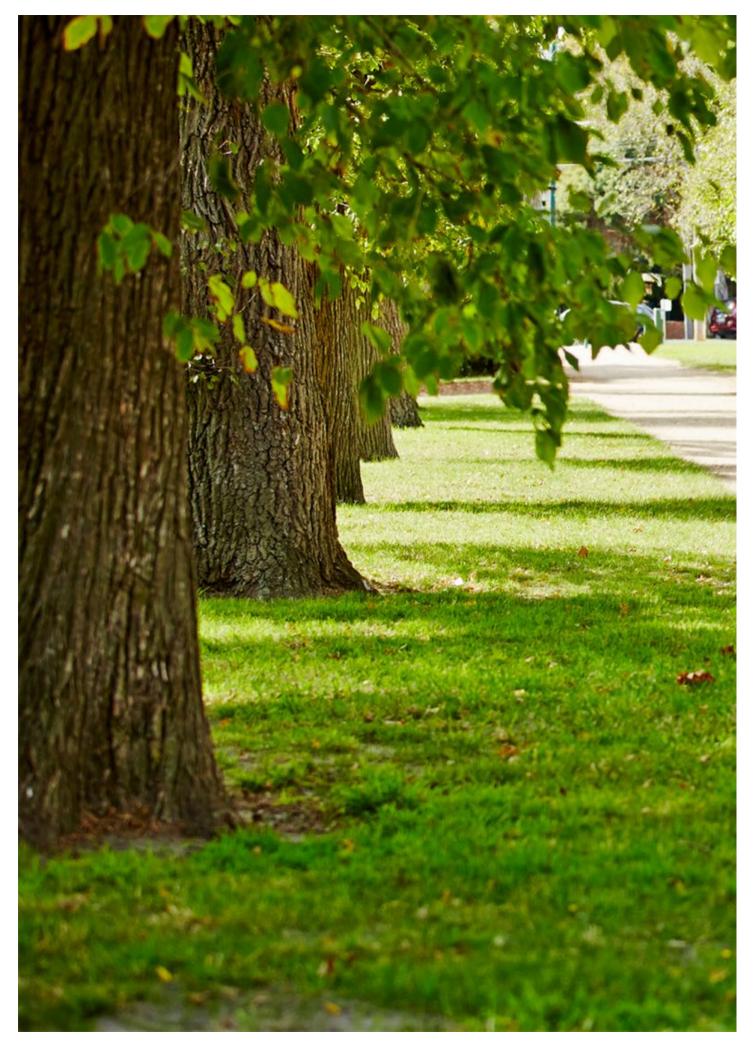
Council to adopt the Glen Eira Advocacy Strategy 2018-2020.



BENTLEIGH BENTLEIGH EAST BRIGHTON EAST CARNEGIE CAULFIELD ELSTERNWICK GARDENVALE GLEN HUNTLY MCKINNON MURRUMBEENA ORMOND ST KILDA EAST

GLEN EIRA DRAFT ADVOCACY STRATEGY 2018-2020





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INTRODUCTION

The Glen Eira Council and Community Plan 2017–2021 identifies advocacy as an important strategy in achieving a City that is liveable, accessible, safe, sustainable and engaged. Achieving our vision requires us to work in partnership with and advocate to a range of stakeholders and other levels of government.

Glen Eira is undergoing an exciting and challenging time of transition. Our population is growing; our community is concerned about increased development, traffic congestion and safety. We want a community that is vibrant, well designed, safe and easy to move around. Council alone cannot deliver on the changes required and strong advocacy on behalf of the community is required.

The Glen Eira Draft Advocacy Strategy 2018–2020 is an important step in maintaining and developing our City to ensure Glen Eira is a place where people want to live now and in the future.

This Strategy groups our 23 advocacy requests into six advocacy areas:

- I. Vibrant community hubs and precincts;
- 2. Efficient transport;
- 3. Additional open space;
- 4. A safer community and reduced incidence of family violence;
- 5. A sustainable City; and
- 6. Affordable and social housing.

We will address these advocacy areas by a range of strategies, including direct lobbying of decision-makers; making effective submissions to federal and state governments; ongoing community consultation; and engagement and public media campaigns.



KEY ISSUES AND CHALLENGES



Increasing densification of our suburbs and activity centres

Residents tell us that they want us to: "Protect and enhance liveability while accommodating more people."

It is essential that the population of Glen Eira will grow from 151,096 in 2017 to 180,626 by 2036 — an increase of 21.2 per cent.

Well planned community hubs for residents to access services from a central location are needed to support our growing population.



Traffic congestion and traffic movement

"Reducing traffic congestion, moving people safely and efficiently."

Our community continues to express concerns about increased traffic congestion.

Car ownership and the use of cars will only decline when alternatives such as public transport, cycling and walking become more attractive alternatives.



Lack of access to open space

"Increasing open space."

Glen Eira has the lowest amount of open space of any metropolitan council.

Open space is highly valued by the Glen Eira community and additional open space will provide greater accessibility to pursue recreational pursuits that contribute to positive health and wellbeing outcomes.



Feelings and perceptions of safety

"Building a community that is and feels safer."

Community safety is a major issue for the Glen Eira community and impacts the health and wellbeing of residents.

In particular the community has voiced concerns about family violence and the levels of safety in public places and at local railway stations.



Environmental sustainability

"Collectively creating a sustainable way of life for future generations."

A sustainable City is important for the prosperity of future generations. Council's *Sustainability Strategy* sets a goal of achieving net zero community carbon emissions by 2050.

Residents can contribute to a reduction in greenhouse gas emissions through positive action on energy use in homes, recycling, garbage, and transport.



Lack of housing diversity

"Providing opportunities for a diverse population to live in Glen Eira."

Social and affordable housing is important to the wellbeing and health of local residents.

Without an adequate housing mix in the City, residents including families with low incomes, students and vulnerable people may not have sufficient income to cover vital needs, such as food, utilities, or health-related expenses.

10 KEY PROJECTS



New Elsternwick Cultural Precinct and Jewish Quarter — Selwyn Street, Elsternwick: page 15

Seeking State and Federal funding to support the creation of a new pedestrian friendly cultural precinct in line with the community's vision established through the Elsternwick Draft Structure Plan. Time frame: medium-term.



East Village Education and Employment Hub: page 16

To establish a new school facility to be integrated within a new innovation precinct with co-located facilities such as co-working offices or shared innovation hubs. Time frame: medium-term.



Release of State Government Land to be used for additional Open Space: page 20

The State Government to release disused or underutilised land to Council, for the purpose of transforming these spaces into new quality open space. Opportunities include the unused reservoir located in Warrigal Road, Bentleigh East, land acquired as part of the upgraded Caulfield to Dandenong Railway line, Wooryl Reserve and the potential conversion of airspace over the railway in Elsternwick. Time frame: short-term.



Redevelop Bentleigh Community Hub: page 15

Seeking \$1.5 million funding to transform Bentleigh Library into a new community centre that integrates the adjacent youth centre and provides new multipurpose spaces that are linked to new community services to support the community. Council will contribute match funding towards completion of the project. Time frame: short-term.



Redevelopment of Murrumbeena Park: page 19

Seeking \$1.7 million funding to redevelop Murrumbeena Park to include a new multi-use pavilion, improved walkability connections to transport, shops and local schools and a new larger circuit walk within the park. Council will contribute \$5.1 million towards completion of the project. Time frame: medium-term.



New safe and integrated bike trails: page 18

State Government commitment to provide safe attractive connected bicycle corridors that separate cyclists from motor vehicles and provide a high level of priority for cyclists across driveways and through intersections on major arterial roads including St Kilda Road, Nepean Highway and Dandenong Road. Time frame: short-term.



Accessible open space at Caulfield Racecourse Recreation Reserve: page 19

Seeking full implementation of the recommendations of the Bi-partisan Working Group's recommendations and State Government funding to extend the usability of the open space beyond the existing restricted hours, removal of visual barriers surrounding the reserve and the construction of new sporting fields within the reserve. Time frame: medium-term.



Redevelopment of Carnegie Swim Centre and recreational precinct: page 19

Re-develop Carnegie Swim Centre to include aquatic, leisure, health, social and sporting opportunities. Time frame: medium-term.



Removal of Neerim Road and Glen Huntly rail crossings: page 17

Remove the last two remaining rail crossings in Glen Eira to improve local traffic flow. Time frame: medium-term.



Improve lighting, safety and cleanliness around railway stations: page 21

State Government investment to improve lighting, safety and cleanliness around railway stations to increase the number of people who elect to travel by public transport. Time frame: short-term.



OBJECTIVES AND PRINCIPLES

Communities expect their local council to provide services, maintain assets and, through their Councillors, represent the interests of the community to decision makers and funders in State and Federal governments.

Advocacy objectives

This Strategy has the following objectives:

- I. Provide clarity on the advocacy agenda and priorities for the City.
- 2. Identify priority projects to generate economic activity, employment growth, improved productivity and community benefit.
- 3. Increase levels of funding for infrastructure and services from other levels of government to meet community needs and aspirations now and into the future.
- 4. Influence state and federal legislation, policy, standards and guidelines to improve our City and the health and wellbeing of our residents.
- 5. Keep the community informed about Council advocacy activities through regular reporting.

Advocacy principles

Council's advocacy approach will be guided by the following principles:



1. Community engagement — we will actively engage and work with our community to understand their aspirations and needs and regularly inform the community about our advocacy activity.



2. Leadership — we will provide the community with civic leadership in advocating on agreed priorities.



3. Evidence based — advocacy campaigns will be based on policy and strategy positions that are supported by evidence and data.



4. Partnerships — we will position Council as a partner with federal and state governments, and our local members of parliament, and work in collaboration to address issues of common concern.



5. Innovation — we will develop creative and innovative solutions to problems, issues or concerns shared by the community, federal and state governments.



6. Transparency — we will be open and transparent in our advocacy objectives, strategy and priorities and will provide equitable access to services, infrastructure and economic opportunities.

How we advocate

We will:

- make representations to State and Federal government Ministers;
- regularly meet with and make representations to local Members of Parliament;
- actively engage with local and state media;
- actively engage with and make representations to all candidates participating in State and/or Federal election processes;
- broker partnerships and strategic alliances with other local and regional organisations;
- submit grant applications to secure funding to deliver priority projects and program delivery;
- actively participate in peak governing organisations and their advocacy efforts, including the Municipal Association of Victoria (MAV) and Victorian Local Governance Association; and
- work and partner with State Government authorities to influence policy, legislation and standards, including the Department of Planning and Infrastructure; VicRoads; Department of Health and Human Services; Department of Education; and the Environment Protection Authority.



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STRATEGY CONTEXT AND FRAMEWORK

The Glen Eira Council and Community Plan 2017–2021, sets out the aspirations for our City which are to be liveable, accessible, safe, sustainable and engaged. Through the Council and Community Plan's development it became clear that a number of the community's aspirations could not be met by local government alone, and would require partnerships between Council and other stakeholders if they were to be realised. This Advocacy Strategy summarises the priority advocacy activities that are both critical and imperative to secure the vision for our City and meet the future needs of our growing City.

Our advocacy is complemented and supported by a range of other initiatives including;

- policy and strategy development;
- strategic planning;
- program planning and development; and
- public forums, community dialogue and engagement.

In some instances this type of work needs to precede or is an appropriate alternative to advocacy.

Other key elements of the context and framework are having data and evidence, monitoring and evaluation, partnerships and community engagement.

The diagram below presents the elements and processes that provide the framework for the Advocacy Strategy.



PARTNERSHIPS AND ALLIANCES

As the closest arm of government to the community, councils are best placed to understand and respond to local community needs and concerns. Council engages with a range of organisations in framing its advocacy efforts — both in terms of obtaining evidence in support of an issue, and alignment and strengthening its advocacy position.

Council recognises that the likelihood of achieving our advocacy outcomes is optimized by working in collaboration with other organisations with similar aims, and we will seek to build alliances with them. Examples of how we will do this are outlined below.

Local level advocacy

Local level advocacy is required on issues of local significance and often involves partnerships with residents; trader's associations; businesses; community groups; transport and service providers; local lobby groups; and environmental organisations.

Council recognises that when addressing advocacy issues, it will optimise its likelihood of success by working in collaboration with other local organisations with similar aims, and we will seek to build alliances with them.

Ongoing consultation will be supported via Council's *Community Engagement Strategy* and whole of municipal evidence gathering, including the *Annual Community Survey*.

Regional level advocacy

Council is an active member of the Inner South Metropolitan Mayor's Forum (ISMMF), which represents the municipalities of Bayside, Boroondara, Glen Eira, Kingston, Port Phillip, Stonnington and Yarra. The ISMMF councils have looked beyond their own individual interests to develop shared regional priorities to effectively manage population growth and meet the needs of future communities.

The ISMMF has developed the following shared regional priorities:

- I. planning and development;
- 2. transport, cycling and walking;
- 3. open space and sporting facilities; and
- 4. waste and sustainability.



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State and federal levels of advocacy

Council dedicates significant effort advocating to state and federal Members of Parliament and senior government officers regarding funding and policy needs for our communities.

The State Government is responsible for major policy settings that impact on the way our City will grow and change, including:

- planning urban development and approval of local planning schemes;
- funding for new community infrastructure, including major transport projects, such as level crossing removals, roads and public transport infrastructure, and services;
- maintaining law and order through police, courts and programs to address family violence;
- building new schools, upgrading schools and funding for children's services; and
- funding sporting, recreational and other community facilities.

Council also actively participates in advocacy efforts co-ordinated by the MAV, which represents local governments' voice on issues of state significance.

The Federal Government has a range of roles that impact our City, including:

- infrastructure funding urban policy; programs; transport; and technology (NBN);
- economic and jobs growth;
- funding for health education; aged care; National Disability Insurance Scheme (NDIS); and children's services.
- migration strategies and policy;
- climate change related policy and programs;
- national standards and guidelines for infrastructure, housing, roads, energy, and street lighting.



OUR ADVOCACY PRIORITIES

This Glen Eira Draft Advocacy Strategy 2018–2020 identifies six priority areas and 23 advocacy requests to meet the future population growth and secure the vision for the City.

The 23 advocacy requests have been developed from community feedback received as part of an extensive consultation and research process undertaken as part of the development of the new *Glen Eira Council and Community Plan.* Of those 23 requests, ten have been identified as having higher priority and focus, and they have been highlighted throughout.

Many of the advocacy requests align with shared regional priorities outlined in the Inner South Metropolitan Mayor's Forum (ISMMF) *Policy Priorities 2017* which was developed to effectively manage population growth and meet the needs of future communities across the municipalities of Bayside, Boroondara, Glen Eira, Kingston, Port Phillip, Stonnington and Yarra. Council advocacy requests that align with this regional strategy are highlighted under each advocacy priority area with an asterisk *

The six priority areas of the Glen Eira Advocacy Strategy 2018-2020 are:



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PRIORITY 01:

COMMUNITY HUBS AND PRECINCTS

Strong communities have places to gather and connect, vibrant activity centres where services that support liveability can be accessed, and residential areas where amenity is protected. Council can influence this through effective planning policy, urban design of community precincts and the establishment of integrated, multi-purpose community hubs.

Community hubs and precincts contain community facilities in a central location for residents to access a range of services, activities, transport, learning options and social opportunities. While there has been growth across the City, our activity centres have particularly experienced the most change, with new apartments bringing increased densification.

We are committed to ensuring we take a place-centred approach.

By focusing on place, we use community views to design accessible public spaces (streets, plazas, squares, campuses, parks) that accommodate a mix of uses.

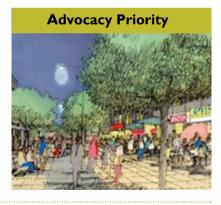
New community hubs and precincts are required to service our growing population and to enable Council to effectively implement its planning, development and place-making policies.

The Victorian Civil and Administrative Tribunal Act requires that the Tribunal 'consider' local planning policy in its decision-making. It is not compelled to adhere to local planning policy frameworks. This situation weakens the importance of local planning policy decisions made by Council and detracts from the Council and community investment in creating these policies.

Advocacy request

I. Elsternwick Cultural Precinct and Jewish Quarter — Selwyn Street, Elsternwick

Seeking State and Federal funding to support the creation of a new pedestrian friendly cultural precinct in line with the community's vision established through the Elsternwick Draft Structure Plan. Time frame: medium term.



2. Bentleigh Community Hub

Seeking \$1.5 million funding to transform Bentleigh Library into a new community centre that integrates the adjacent youth centre and provides new multipurpose spaces that are linked to new community services to support the community. Council will contribute match funding towards the completion of the project. Time frame: short term.



3. East Village Education and Employment Hub

To establish a new school facility to be integrated within a new innovation precinct with co-located facilities such as co-working offices or shared innovation hubs. Time frame: medium term.

4. Carnegie Open Space and Market Hub

To construct a market hub adjacent to the Carnegie Library and Community Centre, which will include a ground floor community market, with upper level office and employment opportunities.

This development has significant opportunity to increase open space in the centre of Carnegie and provide additional car parking opportunities.* Time frame: medium term.

5. The Victorian Civil and Administrative Tribunal to apply local planning policy frameworks.*

The State Government to strengthen the *Planning and Environment Act* to give greater weight to the local planning policy framework in both decision-making and development approval. Time frame: short term.

* Project aligns with Inner South East Mayors Forum Policy Priorities 2017

Supporting evidence

- Over the last five years, Glen Eira has welcomed 11,860 new residents and seen the construction of an additional 3,535 dwellings.
- The Australian Bureau of Statistics estimates that the population of Glen Eira will grow from 151,096 in 2017 to 180,626 by 2036 an increase of 21.2 per cent.
- Only 59.8 per cent of residents agree that Glen Eira is a close-knit community.
- Glen Eira has one of the largest Jewish communities in Australia with 23,668 or 16.8 per cent of residents.
- Glen Eira has an average of 3,389 people living within a 10-minute walk from each of our train stations.
- Over the last three years, approximately 50 per cent of all Council planning decisions appealed to the Victorian Administrative Appeals Tribunal have been overturned.

Community benefit

The 20 minute neighbourhood principles seek to strengthen our communities to have their required daily needs, including shopping, employment and community services located within a short walking distance, with a focus on hubs. A strong, well-connected community means less travel and wasting time in congestion, while also providing stronger health and wellbeing benefits.

Glen Eira is well placed to provide stronger local communities, however investment to create new community hubs that are the beating heart of our growing communities is needed.



Advocacy Priority

PRIORITY 02:

EFFICIENT TRANSPORT

Increased traffic congestion continues to be one of the areas of highest community concern to our community. Across metropolitan Melbourne, transport infrastructure provision is struggling to keep pace with population growth, resulting in increasing congestion — and Glen Eira is no different.

Glen Eira's situation is compounded by a comparatively larger percentage of workers leaving the municipality each day for work. Increased car use and ownership in part reflects a public transport system that is not a sufficiently attractive alternative. The ability to create additional road capacity and increased road use efficiency in a fully built-up urban area is very limited.

Car ownership and the use of cars will only decline when alternatives, including public transport, cycling and walking options, become more attractive. It's the responsibility of governments at all levels to provide and promote those alternatives. The removal of level crossings will assist in easing congestion and increased rail services also assist, but more needs to be done, particularly if Federal and State Governments continue to have policies that increase our population.

The Glen Eira Council and Community Plan outlines a vision for a 'City that is easy to move around, full of safe travel options and walkable neighbourhoods'. Council is currently developing a new Integrated Transport Strategy to implement this vision and the goals outlined in the Community Plan.

Advocacy request

1. Removal of Neerim Road and Glenhuntly Road level crossings. *

Remove the last two remaining rail crossings in Glen Eira to improve local traffic flow. Time frame: medium term.

2. Significant investment in premium bike infrastructure along St Kilda Road, Nepean Highway and Dandenong Road to connect our City with Melbourne's Central Business District. *

State Government commitment to provide safe attractive connected bicycle corridors that separate cyclists from motor vehicles and provide a high level of priority for cyclists across driveways and through intersections on major arterial roads, including St Kilda Road, Nepean Highway and Dandenong Road. Time frame: short term.

3. Significant investment in premium bus services, bicycle and road infrastructure, particularly along East Boundary and North Roads that better connects the East Village urban renewal precinct.*

State Government to work in partnership with Council to ensure residents in the new East Village Precinct and surrounding areas have increased opportunities for alternative modes of transport, including public transport services, bicycle and walking. Time frame: short term.







Community benefit

Supporting evidence

There are a number of quality of life benefits arising from less congestion and higher rates of usage of 'active transport' (ie. walking, cycling, public transport). These include more time for family and socialising, better public health outcomes with people being more physically active and better outcomes for the environment with less pollution and carbon emissions.

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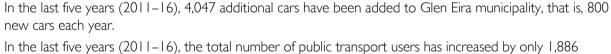
9.5 per cent use public transport. Vic Roads estimates that boom gate closure periods for the Neerim Road rail crossing is 32 minutes (27 per cent) between 7am and 9am, Monday to Friday. The closure time for the Glenhuntly Road rail

- In the last five years (2011-16), the total number of public transport users has increased by only 1,886 people (2 per cent of total users) or 376 people each year. The population of Glen Eira has grown by
- 7.5 per cent or 9,862 people over the same period.
- Cycling as a form of commuting can relieve some of these pressures on our roads and public transport systems. However, only 1,059 Glen Eira residents indicated that they cycled to work in 2016.

Within the East Bentleigh Area, 72 per cent of residents are reliant on a car to get to work, while only

new cars each year.

52,964 or 76 per cent of Glen Eira working residents travel outside of the municipality for work every day,



with 23.9 per cent (16,646) travelling into the Melbourne Central Business District.

crossing between 7am to 9am, Monday to Friday is 72 minutes (60 per cent).



4. Significant upgrade to Caulfield Station and its wider precinct.*

Seeking State Government investment to significantly upgrade the Caulfield Station to improve pedestrian access to the Monash and Caulfield Racecourse precincts, improve local traffic management and increase parking for those who travel to the station. Time frame: medium term.

5. Provide councils with a more collaborative approach to transport planning, including greater controls for safety on local roads.* State Government to work in partnership with Council to improve access to public transport and to improve safety on major arterial roads owned by the State Government. Council will contribute by improving local road safety and providing local infrastructure that enhances increased public

*Project aligns with Inner South East Mayors Forum Policy Priorities 2017.

transport services. Time frame: short term.

PRIORITY 03:

ADDITIONAL OPEN SPACE

Open space is highly valued by the Glen Eira community for its trees, a place for children to play, an escape from the built environment and sporting pursuits.

Glen Eira has the lowest amount of open space of any metropolitan municipality, resulting in demands to increase the supply of active and passive supply of open space from sporting clubs and the community more broadly.

Caulfield Racecourse Recreation Reserve is a 54-hectare parcel of Crown land — the largest in Glen Eira. The parcel of land is permanently reserved for three purposes — a racecourse, public recreation ground and public park. This Reserve is significantly underutilised in many respects.

The new Caulfield to Dandenong Level Crossing Removal Project (CD9 Project) presents a unique opportunity to create new open space for parks, trails, improved connectivity, playgrounds, sporting facilities and a range of other uses, under and around this project.

The Carnegie Pool precinct and Murrumbeena Park recreational precincts are key areas for potential redevelopment to meet the needs of the growing Glen Eira population.

Advocacy request

I. Public access to open space at Caulfield Racecourse Recreation Reserve.*

Seeking full implementation of the recommendations of the Bi-partisan Working Group's recommendations and State Government funding to extend the usability of the open space beyond the existing restricted hours, removal of visual barriers surrounding the reserve and the construction of new sporting fields within the reserve. Time frame: medium-term.

2. Carnegie Swim Centre and recreational precinct.*

Re-develop Carnegie Swim Centre to include aquatic, leisure, health, social and sporting opportunities. Time frame: medium-term.

3. Redevelopment of Murrumbeena Park.*

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Seeking \$1.7 million funding to redevelop Murrumbeena Park to include a new multi-use pavilion, improved walkability connections to transport, shops and local schools and a new larger circuit walk within the park. Council will contribute \$5.1 million towards completion of the project. Time frame: medium-term.

Advocacy Priority



Advocacy Priority



4. Release of State Government land to be used as new open space for the community.*

The State Government to release disused or underutilised land to Council, for the purpose of transforming these spaces into new quality open space. Opportunities include the unused reservoir located in Warrigal Road, Bentleigh East, land acquired as part of the upgraded Caulfield to Dandenong Railway line, Wooryl Reserve and the potential conversion of airspace over the railway in Elsternwick. Time frame: short-term.



* Project aligns with Inner South East Mayors Forum Policy Priorities 2017

Supporting evidence

- Glen Eira currently has the lowest amount of open space per capita in metropolitan Melbourne at 1.3 hectares for every 1,000 residents only 4.7 per cent of the total municipal area is open space (excluding Caulfield Racecourse Reserve). Open space available at Caulfield Racecourse is difficult for the public to access and use this space for recreation and leisure.
- Council has 86 sporting groups using Council-owned open space. Council is currently unable to
 accommodate the growth of existing clubs and any new clubs starting up in Glen Eira due to limited open
 space availability.
- A recent youth consultation held in Glen Eira has revealed sporting clubs provide the greatest form of social connection for young people in Glen Eira.
- Caulfield Racecourse has 105 electronic gaming machines, the largest number of any gaming facility in Glen Eira. In 2016–17, the community expenditure on electronic gaming machines owned by the Racecourse was \$11,772,155. The Victorian Commission for Gambling and Liquor Regulation requires that the Racecourse use more than eight per cent of its net gaming machine revenue for community benefit.
- Glen Eira property owners, via their water bills, are contributing approximately \$9 million per annum to Parks Victoria to improve Victoria's parks and sees little, if any, spent within the City.

Community benefit

Public access to more open space will provide the community with greater accessibility to recreational pursuits, including walking, exercising, dog walking, cycling and visiting playgrounds.

Open space and active and passive recreation contributes to positive community health and wellbeing outcomes, particularly connected walking trails and cycling paths.

Additional sportsgrounds are required to cater for the existing unmet demand for additional sportsground use from existing clubs that are growing, and new start-up sporting clubs.



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PRIORITY 04:

COMMUNITY SAFETY AND FAMILY VIOLENCE

Community safety is a major issue for the community, with family violence and safety around railway stations highlighted by the community as a key local priority in our 2016 consultation.

Preventing family violence is a key component of community safety and a priority for the State Government. Council will continue to work in partnership with the State Government and when neccessary advocate to ensure that all recommendations of the Royal Commission into family violence are implemented. Local Government also has an important role to play in the prevention of violence against women — as a community leader, service provider and a major employer.

The Municipal Association of Victoria has been funded by the *Community Crime Prevention Program* to deliver the Local Government's Preventing Violence Against Women initiative.

Council has committed to establishing a Community Safety Committee and developing a new *Community Safety Plan.* Further consideration of advocacy for improved community safety will occur upon completion of the *Community Safety Plan.*

The appearance of our City also impacts people's perceptions of safety, in particular rubbish, untidiness and graffiti. While graffiti and cleanliness of council assets is within Council's control, railway stations, school infrastructure, arterial roads and precincts are State assets and therefore require State action.

Advocacy request

I. Improved safety at railway stations.*

State Government investment to improve lighting, safety and cleanliness around railway stations to increase the number of people who elect to travel by public transport. Time frame: short term.

2. Responding to the Royal Commission into family violence

That the State Government implement the recommendations of the Royal Commissions into family violence to improve early intervention so as to identify those at risk and provide support services to address the impacts of family violence. Timeframe: short term.

3. Greater resources for family violence initiatives.

Council is seeking \$210,000 in funding over three years to provide legal support resources to support a new *Family Violence Pilot Project*, which enhances the role of maternal and child health nurses in identifying and referring cases to legal support services.

Council will contribute to this project through additional Maternal Child Health staffing resources and office accommodation required to support and deliver this new innovative program. Time frame: short term.





3. Activation of activity centres adjacent to rail precincts.

Shops on VicTrack land to be developed, significantly improved and leased for uses that maximise activation and have long hours of operation in rail precincts, including Bentleigh, McKinnon, Ormond, Elsternwick and new stations at Carnegie, Murrumbeena and Hughesdale.

This project is expected to be delivered through a partnership approach between Council and the State Government. Time frame: medium term.

4. Improved response to graffiti removal.

Government authorities, including VicTrack and VicRoads, to better respond to graffiti removal on their land and infrastructure, including railway corridor fences, underpasses, power boxes, poles and other hotspots within 48 hours.

Significant graffiti hot spots include vehicle underpasses at Queens Avenue and John Street; pedestrian underpasses at Normanby Road and Derby Road (including commuter car parks), rail overpass area Brewer Road and Bendigo Street; and vehicle underpasses at Patterson Station and on Woodville Avenue. Time frame: short term.

5. Improved street lighting.

Request that the State Government play a leadership role in establishing an effective review of street lighting standards to reimagine how street lighting is designed and managed to focus on improving pedestrian safety and unlock opportunities for sustainability and efficiency.

This street lighting review should include review of standards, institutional arrangements and policies at both the State and Federal level. Time frame: medium term.

*Project aligns with Inner South East Mayors Forum Policy Priorities 2017.

Supporting evidence

- In Glen Eira, 38 per cent of residents stated that they felt safe walking alone after dark.
- Fifty per cent of young people felt unsafe in public places and train stations at night.
- Reported sexual offences increased 68.9 per cent from 2015-16 to 2016-17 financial years.
- Intimate family violence is a major contributor to premature death in women aged 15 to 44. There has been a 12.6 per cent increase in family violence from 2015-16 to 2016-17 financial years.
- Only 59.8 per cent of residents agree that Glen Eira is a close-knit community this is lower than the state average.

Community benefit

Safety in Glen Eira is an important issue that significantly impacts the health and wellbeing of residents. Family violence in Glen Eira continues to rise and support at critical junctures is needed to reduce family violence.

Removal of graffiti, good public lighting and the activation of public spaces are proven strategies to reduce crime and increase community activities and engagement. These strategies also reduce the level of vandalism over time and can reduce maintenance costs in the medium term. The benefit of these activities for the community is also likely to be increased use of public transport and associated increases in environmental benefits.





PRIORITY 05:

A SUSTAINABLE CITY

The Glen Eira Environmental Sustainability Strategy 2016–2021 sets out how Council will support and advocate on behalf of the community on sustainability. It sets a long-term goal for community carbon emissions to be at net zero by 2050, and by 2021 commits to helping overcome barriers by advocating for changes to policy settings, particularly related to waste, public transport and energy.

In consultation for the development of the *Glen Eira Council and Community Plan 2017–2021*, the community also told us that advocating for environmentally sustainable housing was a key priority.

The Federal Government National Construction Code sets out the minimum necessary requirements for safety, health, amenity and sustainability in the design and construction of new buildings throughout Australia. It also plays a key role in setting the policy framework for energy and street lighting.

The State Government plays a critical role in establishing the right policy settings for sustainability, including the built environment and establishing next generation waste infrastructure. The State Government has also collected large amounts of revenue from local governments and local communities in the form of the landfill levy. This revenue should be reinvested in co-funding new next generation waste facility technology and be used to accelerate Victoria's switch to low-emission technology.

Council is a signatory to the *Compact of Mayors and the Victorian Take2 Program* to advocate for the achievement of the community's sustainability goals. Council is also an active participant in regional discussions towards next generation garbage processing facilities.

Advocacy request

1. New generational garbage processing facility.*

That the State Government makes a clear and substantial commitment to invest sustainability funding in a new generation garbage processing facility that serves the Glen Eira community to demonstrate that zero net emissions from garbage are possible.

The Glen Eira Community will pay almost \$2 million dollars in landfill levy to the State Government in 2017-18. Glen Eira is calling for the State Government to announce a multi-million dollar investment package to support a new low carbon emissions garbage processing facilities. Time frame: short term.



2. Improved sustainability planning for new developments.*

State Government to strengthen sustainability requirements for the built environment in a consistent state-wide approach, as outlined in Action 80 of the Plan Melbourne implementation — "*Review of planning and building systems to support environmentally sustainable development outcomes.*" Time frame: medium term.



3. New environmental performance standards for buildings.*

Federal and State Governments to review current environmental standards and regulation for new buildings to improve the environmental performance of new developments.

Council would contribute to this initiative through application of the new standards through its planning and building regulatory functions. Time frame: medium term.

4. Improving sustainability standards of rental properties.*

That the State Government actively pursues a program and framework that requires landlords, over time to improve the energy efficiency and rating of their rental stock.

Council welcomes the opportunity to collaborate with the State Government to achieve this important initiative to reduce emissions and reduce the burden of energy costs on local residents renting properties. Time frame: medium term.

*Project aligns with Inner South East Mayors Forum Policy Priorities 2017.

Supporting evidence

- According to the State Government, global greenhouse gas will need to reach net zero in the second half of the century to achieve the international community's aim to "keep the rise in global temperatures to well below 2°C above preindustrial levels, and to work towards limiting the rise to 1.5°C".
- Like other municipalities across Australia, Glen Eira is vulnerable to the impacts of climate change on our natural and built environments and on our community. Climate change will bring increased flood and storm damage; increased heatwaves; disruption to essential services; stressed plant and animal communities; and increased health risks for vulnerable groups within the community.
- The main sources of greenhouse gas emissions that our community contribute to include energy use in homes, recycling and garbage, and transport.

Community benefit

Good energy efficiency in homes saves the community money on energy bills, makes homes more comfortable and more resilient to climate change.

Financial savings achieved through reduced energy consumption have a more significant benefit for low income households, which is why these households are prioritised. There are improved health outcomes for low-income households who are at risk of fuel poverty, where they don't use heating or cooling in order to save money.

In the long run, reducing greenhouse gas emissions has significant public health, security and economic benefits for future generations. Moving away from landfills will also reduce long-term local environmental risks and management costs for future generations.





PRIORITY 06:

AFFORDABLE AND SOCIAL HOUSING

Social and affordable housing is a priority for Glen Eira because affordable housing creates communities with a rich mix of culture, socio-economic circumstance, age, and education. Diversity of people produces a diversity of development that generates unique entertainment venues, restaurants, schools and recreational facilities.

Social housing provision in Glen Eira is less than half the metropolitan average, private rental is above the metropolitan average and rates of financial stress in the rental market in Glen Eira are higher than our neighbours. This underpins the high priority affordable and social housing has in our *Community Plan*.

Without more affordable housing in Glen Eira, key workers will find it increasingly difficult to live nearby workplaces and this will increase commuting and traffic volumes across wider Melbourne and in Glen Eira.

Council's Activity Centre, Housing and *Local Economy Strategy*, prioritises the need for social and affordable housing in the urban renewal areas of Elsternwick, Caulfield, Carnegie, East Village and Moorabbin.

The State Government has been exploring a range of ways to facilitate and/or require more social and affordable housing as part of future developments, as well as redevelopment of public housing estates.

Plan Melbourne 2017 Implementation Plan has four actions to address providing housing choice (affordable and social housing) in locations close to jobs and services.

Advocacy request

I. Affordable housing for all.*

State Government support for the implementation of the 'housing for all' initiative — that is affordable, social and short-term housing, including crisis accommodation, shared care accommodation, aged care and accommodation for key workers and students — into redevelopment projects in community hubs and precincts.*

Council will contribute to this important initiative through its social planning and community development functions. Time frame: medium term.

2. Mandatory criteria for affordable housing.*

That the State Government introduces new mandatory criteria for the implementation of affordable housing outcomes in new major developments through relevant planning legislation and regulatory regimes.

Council will contribute to this initiative through its planning and building regulatory functions. Time frame: medium term.





3. Affordable and social housing in new State Government developments.*

That the State Government incorporates affordable and social housing in its projects in Glen Eira, including at 'value capture' developments in the City, generated by opportunities associated with level crossing removal property acquisitions, particularly in the Ormond Station and other integrated development opportunities.

This project is expected to be delivered through a partnership with Council. Time frame: medium term.

4. Support for new Council social housing initiatives.*

State Government to work in partnership with Council to provide a greater number of social housing units. Council will contribute to this partnership through provision of existing land currently used for social housing units that are located on four sites in Carnegie, Bentleigh and Caulfield South. Time frame: medium term.

5. Decreasing the number of vacant properties.

That the State and Federal governments introduce initiatives to reduce the number of vacant houses and apartments in Glen Eira, increasing the supply of available housing and assiting in overall affordability.

* Project aligns with Inner South East Mayors Forum Policy Priorities 2017

Supporting evidence

- In 2016, the median house price in Glen Eira was 11.8 times the median house income. In 2006, the median house price was only 5.3 times the median household income.
- 29 per cent of all dwellings in Glen Eira are privately rented compared with 24 per cent for metropolitan Melbourne and only 0.7 per cent of these dwellings are classified as affordable rental stock.
- Glen Eira has lower numbers of people renting from a Victorian housing authority 1.1 per cent compared with a metropolitan average of 2.4 per cent.
- Median weekly rental rates in Glen Eira have increased from \$190 in 2000 to \$420 in 2016, an increase of 121 per cent.
- In 2016, 12.2 per cent of all rental households in Glen Eira made rental payments equating to 30 per cent or more of total household income. The portion of dwellings in Glen Eira experiencing this type of housing stress is higher than all neighbouring municipalities.
- Glen Eira currently has 1,300 vacant houses within the municipality.

Community benefit

Social and affordable housing developments contribute towards improved social inclusion, mobility and access to jobs, which is a key element of maintaining income equality and sustainable economic growth.





IMPLEMENTATION OF THE STRATEGY

To ensure good governance in relation to matters of advocacy clear roles and accountability for the implementation of this strategy have been developed and are outlined below. Advocacy efforts extend throughout the organisation and require effective planning, coordinating and engagement to ensure we achieve the best possible outcomes for our community.

Mayor and Councillors

The role of Councillors is to represent their community and advocate on their behalf to various stakeholders and government bodies. They are a valuable link between the community and Council, and are key to facilitating communication with the community.

In addition, the role of the Mayor is of critical importance being the key community leader and principal Council spokesperson. The Mayor will extensively network and actively promote Council's interests and pursue opportunities for the municipality.

Chief Executive Officer and Directors

The role of the Chief Executive Officer and Directors is to champion the advocacy priorities, establish partnerships with key stakeholders and promote opportunities within the municipality to others. They also provide strategic advice to Council and support for their representations to other levels of government.

Communications and Customer Service

The role of the Communications and Customer Service departments is to ensure the advocacy priority areas and implementation of the *Strategy* is well communicated with the community, stakeholders and the media. This includes listening to stakeholders and the community around key local issues and effectively communicating the concerns of local residents through Council. The Communications department also plays a key educative function to build community capacity and understanding of advocacy.

Council managers and officers

Council managers and officers are responsible for development of plans, strategies and related advocacy initiatives in their areas of responsibility for consideration/endorsement at senior officer or Council level. These staff are also responsible for building relationships with managers and officers in other organisations and the community to progress Council priority areas.

Local and regional stakeholders

Local organisations, businesses and community members are invited to advise Council of key advocacy issues within the municipality and support for Council in advocating on the key priority areas, where interests align. Council will continue to support this communication through its *Community Engagement Strategy*.

EVALUATION, MONITORING AND REPORTING

This *Strategy* will be evaluated each year to ensure it remains relevant and that it keeps pace with changing social and political environments.

The annual review will include:

- a review of Council's advocacy activities and campaigns;
- identification of what has been achieved for the community;
- barriers to achieving results;
- new or emerging opportunities to attain results;
- possible new priority areas; and
- a review of demographic and statistical information to identify emerging local issues.

Council will also report on its advocacy activities annually through its Annual Report, which is made available to the community via www.gleneira.vic.gov.au

Council will also:

- 1. Continue to engage with the local community to create an open dialogue to identify and address emerging advocacy issues through ongoing community consultation and engagement. Council's broad range of engagement strategies and activities are set out in its *Community Engagement Strategy*.
- 2. Periodically test and re-affirm its existing advocacy priorities with the community through a range of consultation mechanisms associated with its policy and strategy development that guides service delivery.
- 3. Provide ongoing opportunities for 'partners', including community and business organisations to comment on both performance and emergent advocacy priorities as part of the development of new Council strategies and plans.

ITEM 9.17	FOUNDATION FOR YOUTH EXCELLENCE COMMITTEE GRANT
	APPLICATIONS

Author:Mark Saunders, Manager Family, Youth and Children's ServicesFile No:17/1333508

Attachments: Not Applicable

PURPOSE AND SUMMARY

To seek endorsement of the Foundation for Youth Excellence Awards for the 4th quarter 1 August 2017 – 31 October 2017.

RECOMMENDATION

That Council approves the Foundation for Youth Excellence grants as outlined in this report.

BACKGROUND

The *Foundation for Youth Excellence* ('Foundation') is a Council initiative that aims to recognise young people who have achieved excellence in the fields of creative and performing arts; education; leadership or sport.

Young people aged between 10 and 25 who live in Glen Eira and are competing or performing at a state, national or international level are eligible to apply for an award. High priority will be given to applicants who demonstrate a proven history of achieving excellence within their chosen field and an association with a recognised official affiliated body.

Foundation for Youth Excellence applications are assessed quarterly each year. Closing dates are:

1st Quarter – 31 January 2nd Quarter – 30 April 3rd Quarter – 31 July 4th Quarter – 31 October

Award Categories

(1) Creative and Performing Arts

Awards in the areas of dance, music, drama, film and media for applicants who are preparing for prestigious exhibitions, events, presentations, productions and competitions. Assistance may be given to help pay for expenses in accessing or attending one of the above. For example, master classes or special enrichment programs in which the applicant is participating.

(2) Education

Awards for applicants who are pursuing intellectual endeavours or increasing their educational qualifications or skills. Assistance may be given to help applicants pay for expenses in accessing or participating in intellectual enrichment activities, such as forums, conferences, workshops or mentor programs.

(3) Leadership

Awards for applicants seeking personal growth or development through participation in leadership development programs. It is preferable that these programs enhance an applicant's capacity to initiate, contribute to and lead activities within the community.

(4) Sport

Awards for applicants competing, representing or participating in a sport at state, national or international level. The applicant's chosen sport must:

- have a defined set of rules and an applicable code;
- be competitive in nature; and
- be an officially recognised event by the relevant applicable code.

Award Levels

The levels of awards are:

State level up to \$360. National level up to \$600. International level up to \$1,200.

General Conditions

Applicants must demonstrate that they have achieved excellence within their chosen field.

No more than two awards will be made to any one applicant.

Awards will not be made for international accommodation or travel.

Sporting applicants must be representing Victoria or Australia in a recognised state/national/ international competition. A state or Australian team must be one affiliated with a national sporting organisation registered with the Australian Sports Commission.

Successful applicants must provide the Foundation with a report on the funded activity, a statement of expenditure after attendance at the relevant event and a photo taken at the event.

Any promotions must acknowledge the contribution of the Foundation.

ISSUES AND DISCUSSION

Foundation for Youth Excellence Applications

WHITTLE, JoshuaCategory:SportLevel:National

Joshua has been selected by Indoor Sports Victoria, a recognised State Sporting Association, to compete as part of the Victorian 16 & Under Mixed Indoor Netball Team at the Australian Indoor Netball Junior Championships being held in Brisbane, Queensland.

ORDINARY COUNCIL MEETING

This is the first time Joshua has been selected to represent his state at a national level competition.

Joshua is seeking \$600 to contribute towards the \$2,000 cost of state uniforms, flights and accommodation associated with competing at the National Championships.

Recommendation: \$600

That Council approve a National level payment of \$600 to Joshua Whittle to contribute towards the costs of participating in 2017 Australian Indoor Netball Junior Championships.

BELL, Jordyn	
Category:	Sport
Level:	National

Jordyn has been selected by Indoor Sports Victoria, a recognised State Sporting Association, to compete as part of the Victorian 16 & Under Mixed Indoor Netball Team at the Australian Indoor Netball Junior Championships being held in Brisbane, Queensland. Jordyn has successfully competed in club and state championships for mixed netball leading up to his selection in the 2017 Victorian team.

Jordyn is seeking \$600 to contribute towards the \$2,000 cost of state uniforms, flights and accommodation associated with competing at the National Championships.

Recommendation: \$600

That Council approve a National level payment of \$600 to Jordyn Bell to contribute towards the costs of participating in 2017 Australian Indoor Netball Junior Championships.

TWEEDIE, Grace

	0.000
Category:	Sport
Level:	National

Grace has been selected by Indoor Sports Victoria, a recognised State Sporting Association, to compete as part of the Victorian 16 & Under Mixed Indoor Netball Team at the Australian Indoor Netball Junior Championships being held in Brisbane, Queensland. Grace has previously represented her club at state level netball competitions and is also a volunteer umpire for local netball matches.

Grace is seeking \$600 to contribute towards the \$2,000 cost of state uniforms, flights and accommodation associated with competing at the National Championships.

Recommendation: \$600

That Council approve a National level payment of \$600 to Grace Tweedie to contribute towards the costs of participating in 2017 Australian Indoor Netball Junior Championships.

VINOT, Ingrid Category: Sport

Level: International

Ingrid has been selected by the Australian Flying Disc Association, a recognised National Sporting Organisation, to compete as part of the Australian Under 24 Women's Team at the 2018 World Ultimate Championships being held in Perth, Australia. Ingrid has already

ORDINARY COUNCIL MEETING

represented Australia at the Pan Asian Women's Cup in 2017 and has previously competed at State and National Championships representing Monash University and Victoria.

Ingrid is seeking \$1200 to contribute towards the Australian Flying Disc Association's team levy of \$1,860 associated with competing at the 2018 World Championship.

Recommendation: \$1200

That Council approve an International level payment of \$1200 to Ingrid Vinot to contribute towards the costs of her attending the 2018 World Championship.

LONG, Jin

Category:	Creative & Performing Arts
Level:	International

Jin is a member of the Invictus Quartet, which has been selected to compete at the 13th International Mozart Competition 2018 to be held in Salzburg, Austria. Jin is an accomplished musician winning many awards including the 2017 Melbourne Conservatorium of Music Chamber Competition, Athenaeum Club Instrumental Ensemble Prize and is currently the Principal Viola of the University of Melbourne Symphony Orchestra.

Jin is seeking \$1200 to contribute towards the estimated \$2564 cost of entry fees, tuition, sheet music, transfers and living expenses expected to compete at the International Mozart Competition 2018.

Recommendation: \$1200

That Council approve an International level payment of \$1200 to Jin Long to contribute towards the costs of competing at the 13th International Mozart Competition 2018.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

Total recommended grants amount: \$4200

POLICY AND LEGISLATIVE IMPLICATIONS

Not applicable

COMMUNICATION AND ENGAGEMENT

The Foundation for Youth Excellence is advertised through the Council website, Glen Eira News, Glen Eira Youth Services newsletter and Council Facebook pages.

LINK TO COUNCIL PLAN

Theme 3: Deliver programs and initiatives that support young people that are responsive to the feedback received through Council youth engagement activities, eg. *Resilience Youth Survey* of primary and secondary school students.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

Each of the applicants outlined in this report has successfully met the Foundation for Youth Excellence selection criteria and demonstrated how the award will allow them to achieve excellence within their chosen field.

By awarding the recommended Foundation grants, Council can continue to support these young people to achieve further success in the fields of creative and performing arts; education; leadership or sport.

ITEM 9.18 CITIZENSHIP CEREMONY JANUARY 2018

Author:Janice PouwCo-ordinator Councillor BusinessFile No:N/AAttachments:Nil

PURPOSE AND SUMMARY

This paper outlines proposed arrangements for Council's January 2018 Citizenship Ceremony at Mallanbool Reserve on Friday 26 January 2018.

RECOMMENDATION

That Council notes the report and the proposed changes to Council's Citizenship Ceremony for January 2018.

BACKGROUND

Eight citizenship ceremonies are held at Glen Eira Town Hall each year, where 150 candidates are invited to attend to become Australian citizens. In December 2016 Glen Eira City Council had a list of approximately 400 approved candidates waiting to be invited to a ceremony. Since that time the Department of Immigration and Border Protection (DIBP) have advised that the numbers of candidates being processed has slowed significantly due to matters within their Department and proposed changes in legislation.

Council's custom and practice has been to hold the first citizenship ceremony of the year on the Australia Day public holiday.

Councillors have expressed interest in exploring opportunities for Council to continue to hold Council's January citizenship event on this day, but to respectfully increase the participation of local indigenous elders and aspects of indigenous culture into the January event.

ISSUES AND DISCUSSION

Citizenship ceremonies are an opportunity to welcome the candidates who are becoming Australian citizens and to embrace the diversity of cultures into Glen Eira. The ceremonies provide our new citizens with the opportunity to celebrate becoming Australian citizens with their family and friends in attendance.

Cr Delahunty, as previous Mayor, met with Arweet Carolyn Briggs of the Boon Wurrung Foundation to discuss Council's interest in increasing their participation in the January event. There was strong support for a combined event that balanced the ceremony of citizenship with an acknowledgement of our indigenous culture and history.

To enable this to occur it is proposed to move the Citizenship Ceremony to Mallanbool Reserve in Murrumbeena. Mallanbool Reserve is a cultural and botanical trail for visitors to learn about the original inhabitants of the area, the Kulin. Holding a ceremony at Mallanbool Reserve would be a celebration acknowledging the Boon Wurrung people of the Kulin Nation past and present and to show our respect for the land on which we hold Council's ceremonies and meetings.

The Boon Wurrung Foundation have offered to perform a smoking ceremony and present certificates of welcome in addition to the Welcome to Country currently provided at all Glen Eira City Council Citizenship Ceremonies. This will be in addition to the formalities of the Citizenship Ceremony performed on behalf of the Minister for Immigration and Border Protection by the Mayor.

While there are additional logistical issues to be considered in holding an outdoor ceremony (as compared to the normal Town Hall event), these can be addressed through the hire of a marquee and toilets, similar to that done for other outdoor events in the Council calendar. It is proposed that these revised arrangements only apply to the first citizenship ceremony of the year, normally held on the Australia Day public holiday.

At the date of writing this report, the Department of Immigration and Border Protection have advised that there are 67 approved candidates that will be eligible to take their pledge / oath at the ceremony.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

As the costs associated with an outdoor ceremony are higher than those for a Town Hall event, a forecast increase will be made to the respective cost centre and reported in the next monthly Finance Report. The total costs of the ceremony are expected to be in the vicinity of \$22,000.

POLICY AND LEGISLATIVE IMPLICATIONS

There are no policy or legislative implications associated with this report.

COMMUNICATION AND ENGAGEMENT

Consultation has occurred with representatives of the Boon Wurrung Foundation with regard to their participation in the event. All participants in the Citizenship Ceremony will receive personal advice outlining the revised arrangements and location of the Ceremony.

LINK TO COUNCIL AND COMMUNITY PLAN

Theme 5: Informed and Engaged.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

The revised arrangements provide the opportunity for Council to provide community leadership in a way that celebrates the rich cultural diversity within this municipality in a way that is respectful to our indigenous peoples.

ITEM 9.19 AUDIT COMMITTEE - 2016-17 ANNUAL REPORT

Author: John Vastianos (Chief Financial Officer)

File No: 17/1247949

Attachments: Attachment 1: Glen Eira Audit Committee – 2016-17 Annual Report

PURPOSE AND SUMMARY

For Council's Audit Committee to report annually to Council.

RECOMMENDATION

That the Audit Committee's 2016-17 Annual Report be noted.

BACKGROUND

The Audit Committee is a formally appointed Advisory Committee of the Council. The Committee does not have executive powers or authority to implement actions in areas over which management has responsibility and is therefore independent of management.

The Audit Committee's role is to report to Council and provide appropriate advice and recommendations on matters relevant to its Charter in order to facilitate decision making by Council in relation to the discharge of its responsibilities.

The Audit Committee considered and approved a report on its work for 2016-17 at the meeting on 24 November 2017 (refer to Attachment 1).

ISSUES AND DISCUSSION

The main objectives and functions of the Committee include:

- The enhancement of the credibility and objectivity of external financial reporting;
- Effective management of financial and other risks and the protection of Council assets;
- Compliance with laws and regulations as well as use of best practice guidelines;
- The effectiveness of the internal audit function; and
- The provision of an effective means of communication between the external auditor, internal audit, management and the Council.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The Committee meets for approximately three to four hours on a quarterly basis.

POLICY AND LEGISLATIVE IMPLICATIONS

Section 139 of the Local Government Act 1989.

COMMUNICATION AND ENGAGEMENT

Not Applicable.

LINK TO COUNCIL AND COMMUNITY PLAN

Theme 5: Informed and Engaged.

A transparent and accountable Council that engages its residents in decision-making.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

That the Audit Committee's 2016-17 Annual Report be noted.

ATTACHMENT 1: GLEN EIRA AUDIT COMMITTEE – 2016-17 ANNUAL REPORT

The Glen Eira Audit Committee Charter states that:

"The Committee, through its Chairperson, will report to Council after each Committee meeting and minutes of the Committee meetings will be incorporated in Council's agenda papers. The Chairperson shall submit an annual report to Council summarising the Committee's activities and principal findings during the year."

Audit Committee

The Audit Committee's charter is to assist the Council to fulfil its responsibilities in relation to accounting policies, external financial reporting practices, risk assessment, risk management, internal control, management and reporting policies and systems and any other matters referred to it by Council. The committee determines the scope of internal audit work and liaises with external auditors.

Committee Members

During 2016–17, Committee membership included:

- David Gibbs Independent Chairperson
- Dr Craig Nisbet Independent Member
- Lisa Woolmer Independent Member
- Cr Jim Magee
- Cr Tony Athanasopoulos

Committee Meetings

Four meetings were held over the past year. The number of Audit Committee meetings held and the number of meetings attended by each Audit Committee member during the year was:

Audit Committee Member	No. of meetings held during the time the Member held office during the year	No. of meetings attended
David Gibbs	4	4
Dr Craig Nisbet	4	4
Lisa Woolmer	4	4
Cr Jim Magee	4	2
Cr Tony Athanasopoulos	4	2

The CEO and CFO attended all meetings, as did representatives from Council's Internal Auditors (Oakton). All Councillors are invited and welcome to attend all Committee meetings as observers.

The minutes of each meeting of the Committee were included in the next available Ordinary Council Meeting agenda and were noted as part of the public proceedings of the Council.

GLEN EIRA CITY COUNCIL

Committee Activities

Over the course of the year the Committee considered the following reports prepared by Council's internal auditors (Oakton):

- Cyber Security Review November 2016;
- Financial Compliance (Transaction Analysis) Review November 2016;
- Rates and Revenue February 2017;
- Depot February 2017;
- Claims Management Review May 2017;
- Contract Management Review May 2017;
- Fraud Management August 2017; and
- Follow-up Review August 2017.

The total number of outstanding issues (rated as high or medium risk) considered as part of the follow-up review in August 2017 was 18. The follow-up review revealed that 16 of the 18 (89%) high and medium risk rated recommendations had been implemented in accordance with the agreed timelines. Of the two remaining items, one was completed by 31 August 2017. The remaining item was subject to a post-closure risk assessment at the Landfill site. This will not occur until rehabilitation works are completed, which is estimated to be around mid-2018.

As a result of the internal audit reviews, management implemented the following procedures and improvements in order to enhance the existing controls already in place:

- Addressing IT Architecture in the IT Strategy: current applications, technology target applications and technology landscape and target state IT architecture were included in the IT Strategy specification;
- Security and stock controls were strengthened at the depot;
- Tightened the controls and processes in place for managing claims;
- Updated and improved the claims and contract management policy and procedures manuals.

In addition to the internal audit reports the committee also considered Council reports on:

- Risk Management regular progress reports; reviews of strategic corporate risks; rolling risk reviews; risk assurance map review, including receiving directorate presentations highlighting risks and mitigation strategies;
- The Clayton Landfill, including status reports; risk framework paper;
- Local Government Performance Reporting Framework regular progress
- Cyber security
- Rate capping and property revaluations
- Local Government Investigations and Compliance Inspectorate Audit
- Workers' compensation review
- Cyber liability insurance and renewal of insurance portfolio
- Parking infringements
- Defined Superannuation Vision Super Vested Benefits Index
- Council Services Report
- Information & Communication Technology and Digital Strategies
- Continuous Improvement and Innovation Program
- Review process of Council policies
- Business Continuity Planning progress reports
- VAGO investigation reports

ORDINARY COUNCIL MEETING

At the November 2016 meeting, the Committee completed a self-assessment questionnaire. This periodic assessment allows the Committee to evaluate the effectiveness of its activities against the audit committee Charter.

The Committee considered the external audit strategy document from VAGO in connection with the 2016-17 Financial Statements and Performance Statement. The Committee discussed a number of items with Mr Loughnan from VAGO, including: form and content of the financial report; local government council elections; management override of controls; changes in key management personnel; superannuation funding call; revaluation of property, plant and equipment; infrastructure assets; revenue recognition and information technology and data integrity.

Each year the Committee conducts an annual review of the Audit Committee Charter to ensure the currency of the Charter. This review was conducted in February 2017. In addition the Annual Report of the Audit Committee was approved.

At the May 2017 meeting, the Audit Committee reviewed the scope of, and recommended the internal audit plan covering the years 2017-18 to 2019-20. The committee also considered a number of year-end issues in preparation for the 2016-17 Financial Report.

At the August 2017 meeting, the Committee discussed and considered the 2016-17 Annual Financial Statements and Performance Statements and recommended that Council adopt, 'in principle', the Financial Statements and Performance Statement.

Other Committee Matters

At each meeting the Chairman asks whether any person present (including Councillors, senior officers and auditors) are aware of any breaches of any Act, any other irregularity or any other matter which should be brought before the Committee? During the year in review, no breaches or irregularities were reported.

Throughout 2016-17, the Committee considered or noted a number of risk management reports prepared by management. The Committee reviewed specific risk areas across Council and in some instances across specific projects, and examined the controls in place to mitigate those risks.

ITEM 9.20 FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDING 30 NOVEMBER 2017

Author: John Vastianos (Chief Financial Officer)

File No: 17/1348195

Attachments: Attachment 1: Financial Management Report for the period ending 30 November 2017

PURPOSE AND SUMMARY

To report Council's finances in the Financial Management Report for the period ending 30 November 2017.

RECOMMENDATION

That Council notes the Financial Management Report for the period ending 30 November 2017.

BACKGROUND

The report includes a comparison of year-to-date (YTD) actual income and expenditure with budgeted (YTD and forecast end-of-year) and other information for the current financial year.

This report also provides a review of the 2017-18 Capital Works Program, cash flow reports and investment reports.

ISSUES AND DISCUSSION

Council's forecast operating surplus is projected to be \$20.5m, which is \$3.28m ahead of the adopted Annual Budget.

Council's financial position is sound. The Balance Sheet indicates a satisfactory financial position with forecast total current assets of \$72.44m and total current liabilities of \$59.5m.

Cash and investment holdings at 30 November are \$72.56m. This is higher than originally budgeted due to the opening cash position being better than expected and results in a forecast liquidity ratio of 1.22 as at 30 June 2018.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The key financial objectives for Council are:

- Manage finances appropriately within the constraints set by the State Government's Rate Capping regime.
- Generate funds to provide additional public open space and renew and upgrade our ageing assets and community facilities.
- Maintain essential services at not less than current levels.
- Set rates and fee increases that are manageable and sustainable.
- Focus on continuous improvement.
- Keep day-to-day costs and rates below our peers.

POLICY AND LEGISLATIVE IMPLICATIONS

Section 138 of the Local Government Act 1989 (the Act).

COMMUNICATION AND ENGAGEMENT

Council officers in preparing the Financial Management Report, take into account other plans and strategies in regard to services and initiatives which commit financial and non-financial resources for the current financial year.

LINK TO COUNCIL AND COMMUNITY PLAN

Theme 5: Informed and engaged – A well governed Council that is committed to transparency and engages residents in decision-making.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

The positive operating result year to date is higher than was anticipated when the annual budget was set. The Balance Sheet position and the cash position are sound.

ATTACHMENT 1: Financial Management Report for the period ending 30 November 2017

1. Contents

Executive Summary	4
Financial Strategy	9
Assurance Map	12
Income Statement	13
Balance Sheet	14
Performance Graphs	15
Capital Works Program Expenditure	21

Executive Summary

for the period ending 30 November 2017

a) Current Month Budget Result

At the end of November 2017, the performance against budget from ordinary activities showed a positive variance of \$6.44m due to higher than anticipated income of \$4.27m and favourable variance in operating expenditure of \$2.17m (refer to page 15 for details of the variances).

b) Current Month Forecast Result

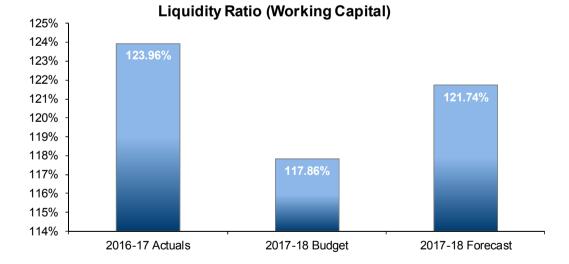
The forecast result expected for the financial year is an operating surplus of \$20.5m compared with the original adopted *2017-18 Annual Budget* of \$17.22m.

Any surplus from day-to-day operations will be used to fund future capital works projects in the long term *Strategic Resource Plan*. The current monthly forecast movement shows an increase in operating revenue of \$1.52m and an increase in operating expenditure of \$364k.

c) 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 will continue to have a large investment in capital works projects. Council is required to hold sufficient cash to cover 'Restricted Assets' such as: Residential Aged Care Deposits, Public Open Space Reserve, Contract Deposits and *Fire Services Property Levy*.



d) Open Space Contributions

Contributions

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

Open Space Reserve

The balance of the Open Space Reserve as at 30 November 2017 is as follows:

Description	2017-18 Current Month Actual	2017-18 Year to Date
Open Space Contributions Received	\$906,300	\$5,098,308
Open Space Capital Expenditure *	(\$2,077)	(\$29,830)
Net Movement	\$904,223	\$5,068,478
Opening Balance as at 1 July 2017		\$3,696,235
Closing Balance – Open Space Reserve		\$8,764,713

*Includes Booran Reserve.

<u>Please note:</u> the table above excludes expenditure on improving existing public open space, which is expenditure allowable under Section 20(2) of the Subdivision Act.

Superannuation – Defined Benefits Scheme

Vested Benefits Index (VBI)

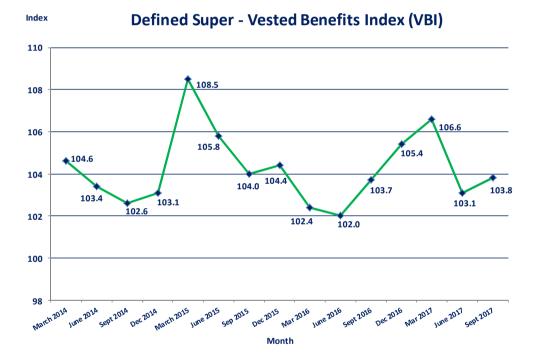
Defined benefit plans are required by law to have an actuarial investigation at least once every three years. Vision Super monitors the vested benefit position of the defined benefits plan on a quarterly basis.

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.

Under the superannuation prudential standards, VBI's must generally be kept above a fund's nominated shortfall threshold, currently 97%. The higher the index the less chance of a future call.

For the Plan to be in a satisfactory financial position requires a VBI of 100% or more.

Below is the estimated VBI since 31 March 2014:



Forecast adjustments for November 2017

Income from ordinary activities increase of \$1.52m

The favourable income forecast movement is mainly due to:

User Fees – relate mainly to the recovery of service delivery costs through the charging of fees to users of Council's services.

User fees are favourable by \$536k mainly due to: Residential Aged Care Facilities \$80k, Town Planning \$55k, Local Laws \$53k and a forecast update for Glen Eira Leisure.

Grants (Operating and Capital) – relates to grants and contributions include all monies received from State, Federal and community sources for the purposes of funding the capital works program. The forecast increase of \$423k is due to an unbudgeted receipt of income for the development of Caulfield Wedge land (\$355k) and \$101k from VicRoads to fund the warm season grass project at EE Gunn Reserve.

Contributions (Monetary) – relates to open space contributions received during the year. These contributions are transferred to the Open Space Reserve pursuant to section 18 of the *Subdivision Act 1988*.

The increase of \$336k is based on the timing of Council receiving open space contributions. These amounts are variable in nature and it is difficult to determine the exact timing of anticipated contributions.

Statutory Fees and Fines – relate mainly to fees and fines levied in accordance with legislation and include animal registrations, health act registrations and parking fines. The increase of \$224k is mainly due to higher than forecast parking infringements income across the municipality.

Expenditure from ordinary activities increase of \$364k

The expenditure forecast movement is mainly due to:

Contractor Payments – the increase in contractor payments is mostly due to: parks contracts (\$131k), building maintenance contracts (\$105k) and general contractor timing (\$161k).

Capital Works Expenditure Program

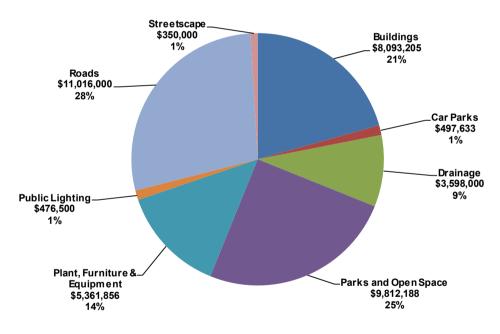
As at the end of November 2017, total capital works expenditure in 2017-18 is expected to be \$40.31m, represented by:

- New capital works projects as per the 2017-18 Annual Budget \$32.82m
- Capital works funding \$1.26m
- Carry forward expenditure from the 2016-17 financial year \$5.12m
- Forecast increase year to date \$1.10m.

Capital Works Forecast Adjustments of \$894k for November 2017:

- GESAC Outdoor Training Space increase of \$25k to remove tiles and lay synthetic turf on a concrete surface. Tiles needs to be removed due to the need for suitable drainage on the outdoor terrace.
- Halley Park Scout Hall increase of \$70k to accommodate the demolition of this building which has reached the end of its useful life and structurally not sound both internally and externally. This area will be returned to public open space in accordance with the recommendations of the Public Open Space Strategy.
- Refurbishment of Elsternwick MCHC increase of \$137k to provide extra consulting spaces and a group room at the MCHC. Funding of \$65k will be accommodated through the savings in the Independent Living Units budget.
- Warm Season Grass (EE Gunn) increase of \$728k to reinstate the warm season grass at EE Gunn reserve after the land was used for the level crossing removal project. This is fully funded by VicRoads with \$627k received during 2016-17 and \$101k to be received in the current year.

The below graph reflects the 2017-18 budget allocations for the main asset classes.



Main Asset Category - Budget 2017/18

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. In 2015-16 the Auditor-General assessed the financial sustainability risk at an individual Council level. The following pages explain and present the Auditor-General's financial sustainability risks and criteria and page 12 provides indicators for Glen Eira City Council.

Indicator	Formula	Description
Net result (%)	Net result / Total revenue	A positive result indicates a surplus, and the larger the percentage, the stronger the result. A negative result indicates a deficit. Operating deficits cannot be sustained in the long term.
		Net result and total revenue is obtained from the comprehensive operating statement.
Liquidity (ratio)	Current assets / Current liabilities	This measures the ability to pay existing liabilities in the next 12 months.
		A ratio of one or more means there are more cash and liquid assets than short-term liabilities.
Internal financing (%)	Net operating cash flow / Net capital expenditure	This measures the ability of an entity to finance capital works from generated cash flow. The higher the percentage, the greater the ability for the entity to finance capital works from their own funds. Net operating cash flows and net capital expenditure are obtained from the cash flow statement.
Indebtedness (%)	Non-current liabilities/own-sourced revenue	Comparison of non-current liabilities (mainly comprised of borrowings) to own-sourced revenue. The higher the percentage, the less able to cover non-current liabilities from the revenues the entity generates itself. Own-sourced revenue is used-rather than total revenue-because it does not include grants or contributions.
Capital replacement (ratio)	Cash outflows for property, plant and equipment / Depreciation	Comparison of the rate of spending on infrastructure with its depreciation. Ratios higher than 1:1 indicate that spending is faster than the depreciating rate. This is a long-term indicator, as capital expenditure can be deferred in the short term if there are insufficient funds available from operations, and borrowing is not an option. Cash outflows for infrastructure are taken from the cash flow statement. Depreciation is taken from the comprehensive operating statement.
Renewal gap (ratio)	Renewal and upgrade expenditure/depreciation	Comparison of the rate of spending on existing assets through renewing, restoring, and replacing existing assets with depreciation. Ratios higher than 1:1 indicate that spending on existing assets is faster than the depreciating rate. Similar to the investment gap, this is a long-term indicator, as capital expenditure can be deferred in the short term if there are insufficient funds available from operations, and borrowing is not an option. Renewal and upgrade expenditure are taken from the statement of capital works. Depreciation is taken from the comprehensive operating statement.

(a) Financial sustainability risk indicators

Financial Strategy (continued)

(b) Financial sustainability risk assessment criteria

The financial sustainability risk of each local council is assessed using the criteria outlined below:

Risk	Net result	Liquidity	Indebtedness	Internal financing	Capital replacement	Renewal gap
	Less than negative 10%	Less than 0.75	More than 60%	Less than 75%	Less than 1.0	Less than 0.5
High	Insufficient revenue is being generated to fund operations and asset renewal.	Immediate sustainability issues with insufficient current assets to cover liabilities.	Potentially long- term concern over ability to repay debt levels from own-source revenue.	Limited cash generated from operations to fund new assets and asset renewal.	Spending on capital works has not kept pace with consumption of assets.	Spending on existing assets has not kept pace with consumption of these assets.
	Negative 10%–0%	0.75–1.0	40-60%	75–100%	1.0-1.5	0.5–1.0
Medium	A risk of long-term run down to cash reserves and inability to fund asset renewals.	Need for caution with cash flow, as issues could arise with meeting obligations as they fall due.	Some concern over the ability to repay debt from own-source revenue.	May not be generating sufficient cash from operations to fund new assets.	May indicate spending on asset renewal is insufficient.	May indicate insufficient spending on renewal of existing assets.
	More than 0%	More than 1.0	40% or less	More than 100%	More than 1.5	More than 1.0
Low	Generating surpluses consistently.	No immediate issues with repaying short- term liabilities as they fall due.	No concern over the ability to repay debt from own-source revenue.	Generating enough cash from operations to fund new assets.	Low risk of insufficient spending on asset renewal.	Low risk of insufficient spending on asset base.

ource: Victorian Auditor-General's Office.

ORDINARY COUNCIL MEETING

Financial Strategy (continued)

Monthly Report Relative to Financial Strategy

Financial Sustainability Risk Indicators	Objective	2016-2017 Actuals	2017-2018 Annual Budget as at 30 June 2018	2017-2018 Annual Forecast as at 30 June 2018	2017-2018 Risk based on Annual Forecast as at 30 June 2018	Comment
(1) Net Result	Generating surpluses consistently of greater than 0%.	16.76%	10.00%	11.69%	Low	Council is generating positive surpluses.
(2) Liquidity	To measure Council's ability to repay short-term liabilities as they fall due. The indicator is to be greater than 1.0.	1.24	1.18	1.22	Low	Council's forecast to 30 June 2018 indicates a Liquidity Ratio of greater than 1.0.
(3) Indebtedness	Lower than 40% relates to the ability to repay debt from own-source revenue.	15.58%	13.17%	13.05%	Low	Council is operating at a ratio of lower than 40%, therefore has the ability to repay debt from own-source revenue.
(4) Internal Financing	Generating enough cash from operations to fund new assets. The indicator is to be greater than 100%.	150.13%	111.07%	112.25%	Low	Council is generating enough cash from operations to fund new assets.
(5) Capital Replacement	To ascertain the level of risk of insufficient spending on asset renewal. The indicator is to be more than 1.5.	1.58	1.73	1.76	Low	Council operates at a low level of risk with respect to capital replacement.
(6) Renewal Gap	To ensure there is sufficient spending on Council's asset base. The indicator is to be greater than 1.0.	1.24	1.29	1.29	Low	Council spends sufficient funds on its asset base.
					-	
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.	Council aims to keep average rates and charges significantly below benchmark Councils and the pensioner rate rebate above the State Government 's universal rebate.	es and charges significantly w benchmark Councils and pensioner rate rebate above tate Government's universal \$1,521 \$1,586 \$1,589 metropolitan Councils. In 2015-16 Glen Eira is the s Inner Melbourne Councils (2014-15: also second lov assessment (\$17.02m) below the average outcome council charges \$17.02m p.a. less than inner metro			cils. In 2015-16 Glen Eira is the second lowest of the 21 councils (2014-15: also second lowest) and is \$269 per	
Average Rates and Charges Pensioner Rate Rebate		\$270	\$270	\$270		
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.	\$2,231	\$2,357	\$2,350	ranks as spending	onal expenditure (excluding depreciation), Glen Eira \$48 less per assessment (\$3.04m) than the average for ne Councils grouping.

GLEN EIRA CITY COUNCIL

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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.

				Ty	pe of As	surance				
								Internal Audit		
	Council's Strategic Risks	Risk Rating	Management Review /self- assessment	nsurance Coverage	LG rivestigations / Compliance Inspectorate	VAGO Performance Audits*	ndependent Consultants / External party eview	nternal Audit	Previous and proposed IA activity 2016/17-2017/18, and/or other independent reviews/checks	
	State Government decisions impacting our community	Έ	•			•		٠	Food Safety (2011/12) Statutory Planning (2013/14)	
Ŀ	Terrorist Attack – Lone Wolf	н	•	٠			•	•	Security Protocol Review (2014) Building Emergency Management Planning (2017/18) Implementation of Federal Government's Strategy for Protecting Crowded Places from Terrorism 2017 – use of the Crowded Places Security Audit, Self-Assessment Tool and guidelines.	
1.0	Vulnerability to cyber attack	н							Cyber Security Review including mobile devices website management and penetration testing (2016/17)	
	Contracts – contracting process by Council	н	•	•	•		•	•	Tendering (2013/14) Contract Management (2013/14) Financial Compliance transaction analysis (annual) Contract Management Review (2016/17) Major Project Management (2017/18)	
2	Vulnerability to litigious action	н	٠	•		•			Risk Management Framework (2015/16) Fraud & Corruption Control (2016/17) Claims Management Review (2016/17)	
5.	Failure to keep pace with emerging technologies and digital environment	н	•				٠	•	IT Strategy (management) (2013/14) Regular penetration testing on the internal and external network infrastructure and external websites IT Security eInformation (2011/12) IT Security (2012/13, 2014/15) IT General Controls (2015/16) Performance Audit – GECC Transformation Project (2017/18)	
4	Vulnerability to significant fraud	н	•	•		•		•	Fraud Review (2013/14) Financial Controls (2014/15) Risk Management Framework (2015/16) Fraud & Corruption Control (2016/17) Financial Compliance transaction analysis (annual) Payroll (2017/18) Open Space Contributions (2017/18)	
3.	Not sufficiently agile to respond to change	н	•						Change Management Framework Promapp Performance Audit – GECC Transformation Project (2017/18)	
),	Failure to effectively plan for the changing demographic of our workforce	м	٠				•		SafetyMAP recertification (2013/14) OH&S Review (2015/16) Performance Audit – GECC Transformation Project (2017/18)	
10	Transformation program fails to deliver anticipated benefits for the organisation and community	м	٠						Performance Audit – GECC Transformation Project (2017/18)	

* 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 AG 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 & processes.

Income Statement

for the period ending 30 November 2017

Tor the period ending so November 2017	2017-18 Year to Date Actual	2017-18 Year to Date Budget	2017-18 Year to Date Variance	2017-18 Year to Date Variance	2017-18 Last Month Forecast	2017-18 Current Month Forecast	2017-18 Current Month Forecast Movement	2017-18 Annual Budget	2017-18 Budget Forecast Variance	2017-18 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	88,468	88,407	60				10	88,407	60	
Supplementary Rates	427	333	94				10	800	94	
Waste and Recycling Charges	14,549	14,522	27				(13)	15,060	27	
Grants (Operating and Capital)	9,881	9,468	413	4.4%	22,129	22,552	423	22,423	128	3 0.6%
Interest Received	632	500	132	26.3%	1,325	1,332	7	1,200	132	2 11.0%
User Fees	11,881	10,916	966	8.8%	27,396	27,933	536	27,185	748	3 2.8%
Statutory Fees and Fines	4,127	2,903	1,224	42.2%	7,629	7,853	224	6,630	1,224	4 18.5%
Contributions (Monetary)	5,098	3,750	1,348	36.0%	7,512	7,848	336	7,500	348	3 4.6%
Other Income	928	916	12	1.3%	3,009	2,997	(12)	2,951	46	6 1.6%
Total Income from Ordinary Activities	135,990	131,715	4,274	3.25%	173,442	174,964	1,521	172,157	2,807	7 1.6%
Expenses										
Expenses from Ordinary Activities										
Employee Costs	30,840	31,404	564	1.8%	73,855	73,936	(82)	74,335	399	0.5%
Materials and Consumables	2,134	2,547	413	16.2%	5,750	5,743	8	5,997	254	4.2%
Contractor Payments	12,112	13,210	1,098	8.3%	31,640	32,073	(433)	31,839	(235)) (0.7%)
Maintenance	2,636	2,668	32	1.2%	6,601	6,628	(26)	6,648	21	0.3%
Utility Services	1,841	1,969	128	6.5%	4,416	4,409	7	4,528	119	2.6%
Insurances	646	750	104	13.9%	965	951	14	1,034	83	8 8.1%
Other Expenses	2,117	1,927	(190)	(9.8%)	4,903	4,904	(1)	4,707	(197)) (4.2%)
Grants and Subsidies	535	564	29	5.1%	1,068	917	151	926	g	
Borrowing Costs	289	281	(9)	(3.1%)	667	669	(2)	660	(9)) (1.3%)
Total Expenses from Ordinary Activities	53,150	55,319	2,169		129,865	130,229	(364)	130,674	446	
Surplus before non operational activities	82,840	76,396	6,444	8.4%	43,578	44,735	1,157	41,483	3,253	3 7.8%
Non-operational Activities										
Proceeds from Sale of Property, Infrastructure, Plant and Equipment	163	212	(49)	(23.2%)	465	455	(10)	501	(46)) (9.2%)
Written Down Value of Assets Sold/Disposed	459	409	(50)			1,722	139	1,531	(192)	
Depreciation and Amortisation	9,181	9,681	500				(103)	23,234	267	
Surplus for the period	73,363	66,518	6,844	10.3%	19,318	20,501	1,183	17,219	3,282	2 19.1%
		Key to Variance - Po revenue and increas		e to an increase i	n revenue and a	decrease in expendi	iture. Negative fig	gures relate to a d	decrease in	

GLEN EIRA CITY COUNCIL

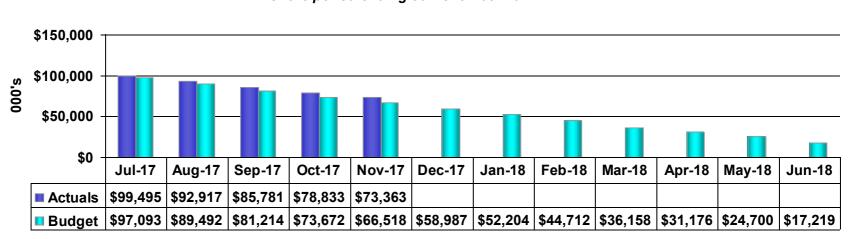
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Balance Sheet

for the period ending 30 November 2017

tor the period ending 30 November 2017	Actuals 2016-17	Annual Budget 2017-18	Annual Forecast 2017-18	Year to Date Actual 2017-18	Previous Month's Actuals
	\$ 000's	\$ 000's	\$ 000's	\$ 000's	\$ 000's
Assets					
Current Assets					
Cash and Cash Equivalents	61,111	57,644	56,621	72,561	62,548
Trade and Other Receivables	12,739	10,408	14,322	74,076	89,469
Other Assets	1,497	1,297	1,497	348	414
Total Current Assets	75,348	69,349	72,440	146,985	152,430
Non-Current Assets					
Property, Infrastructure, Plant and Equipment	2,183,334	2,072,236	2,203,006	2,184,433	2,183,362
Intangible Assets	764	1,042	764	669	688
Investments in Joint Operations	1,592	2,125	1,592	1,592	1,592
Other Financial Assets	5	5	5	5	5
Total Non-Current Assets	2,185,695	2,075,408	2,205,367	2,186,699	2,185,647
TOTAL ASSETS	2,261,043	2,144,756	2,277,807	2,333,684	2,338,077
Liabilities					
Current Liabilities					
Trade and Other Payables	14,717	16,494	13,322	7,505	6,473
Trust Funds and Deposits	29,874	25,501	29,874	37,490	37,183
Provisions	12,850	13,391	12,850	12,871	12,852
Interest-Bearing Liabilities	3,343	3,455	3,455	3,410	3,384
Total Current Liabilities	60,784	58,841	59,502	61,275	59,892
Non-Current Liabilities					
Provisions	1,431	1,186	1,431	1,519	1,519
Interest-Bearing Liabilities	18,302	14,848	14,848	16,968	17,271
Other Liabilities - Joint Operations	2,420	2,568	2,420	2,420	2,420
Total Non-Current Liabilities	22,152	18,602	18, 69 8	20,906	21,210
Total Liabilities	82,937	77,443	78,200	82,181	81,102
Net Assets	2,178,106	2,067,314	2,199,607	2,251,503	2,256,975
Equity					
Equity Accumulated Surplus	919,972	926,386	940,473	988,267	994,641
	,	926,386 1,130,179			,
Accumulated Surplus	919,972 1,254,438 3,696	,	940,473 1,254,438 4,696	988,267 1,254,471 8,765	994,641 1,254,474 7,860

Performance Graphs



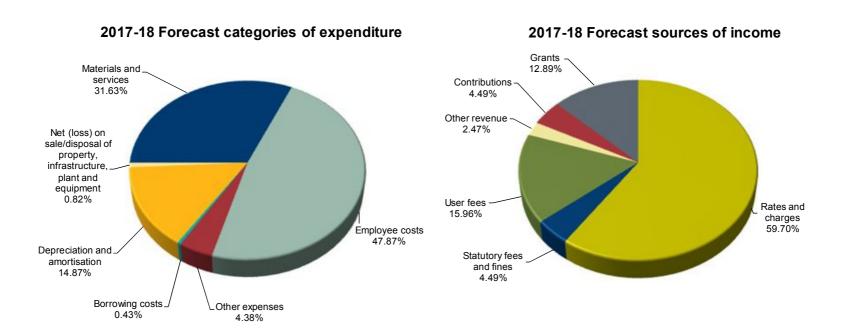
Financial Performance for the period ending 30 November 2017

Actuals Budget

The November 2017 year to date financial performance was \$6.84m better than the year to date budget mainly due to:

- Better than anticipated income received for Open Space Contributions \$1.35m, Statutory Fees and Fines \$1.22m, User Fees \$966k and Grants \$413k.
- Favourable variances in expenditure items including: Contractor Payments \$1.1m, Employee Costs \$564k and Materials and Consumables \$413k.

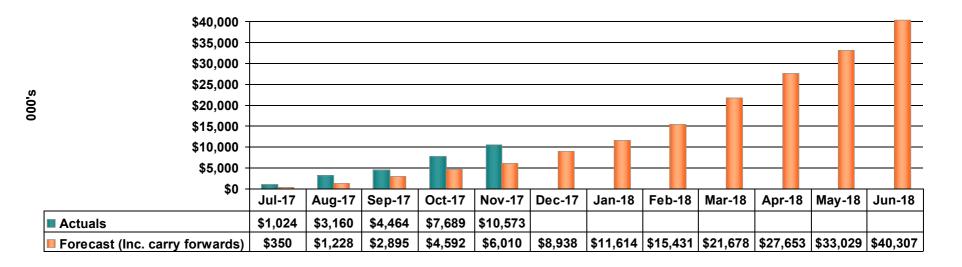
Financial Performance



for the period ending 30 November 2017

Capital Works Program Expenditure

for the period ending 30 November 2017



Actuals

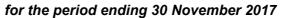
Forecast (Inc. carry forwards)

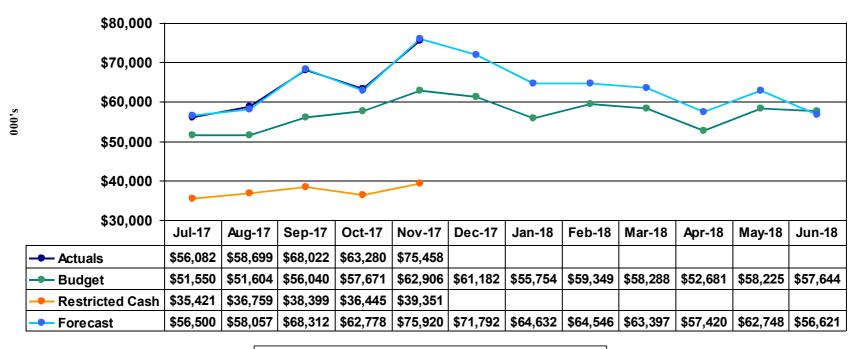
Council's capital expenditure is ahead of forecast by \$4.56m mainly due to Road Rehabilitations \$2.03m, Drainage Improvements \$895k, Car Park Renewal \$388k and Warm Season Grass works \$338k.

GLEN EIRA CITY COUNCIL

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Cash and Investments





--- Actuals --- Budget --- Restricted Cash --- Forecast

Council's year to date cash balance of \$75.46m is higher than budget for the current month. Council's forecast position to June 2018 of \$56.62m 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 30 November 2017 include: residential aged care deposits of \$23.77m, trust funds and deposits \$4.89m (including asset protection permits), open space reserve \$8.76m and fire services property levy \$1.92m.

GLEN EIRA CITY COUNCIL

19 DECEMBER 2017

Rates Income and Debtors

for the period ending 30 November 2017

Rate and Charges Income – is an important source of revenue, accounting for approximately 61 per cent of the total revenue received by Council annually. Glen Eira continues to have the second-lowest average rates and charges in metro Melbourne.

Rate Capping - The Victorian Government's *Fair Go Rates System* (FGRS) limits the maximum increase in Councils' average rates. The amount is calculated by dividing total revenue from general rates by the total number of rateable properties in the municipality.

Each year the Minister for Local Government sets the average rate cap increase for Councils.

The cap for 2017-18 was set at forecast CPI of 2.0% (2.5% for 2016-17).

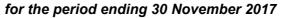
Rate Payments - Rates are paid in four instalments during the year: February, May, September and November. Council's cash flow is impacted by the timing of rate payments. The following table reflects the rate debtors balance as at 30 November 2017.

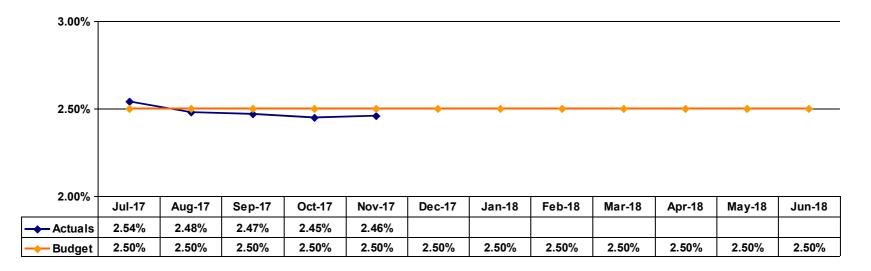
Rate Debtors	2017-2018 Year
	to date
	\$'000
Arrears Brought Forward	5,824
2017-18 Rates & Garbage Generated	102,981
2017-18 Fire Services Property Levy	12,327
Total Rates & Charges	121,132
Payments/Adjustments:	
Glen Eira Pension Rebate	(336)
State Government Rebate	(1,626)
Fire Services Property Levy Rebate	(364)
Receipts	(52,478)
Interest	135
Supplementary Valuations	549
Adjustments	(15)
Total Payments/Adjustments	(54,135)
Rates & Charges Balance at Month End	66,997

GLEN EIRA CITY COUNCIL

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Council achieved a lower return of 2.46% against the budget of 2.50%.

19 DECEMBER 2017

Capital Works Program Expenditure

for period ending 30 November 2017

Description	2017-18 Carry Forwards from 2016-17	2017-18 Adopted Annual Capital Budget	2017-18 Capital Grant Funding	2017-18 Budget Plus 2016-17 Carry Forward	2017-18 YTD Work In Progress	2017-18 YTD Forecast	2017-18 YTD Variance	2017-18 Annual Forecast Projected end of June 2018 expenditure	2017-18 Forecast Adjustments
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
CAPITAL WORKS: PRIORITY ITEMS									
Continuous Improvement & Innovation	50,000	900,000	-	950,000	3,400	50,000	46,600	950,000	-
Information Systems	160,000	1,018,000	-	1,178,000	193,045	207,000	13,955	1,204,000	26,000
Vehicle Replacements	-	1,672,041		1,672,041	137,634	110,000	(27,634)		-
Footpath Replacement	-	2,010,000		2,010,000	603,986	440,000	(163,986)		-
Kerb and Channel Replacement	-	163,000		163,000	11,629	48,900	37,271	163,000	-
Road Rehabilitation	248,918	3,188,000		3,436,918	2,567,101	541,944	(2,025,157)		-
Drainage Improvement	28,000	3,570,000		3,598,000	1,254,882	360,000	(894,882)		(380,000)
Local Road Resurfacing	-	1,500,000		1,500,000	265,515	200,000	(65,515)		-
Right of Way Renewal	-	336,600		336,600	138,629	70,000	(68,629)		-
Local Area Traffic Management (LATM) Replacement	274,159	600,000	-	874,159	354,458	232,772	(121,686)		-
Car Park Rehabilitation	77,633	400,000	-	477,633	470,596	82,633	(387,963)		-
Roads to Recovery	-	323,926	576,074	900,000	309,898	320,000	10,102	900,000	-
Traffic Signal Upgrade	53,377	-		53,377	10,724		(10,724)	53,377	-
TOTAL PRIORITY ITEMS	892,087	15,681,567	576,074	17,149,728	6,321,497	2,663,249	(3,658,248)	16,795,728	(354,000)
CAPITAL WORKS: ROLLING ANNUAL CAPITAL WORKS: ROLLING ANNUAL- ENVIRONMENTAL INITIATIVES									
Bicycle Strategy Implementation	136,204	250,000	-	386,204	53,585	-	(53,585)		-
Warm season grass Program	182,334	710,000	-	892,334	380,946	42,529	(338,417)		728,000
Sustainable Initiatives TOTAL CAPITAL WORKS: ROLLING ANNUAL-	-	507,080		507,080			-	507,080	-
ENVIRONMENTAL INITIATIVES CAPITAL WORKS: ROLLING ANNUAL-LIBRARIES & LEARNING CENTRES	318,538	1,467,080	-	1,785,618	434,531	42,529	(392,002)	2,513,618	728,000
Library and Information Services	-	809,336	63,179	872,515	380,675	423,328	42,653	872,734	219
TOTAL CAPITAL WORKS: ROLLING ANNUAL- LIBRARIES CAPITAL WORKS: ROLLING ANNUAL-TRAFFIC		809,336	63,179	872,515	380,675	423,328	42,653	872,734	219
MANAGEMENT Traffic Engineering	586,946	1,175,000		1,761,946	289,105	107,300	(181,805)	1,761,946	-
TOTAL CAPITAL WORKS: ROLLING ANNUAL- TRAFFIC MANAGEMENT	586,946	1,175,000		1,761,946	289,105	107,300	(181,805)		-
CAPITAL WORKS: ROLLING ANNUAL-PUBLIC OPEN SPACES AND RECREATIONAL FACILITIES									
Major Playground Upgrade	-	1,000,000		1,000,000	1,590	-	(1,590)	1,000,000	-
Playground Minor Equipment/Art Rolling Program	7,546	535,000		542,546	107,714	100,046	(7,668)	542,546	-
Carnegie Swim Centre Maintenance	50,000	50,000		100,000			-	100,000	-
Minor Park Improvements	-	642,000		642,000	153,178	319,000	165,822	642,000	-
Sports Ground Lighting	-	180,000		180,000	17,530	-	(17,530)	180,000	-
Cricket Net Facilities Upgrade	-	95,000		95,000	22,328	-	(22,328)	95,000	-
Public Hall Furniture	-	10,000		10,000			-	10,000	
Plinth Curbing	-	285,000		285,000	341,125	270,000	(71,125)	285,000	-
Open Space Lighting Program	-	75,000		75,000			-	75,000	-
Sports facility lighting Program	-	100,000		100,000			-	100,000	
TOTAL CAPITAL WORKS: ROLLING ANNUAL- PUBLIC OPEN SPACES AND RECREATIONAL FACILITIES	57,546	2,972,000	-	3,029,546	643,465	689,046	45,581	3,029,546	-

Capital Works Program Expenditure

for period ending 30 November 2017 (continued)

	2017-18	2017-18	2017-18	2017-18	2017-18	2017-18	2017-18	2017-18	2017-18
Description	Carry Forwards from 2016-17	Adopted Annual Capital Budget	Grant Funding	Budget Plus 2016-17 Carry Forward	3 YTD Work In Progress	YTD Forecast	YTD Variance	Annual Forecast Projected end of June 2018 expenditure	Forecast Adjustments
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
CAPITAL WORKS: ROLLING ANNUAL-BUILDING WORKS									
Building Improvements	228,381	110,000		338.381	65.493	81,951	16.458	338.381	
Kitchen/ Joinery Renewal		61,000		61,000	5,950		8,750	61,000	
Roof Renewal	39,874	165,000		204,874		65,500	7,536	204,874	
Painting Program		121,000		121,000			41,104	121.000	
Switchboard Renewal		100,000		100,000			35,350	100,000	
Floor Covering Replacement Renewal		187,100		187,100		53,290	45,359	187,100	
Public Toilet Upgrade Rolling Program		285,000		285,000		70,000	62,859	285,000	
Forward design Program		640,000		640,000			(13,350)		
Bathroom Renewal		88,500		88,500		- 60.300	60.300	88,500	
TOTAL CAPITAL WORKS: ROLLING ANNUAL-	269 255	4 757 600				429.044	264.266		
BUILDING WORKS CAPITAL WORKS: ROLLING ANNUAL-SHOPPING CENTRES	268,255	1,757,600		2,025,855	164,575	428,941	264,366	2,025,855	
Annual Shopping Streetscape Program		100.000		100.000	28.547		(28,547)	100.000	-
TOTAL CAPITAL WORKS: ROLLING ANNUAL-		100.000		100,000					
SHOPPING CENTRES TOTAL ROLLING ANNUAL	4 024 095	9 294 046	62 470			4 604 444			
TOTAL ROLLING ANNUAL	1,231,285	8,281,016	63,179	9,575,480	1,940,898	1,691,144	(249,754)	10,303,699	728,219
CAPITAL WORKS: MAJOR PROJECTS									
Bentleigh Rotunda		250.000		250,000				250,000	-
Duncan Mackinnon Netball Court Redevelopment		374,441	100,000	474,441	12,256		(12,256)		-
Precinct Plan- Lord Reserve, Carnegie Pool, Koornang		100.000	,	100.000	80,802				
Park		100,000	-			33,000	(47,802)		-
Bailey Skate Park Redevelopment	484,651	-	-	484,651	7,537		(7,537)		-
Carnegie Swim Centre Redevelopment	75,000	-	-	75,000			· ·	75,000	-
Duncan Mackinnon Reserve Netball Courts lighting		150,000	-	150,000			(9,006)		-
Duncan Mackinnon Athletics Track Upgrade		750,000	250,000	1,000,000	73,776		(73,776)		-
Lord Hex Pavilion Upgrade	75,000	-	-	75,000			-	75,000	-
TOTAL MAJOR PROJECTS	634,651	1,624,441	350,000	2,609,092	183,377	33,000	(150,377)	2,609,092	-
CAPITAL WORKS: OPEN SPACE STRATEGY IMPLEMENTATION									
Open Space Strategy Initiatives	237,823	1,251,517	173,483	1,662,823	264,263	300,323	36,060	1,712,823	50,000
Booran Reserve	201,020	1,201,011		1,002,020	- 29,830		(29,830)		
TOTAL OPEN SPACE STRATEGY	237,823	1,251,517	173,483	1,662,823			6,230		50,000
IMPLEMENTATION	237,823	1,251,517	173,403	1,002,023	294,093	300,323	6,230	1,712,823	50,000
SHORT TERM PROJECTS CAPITAL WORKS: SHORT TERM-									-
ENVIRONMENTAL INITIATIVES Energy Efficient St Lighting-Planning / project development		51,500		51,500				51,500	
Park Lighting Energy Efficiency Upgrade		250,000	-	250,000				250,000	
Photovoltaic systems on council assets to generate renewable energy		152,700	-	152,700	16,126	84,150	68,024	152,700	
TOTAL CAPITAL WORKS: SHORT TERM- ENVIRONMENTAL INITIATIVES		454,200		454,200	16,126	84,150	68,024	454,200	
CAPITAL WORKS: SHORT TERM-AGED CARE									
Residential Services Minor Improvements	· ·	220,000	-	220,000	2,700		(2,700)	220,000	
TOTAL CAPITAL WORKS: SHORT TERM-AGED CARE		220,000	-	220,000	2,700		(2,700)	220,000	-
CAPITAL WORKS: SHORT TERM-FAMILY & CHILDREN'S SERVICES									
Family Youth and Children's Centre upgrades	I .	11,800		11,800	10,537	11,800	1,263	11,800	
Replacement of FDC Equipment		5,000		5,000			455	5,000	
TOTAL CAPITAL WORKS: SHORT TERM-FAMILY &		· 16,800		16,800			1,718	16,800	
CHILDREN'S SERVICES		10,000	-	10,000	10,002	10,000	1,710	10,000	-

Capital Works Program Expenditure

for period ending 30 November 2017 (continued)

Description	17 (continu 2017-18 Carry Forwards from 2016-17	2017-18 Adopted Annual Capital Budget	Funding	2017-18 Budget Plus 2016-17 Carry Forward	In Progress		2017-18 YTD Variance	2017-18 Annual Forecast Projected end of June 2018 expenditure	2017-18 Forecast Adjustments
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
CAPITAL WORKS: SHORT TERM-PUBLIC OPEN SPACES AND RECREATIONAL FACILITIES									
Half Share Fencing		100,000		100,000	7,785	20,000	12,215	100,000	
Perimeter Fencing Upgrade		85,000		85,000	78,866	85,000	6,134	85,000	
Recreation	2,437	60,000		62,437	105,336	2,437	(102,899)	62,437	
	2,107	275.000		275.000		2,101			
Moorleigh Village Multi-purpose Sports Training facility	-	275,000	-	.,	8,000		- (8,000)	275,000	
Replacing and Reinforcing Retaining wall and Bridge	83,500	-		83,500	2,288		- (2,288)	83,500	
Public Toilet Upgrade Rolling Program	-	350,000	-	350,000				350,000	
Sports Ground Lighting	-	70,000	-	70,000	520	35,000	34,480	70,000	
Shade Sails Rolling Program	-	65,000	-	65,000	36,427	32,500	(3,927)	65,000	
Landscape Enhancement Works-Stage 2- Walking/ Running Circuit	298,491	565,000		863,491	6,780		(6,780)	863,491	
Outdoor Fitness Stations and Instructional Signage	26,322	-	-	26,322	39,209	26,322	(12,887)	26,322	
Elsternwick MCHC	.,							137,000	137,000
TOTAL CAPITAL WORKS: SHORT TERM-PUBLIC	410,750	1,570,000		1,980,750	285,211	201,259	(83,952)	2,117,750	137,000
OPEN SPACES AND RECREATIONAL FACILITIES	410,750	1,070,000		1,000,700	200,211	201,205	(00,002)	2,111,700	107,000
CAPITAL WORKS: SHORT TERM-TRAFFIC MANAGEMENT									
Parking Ticket Machines	114,000			114,000				114,000	
TOTAL CAPITAL WORKS: SHORT TERM-TRAFFIC	444.000			444.000				444.000	
MANAGEMENT	114,000	-	-	114,000				114,000	
CAPITAL WORKS: SHORT TERM-BUILDING WORKS									
Furniture & Fittings- emergency replacement	-	50,000		50,000				50,000	
Renewal of Heating Ventilation Air Conditioning	739,911	219,000		958,911	375,140	53,600	(321,540)	958,911	
Building Renewal works	193.413	2,286,000	100,000	2.579.413	66.434	99,536	33,102	2,579,413	
DDA Compliant front access by Changing Ramp	-	60,000	-	60,000				60,000	
ILU Refurbishment-Upgrade of carpets, bathrooms,	65,195	150.000		215.195				150.195	(65,000
kitchens etc.	05,195	150,000		215,195				150,155	(05,000
IP Based high resolution video surveillance CCTV security system	-	85,000	-	85,000				85,000	
Ormond Kinder Upgrade	-	67,400		67,400	13,870		- (13,870)	67,400	
New Sound System	-	20,000	-	20,000		- 20,000	20,000	20,000	
GESAC	475,651	160,000	-	635,651	277,177	196,862	(80,315)	660,651	25,000
Public Toilet Exeloo	126,439		-	126,439	170,999	126,439	(44,560)	126,439	
Landscaping of Early Learning Centres	-	40,000	-	40,000	6,800	15,000	8,200	40,000	
Removal of Hazardous Material	-	85,000	-	85,000	10,455		- (10,455)	85,000	
Installation of swipe cards and CCTV	-	111,000	-	111,000	14,767		- (14,767)	111,000	
Signage Upgrade	-	100,000	-	100,000		20,000	19,510	100,000	
Park gates	2,500	-	-	2,500		- 2,500	2,500	2,500	
Property Acquisition- Neerim Road, Carnegie	-	-	-		- 383,464	361,000	(22,464)	361,000	361,000
Halley Park Scout Hall Demolishen TOTAL CAPITAL WORKS: SHORT TERM-BUILDING		-	-					70,000	70,000
WORKS	1,603,109	3,433,400	100,000	5,136,509	1,319,596	894,937	(424,659)	5,527,509	391,000
CAPITAL WORKS: SHORT TERM-OTHER									
Furniture & Fittings	-	10,000	-	10,000				10,000	
Library Furniture & Fittings		-	-		- 6,600		- (6,600)		
Annual GESAC Plant and Equipment Replacement	-	276,000	-	276,000		124,970	(62,525)	425,000	149,000
TOTAL CAPITAL WORKS: SHORT TERM-OTHER		286,000		286,000	194,095	124,970	(69,125)	435,000	149,000
TOTAL SHORT TERM PROJECTS	2,127,859	5,980,400	100,000	8,208,259	1,832,810	1,322,116	(510,694)	8,885,259	677,000
TOTAL CAPITAL WORKS EXPENDITURE	5,123,705	32,818,941	1,262,736	39,205,382	10,572,675	6,009,832	(4,562,843)	40,306,601	1,101,219

ITEM 9.21	APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER
Author:	Janice Pouw, Co-ordinator Councillor Business
File No:	N/A
Attachments:	None

PURPOSE AND SUMMARY

To appoint an Acting Chief Executive Officer for the period from Saturday 23 December 2017 to Wednesday 10 January 2018 inclusive during the absence of the Chief Executive Officer. The temporary appointment is in accordance with section 94(4A) of the *Local Government Act 1989.*

RECOMMENDATION

That Council appoints Mr Peter Swabey, Director Corporate Services to the role of Acting Chief Executive Officer for the period Saturday 23 December 2017 to Wednesday 10 January 2018 inclusive, in accordance with section 94(4A) of the *Local Government Act 1989*.

BACKGROUND

The Chief Executive Officer, Ms Rebecca McKenzie will be taking annual leave from Saturday 23 December 2017 to Wednesday 10 January 2018 inclusive. To ensure the continued smooth and efficient operation of Council's business, it will be necessary for Council to appoint an Acting Chief Executive Officer for the period.

ISSUES AND DISCUSSION

In accordance with section 94(4A) of the *Local Government Act 1989 (the Act)*, the Council may appoint an Acting Chief Executive Officer during the absence of the Chief Executive Officer for a period of not greater than up to 12 months, without the requirement to consider applications invited through a public process.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

Mr Swabey will receive a higher duties allowance for the term of the Acting appointment.

POLICY AND LEGISLATIVE IMPLICATIONS

This report is consistent with section 94(4A) of the Local Government Act to appoint a person to act as its Chief Executive Officer for a period of not more than 12 months.

COMMUNICATION AND ENGAGEMENT

Not applicable to this report.

LINK TO COUNCIL AND COMMUNITY PLAN

Theme 5 – Informed and Engaged

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

It is proposed that Mr Peter Swabey, Director, Corporate Services be appointed to the role of Acting Chief Executive Officer for the period Saturday 23 December 2017 to Wednesday 10 January 2018 inclusive.

10. URGENT BUSINESS

11. ORDINARY BUSINESS

- 11.1 Requests for reports from Officers
- 11.2 Right of reply
- 11.3 Councillor questions
- 11.4 Public questions to Council

12. CONSIDERATION OF ITEMS IN CAMERA

That pursuant to Section 89(2) of the Local Government Act 1989, the Council resolves that so much of this meeting be closed to members of the public, as it involves Council consideration of matters coming within some or all of the following categories listed in Section 89(2) of such Act.

- (a) Personnel matters;
- (b) The personal hardship of any resident or ratepayers;
- (c) Industrial matters;
- (d) Contractual matters;
- (e) Proposed developments
- (f) Legal advice
- (g) Matters affecting the security of Council property'
- (h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person;
- (i) A resolution to close the meeting to members of the public.

12.1 Tender 2018.41 Provision of Drainage Maintenance Services (Minor Works)

Local Government Act 1989 Section 89(2)(d) given it relates to a contractual matter

Number of tenders received	Five (5)
Number of evaluation criteria tenders assessed against	Three (3)
Estimated contract value	Over \$700,000 (Excl.GST)

12.2 Tender 2018.108 – Duncan McKinnon – Netball Courts Upgrade

Local Government Act 1989 Section 89(2)(d) given it relates to a contractual matter

Number of tenders receivedTwo (2)Number of evaluation criteria tenders assessed againstThree (3)Estimated contract valueMore than \$650,000.00

12.3 Tender 2018.115 – Duncan McKinnon – Athletics Track Upgrade

Local Government Act 1989 Section 89(2)(d) given it relates to a contractual matter

Number of tenders received	One (1)
Number of evaluation criteria tenders assessed against	Three (3)
Estimated contract value	More than \$1,600,000

12.4 Young Citizen of the Year

Local Government Act 1989 Section 89(2)(h) any other matter which the Council or Special Committee considers would prejudice the Council or any person

13. CLOSURE OF MEETING