

# GLEN EIRA CITY COUNCIL ORDINARY COUNCIL MEETING

# TUESDAY 22<sup>ND</sup> MAY 2018

# **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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7.	REPORTS BY DELEGATES APPOINTED BY COUNCIL TO VARIOUS ORGANISATIONS
8.	REPORTS FROM COMMITTEES
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	NIL
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#### 9. PRESENTATION OF OFFICER REPORTS

9.1	13-15 Selwyn Street, Elsternwick
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9.3	45-47 Kangaroo Road & 33 Howe Street, Murrumbeena
9.4	VCAT Watch
9.5	Elster Creek Catchment 2018 Action Plan - Update
9.6	Dockless Share Bikes
9.7	Community Engagement Strategy 2018-2021
9.8	Road Management Plan (RMP) Amendment
9.9	Victorian Local Governance Association
9.10	Quarterly Services Performance Report
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9.12	Administrative Update to Delegations under the Planning and Environment Act
	1987

#### 10. **URGENT BUSINESS**

#### 11. **ORDINARY BUSINESS**

- 11.1 Requests for reports from Officers11.2 Right of reply11.3 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.

There are no items of confidential business to be considered at the meeting.

# 13. CLOSURE OF MEETING



# AGENDA for the ORDINARY MEETING OF THE GLEN EIRA CITY COUNCIL to be held on TUESDAY 22<sup>nd</sup> May 2018

# 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 1 May 2018 be confirmed.

# 5. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

A petition containing 11 signatures was submitted to the Council Meeting. The petition read as follows:

"We, the property owners / residents in Garrell St, Caulfield North, propose that the 2-hour restricted parking in Garrell St be limited to the eastern side of the street from Dunbar Avenue to Glen Eira Road for a 6-month trial period. In our view, this is a fair compromise that considers the interests of all parties and provides the opportunity for greater insight into the street's true traffic / parking conditions."

#### RECOMMENDATION

That Council:

- 1. receives and notes the petition; and
- 2. considers the concerns and suggestions contained in the petition and informs the head signatory of the outcome.

# 6. DOCUMENTS FOR SEALING

# 7. REPORTS BY DELEGATES APPOINTED BY COUNCIL TO VARIOUS ORGANISATIONS

# 8. REPORTS FROM COMMITTEES

8.1 Advisory Committees

NIL

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	1987

9.1 13-15 SELWYN STREET, ELSTERNWICK

**Author:** Anthony Adams, Principal Town Planning

*Trim No:* 18/192663

Attachments: 1. 13-15 Selwyn Street, Elsternwick - Advertised Plans

# **PURPOSE AND SUMMARY**

To consider a Planning Permit application



## **RECOMMENDATION**

That Council issue a Notice of Decision to Grant a Planning Permit for Application No. GE/PP-31460/2017 at 13-15 Selwyn Street, Elsternwick 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. TP060- TP064, TP120- TP124, TP200-TP201 and TP300-TP302, prepared by Kerstin Thompson Architects Pty Ltd and dated 30 November 2017) but modified to show:
  - (a) Detailed acoustic treatment notes in accordance with the approved Acoustic Report.
  - (b) The Level 2 windows for the Audio Visual and Archive rooms to be shown on the west elevation, incorporating fixed screening to a height of at least 1.7m above floor level to restrict views of adjoining properties to the west.
  - (c) The first floor 'bulge' to be labelled as a non-trafficable area for museum display purposes only.
  - (d) The deletion of the Jewish Holocaust Centre sign (which is to be the subject of a separate application for planning permit).
  - (e) Bicycle parking provision and facilities within the building that are in accordance with the requirements of Clause 52.34 of the Glen Eira Planning Scheme (based on the total net floor area of the building).
  - (f) 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):
    - Tree 11 (the neighbouring Olive tree to the northwest) 3.0m;
    - Tree 22 (the neighbouring Weeping Lilly Pilly tree to the southwest) 2.6m.
  - (g) The delineation of root sensitive permeable paving where any part comes within the following TPZ:
    - Tree 22 (the neighbouring Weeping Lilly Pilly tree to the southwest) 2.6m.
  - (h) The paint colour of the retained facades to be a different grey tone to provide a contrast with the new facades of the building.
  - (i) A schedule of colours, materials and finishes for all external surfaces, including all parts of the west elevation.

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

- 2. This Planning Permit is issued to the Jewish Holocaust Centre Incorporated and the use allowed under this permit must not be conducted by any other organisation or group or this permit will cease to have effect.
- 3. The following evening and Sunday events may be undertaken:
  - Up to 14 lectures for a maximum of 30 people each year:
  - Up to 6 occasional lectures for a maximum of 50 people each year;
  - An evening event for a maximum of 100 people each fortnight;
  - Up to 10 elderly persons' social club events for a maximum of 70 people each year; and
  - Up to 2 events for a maximum of 240 people each year.

Unless otherwise agreed in writing by the Responsible Authority,

- 4. The events detailed at condition 3 must not be undertaken simultaneously and do not include activities that involve school groups which must conclude by no later than 5pm on any day, unless otherwise agreed in writing by the Responsible Authority.
- 5. Not more than 252 seats shall be available in the large auditorium and not more than one auditorium may be used at any one time, unless otherwise agreed in writing by the Responsible Authority.
- 6. The use must not operate after 11pm or before 8am on any day (this excludes cleaning and building maintenance activities that may be undertaken outside of these times), unless otherwise agreed in writing by the Responsible Authority.
- 7. The rear courtyard and terraces must not be used after 8pm or before 8am on any day, unless otherwise agreed in writing by the Responsible Authority.
- 8. Before the use commences A Green Travel Plan (GTP) must be prepared and submitted to the Responsible Authority for approval. The plan must be prepared by a suitably qualified person and must encourage the use of alternative transport modes (other than private-use cars) by staff and visitors. The plan must include, but not be limited to, the following:
  - (a) A description of the location in the context of alternative modes of transport, including walking, cycling and objectives for the Green Travel Plan;
  - (b) Outline Green Travel Plan measures for the development including, but not limited to:
    - (i) The distribution of information packs to staff and visitors (train, tram and bus timetables relevant to the local area must be included);
    - (ii) Car pooling;
    - (iii) Bicycle parking and facilities available on the land:
    - (iv) Local walking paths and networks to key destinations;
    - (v) A plan showing the bicycle parking areas to be provided for use by staff and visitors;
    - (vi) Monitoring and review; and
  - (c) The Green Travel Plan must not be amended without the written consent of the Responsible Authority.
  - (d) Once approved, the Green Travel Plan will be an endorsed plan under the planning permit and any ongoing Management Plan for the land to ensure the Green Travel Plan continues to be implemented by staff and visitors to the satisfaction of the Responsible Authority.
- 9. Prior to the commencement of any works, the permit holder must submit an Acoustic Report to the Responsible Authority for approval. The Acoustic Report must be prepared by a suitably qualified acoustic engineer and must include recommendations for the provision of acoustic attenuation measures to reduce noise levels to adjoining properties to the satisfaction of the Responsible Authority.
- The recommendations contained in the approved Acoustic Reports must be implemented and completed and where they are recommendations of an ongoing nature must be implemented and maintained all to the satisfaction of the Responsible Authority.
- 11. Noise levels must not exceed the permissible noise levels stipulated in State and Environment Protection Policy N-1 (Control of Noise from Industrial Commercial and

Trade Premises within the Melbourne Metropolitan Area) and State Environment Protection Policy N-2 (Control of Music Noise from Public Premises).

- 12. All security alarms or similar devices installed on the land must be of a silent type approved by the Standards Association of Australia and be connected to a registered security service.
- 13. Disabled persons' access to the building must be provided to the satisfaction of the Responsible Authority. All work carried out to provide disabled persons' access must be constructed in accordance with in AS 1428.1 to the satisfaction of the Responsible Authority
- 14. The landscaping as shown on the endorsed plans must be carried out, completed and maintained to the satisfaction of the Responsible Authority.
- 15. 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):
  - Tree 11 (the neighbouring Olive tree to the northwest) 3.0m;
  - Tree 22 (the neighbouring Weeping Lilly Pilly tree to the southwest) 2.6m.

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.

- 16. 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:
  - Tree 22 (the neighbouring Weeping Lilly Pilly tree to the southwest) 2.6m.
- 17. The proposed works must not cause any damage to the canopy, roots or the Tree Protection Zone of the existing street tree.
- 18. 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 3.7 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 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.

19. 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.

20. No excavation is to come within 3.2 metres 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.

- 21. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
- 22. No plant, equipment, services and substations other than those shown on the endorsed plans are permitted without the prior written consent of the Responsible Authority
- 23. 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 un-rendered walls must have all excess mortar removed.
- 24. 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.

- 25. 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;
  - (j) Any construction lighting to be baffled to minimise intrusion on adjoining lots.
- 26. The 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.
- 27. 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:

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.

- 28. 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.
- 29. 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. The permit holder and staff shall use their best endeavours to ensure that buses are not parked for extended periods in Selwyn Street or the nearby residential streets.
- B. Obtain the necessary legal consent for the 'bulge' in the proposed building over the footpath in Selwyn Street (The Department of Environment, Land, Water and Planning's consent may be required).
- C. Bundle, or preferably place underground, power lines adjoining the site.
- D. 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.

- E. 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.
- F. 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.

- G. 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.
- H. Prior to the commencement of any demolition and/or building works, an Asset Protection Permit must be obtained from Council's Engineering Services Department.

Title details  Restrictions on title  Proposal  Development (including partial demolition) and use of land for the purpose of a 4 storey building comprising a Place of Assembly (Jewish Holocaust Centre) and a reduction in the car parking requirement  Mixed Use Zone Heritage Overlay Parking Overlay  Permit requirements  A permit is required to use the land for the purpose of a Place of Assembly under Clause 32.04-2 of the Mixed Use Zone A permit is required to construct a building and carry out works under Clause 32.04-8 of the Mixed Use Zone A permit is required for demolition and to construct a building and carry out works under Clause 32.04-8 of the Mixed Use Zone A permit is required to reduce the number of car spaces required for a Place of Assembly under Clause 43.01-1 of the Heritage Overlay A permit is required to reduce the number of car spaces required for a Place of Assembly under Clause 52.06-3 of the Car Parking provisions  Relevant Planning Scheme provisions  Relevant Planning The Activity Centre Structure Plan for Elsternwick was adopted as Council Policy on 6 March 2018 but has not yet attained the status of a seriously entertained planning scheme amendment and has not been given weight in the assessment of this application.  Notification  Notification Notification Notification Submissions Notification Index of Assembly and Environment Act 1987, including 2 signs on site and a notice mailed to 12 surrounding properties  Submissions		
Restrictions on title   None	Address	13-15 Selwyn Street, Elsternwick
Proposal  Development (including partial demolition) and use of land for the purpose of a 4 storey building comprising a Place of Assembly (Jewish Holocaust Centre) and a reduction in the car parking requirement  Mixed Use Zone Heritage Overlay Parking Overlay  Permit requirements  A permit is required to use the land for the purpose of a Place of Assembly under Clause 32.04-2 of the Mixed Use Zone A permit is required to construct a building and carry out works under Clause 32.04-8 of the Mixed Use Zone A permit is required for demolition and to construct a building and carry out works under Clause 43.01-1 of the Heritage Overlay A permit is required for demolition and to construct a building and carry out works under Clause 43.01-1 of the Heritage Overlay A permit is required to reduce the number of car spaces required for a Place of Assembly under Clause 52.06-3 of the Car Parking provisions  Relevant Planning Scheme provisions  Heritage Policy Urban Villages Policy Non-Residential Uses in Residential Zones Policy The Activity Centre Structure Plan for Elsternwick was adopted as Council Policy on 6 March 2018 but has not yet attained the status of a seriously entertained planning scheme amendment and has not been given weight in the assessment of this application.  Notification  Notification  Notice undertaken in accordance with Section 52 of the Planning and Environment Act 1987, including 2 signs on site and a notice mailed to 12 surrounding properties  Submissions		Lots 1 and 2 on TP698946B and Lot 1 on TP688400F
purpose of a 4 storey building comprising a Place of Assembly (Jewish Holocaust Centre) and a reduction in the car parking requirement  Mixed Use Zone Heritage Overlay Parking Overlay Parking Overlay  Permit requirements  A permit is required to use the land for the purpose of a Place of Assembly under Clause 32.04-2 of the Mixed Use Zone A permit is required to construct a building and carry out works under Clause 32.04-8 of the Mixed Use Zone A permit is required for demolition and to construct a building and carry out works under Clause 43.01-1 of the Heritage Overlay A permit is required to reduce the number of car spaces required for a Place of Assembly under Clause 52.06-3 of the Car Parking provisions  Relevant Planning Scheme provisions  Heritage Policy Urban Villages Policy Non-Residential Uses in Residential Zones Policy  The Activity Centre Structure Plan for Elsternwick was adopted as Council Policy on 6 March 2018 but has not yet attained the status of a seriously entertained planning scheme amendment and has not been given weight in the assessment of this application.  Notification  Notification  Notification  Notice undertaken in accordance with Section 52 of the Planning and Environment Act 1987, including 2 signs on site and a notice mailed to 12 surrounding properties  Submissions  Nine (9) objections received and are detailed in the report	Restrictions on title	None
Zoning and Overlay Controls  Mixed Use Zone Heritage Overlay Parking Overlay Parking Overlay  A permit is required to use the land for the purpose of a Place of Assembly under Clause 32.04-2 of the Mixed Use Zone A permit is required to construct a building and carry out works under Clause 32.04-8 of the Mixed Use Zone A permit is required for demolition and to construct a building and carry out works under Clause 43.01-1 of the Heritage Overlay A permit is required to reduce the number of car spaces required for a Place of Assembly under Clause 52.06-3 of the Car Parking provisions  Relevant Planning Scheme provisions  Heritage Policy Urban Villages Policy Non-Residential Uses in Residential Zones Policy  The Activity Centre Structure Plan for Elsternwick was adopted as Council Policy on 6 March 2018 but has not yet attained the status of a seriously entertained planning scheme amendment and has not been given weight in the assessment of this application.  Notification  Notification  Notice undertaken in accordance with Section 52 of the Planning and Environment Act 1987, including 2 signs on site and a notice mailed to 12 surrounding properties  Submissions  Nine (9) objections received and are detailed in the report	Proposal	
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Controls		(Jewish Holocaust Centre) and a reduction in the car parking
Permit requirements  A permit is required to use the land for the purpose of a Place of Assembly under Clause 32.04-2 of the Mixed Use Zone A permit is required to construct a building and carry out works under Clause 32.04-8 of the Mixed Use Zone A permit is required for demolition and to construct a building and carry out works under Clause 43.01-1 of the Heritage Overlay A permit is required to reduce the number of car spaces required for a Place of Assembly under Clause 52.06-3 of the Car Parking provisions  Relevant Planning Scheme provisions  Heritage Policy Urban Villages Policy Non-Residential Uses in Residential Zones Policy  Seriously entertained amendments  The Activity Centre Structure Plan for Elsternwick was adopted as Council Policy on 6 March 2018 but has not yet attained the status of a seriously entertained planning scheme amendment and has not been given weight in the assessment of this application.  Notification  Notification  Notice undertaken in accordance with Section 52 of the Planning and Environment Act 1987, including 2 signs on site and a notice mailed to 12 surrounding properties  Submissions  Nine (9) objections received and are detailed in the report		
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Submissions Nine (9) objections received and are detailed in the report		
	Submissions	ŭ i
Cultural neritage   None required	Cultural Heritage	None required
Management Plan		
required		

# **DESCRIPTION OF PROPOSAL**

- Demolition of most of the existing buildings and retention of the front and side of 13 Selwyn Street.
- Construction of a 4 storey building comprising 2 auditoria (90 seats + 252 seats), a
   library and garden on the ground floor, the main museum exhibition space on the first

floor and ancillary museum, education and administration areas on the third and fourth floors.

- Maximum overall building height would be 18m.
- Whilst the main land use would continue to be for the purpose of a museum and education, the application also seeks approval for a wider range of events and lectures held in the evenings and on Sundays compared with the activities allowed under the current Planning Permit.
- Two car spaces would be provided with access from Selwyn Street.

# LAND DESCRIPTION AND SURROUNDING AREA

The site is located on the western side of Selwyn Street, between Glen Huntly Road and Sinclair Street, approximately 75 metres north of Glen Huntly Road. To the north is a 4 storey apartment building. To the west is a 7 storey apartment building. To the south is a car park associated with the Kadimah Jewish Cultural Centre. To the east is the former ABC Television site currently used by the Sholem Aleichem College. Selwyn Street conveys a strong mixed use character with residential, cultural and former warehouse buildings and uses.

#### **RELEVANT HISTORY**

The Jewish Holocaust Centre was established at 13 Selwyn Street in the early 1980's. A new double-storey extension at 15 Selwyn Street was opened in 1999. The previous permit for the site was issued in 2000. Condition 3 of the permit limits the number of events for groups larger than 30 persons (other than school groups) to 12 each year. Condition 4 limits the number of seats in the auditorium to 80. Condition 8 requires the Centre to discourage the parking of vehicles under its control from parking in nearby streets. There is also a note that discourages buses from parking for extended periods in Selwyn Street and nearby residential streets.

This application seeks approval to continue the current use in a new building with modern accommodation for the Centre. Some additional events are proposed but the main museum and education activities would continue without change.

## **CONSULTATION AND ENGAGEMENT**

There were nine (9) objections received as part of the notification process and these included the following concerns:

- Traffic and car parking.
- Due to the significant car parking waiver, conditions should limit patron numbers to those stated in the applicant's submission.
- Excessive height and visual bulk (looming over adjoining properties).
- Overlooking.
- Overshadowing.
- Reduction of daylight.
- Increased number of events will affect residential amenity.
- Increased noise from events, plant equipment and construction.
- Removal of trees.
- Blank ground floor wall and façade to Selwyn Street would limit interaction with the street and the 4 storey street wall would dominate the streetscape and is contrary to the Structure Plan.
- Not in keeping with the heritage qualities of the area.
- Damage to fence of 21 Gordon Street.

GLEN EIRA CITY COUNCIL

A Planning Conference was chaired by Cr. Sztrajt and attended by the applicant and three (3) objectors. It was agreed at the Planning Conference that the following matters could be addressed in permit conditions:

- Windows to be screened to limit overlooking toward the west; and
- An acoustic report to limit noise emissions from the plant room and from the other parts of the building.

# **REFERRALS**

The following is a summary of comments and requirements from relevant referral areas:

Non-statutory referrals					
Transport Planning	Concerns about the applicant's report and the potential for the use to be intensified given the increased floor area.				
Heritage Advisor	The proposal is supported but it is suggested that the silhouette of the retained façades of the old building have a greater level of contrast to the materials of the new building through the use of different colours.				
Urban Designer	The proposal would be an acceptable outcome because this site is very unique; it is a stand-alone museum site, not part of a commercial/retail streetscape and only consists of 2 lots and is setback a sufficient distance from Glen Huntly Road and Sinclair Street so that the building proposed would not be overwhelming. Notes are suggested recommending that approval be sought for the 'bulge' projecting over the road reserve and encouraging the applicant to investigate the bundling or undergrounding of power lines.				
Asset Engineers	The existing vehicle crossing can be used to access the site.				
Landscape Officer	The existing trees on the site can be removed. Tree protection conditions are suggested for 2 trees on adjoin properties.				
Park Services	Conditions are suggested for the protection of the street tree during construction.				

# **ISSUES AND DISCUSSION**

The assessment of the proposal has regard to the following:

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

# Zoning and policy context

The site is located in the Elsternwick Urban Village with convenient access to major roads, public car parking and public transport.

Elsternwick is a Major Activity Centre and is a suitable location for the Jewish Holocaust Centre which is an important cultural land use that has operated successfully for more than 3 decades.

The site is within the Cultural and Entertainment Precinct under the Urban Villages Policy. The proposal is considered to be consistent with the relevant policies as it will contribute to the mix of land uses and as taller buildings are supported at the Glen Huntly Road end of Selwyn Street.

Furthermore, it is considered that the proposal is consistent with the following relevant purpose of the Mixed Use Zone which is:

• To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.

The proposal is considered to be consistent with the general intent and preferred location criteria of the Non-Residential Uses in Residential Zones Policy given the site's location within the Elsternwick Urban Village and in an area with mixed character and where residential amenity is affected by nearby commercial, entertainment and other non-residential land uses.

Redevelopment of the site with improved accommodation can be considered favourably if it can be demonstrated that the amenity of dwellings and apartments on the adjoining lots to the north, northwest and west would not be unreasonably compromised and that existing traffic and parking conditions would not be significantly exacerbated.

The proposal is considered to be consistent with the Heritage Policy given the sympathetic retention of the heritage building on the site which is supported by Council's Heritage Advisor.

On balance, the needs of the both the local Glen Eira and wider Victorian communities will be well served by the redevelopment of the site.

# Neighbourhood character

Selwyn Street and the surrounding area has a mixed character due to its immediate proximity to the Elsternwick shopping strip. There is a distinct non-residential built form character in the middle section of Selwyn Street (excluding the existing apartment building at 19 Selwyn Street)

The architectural design detail of the proposal includes massing and materials that would complement the surrounding area where there is a wide variety of building styles, including 4-7 storey apartment buildings and the former ABC Television building.

# Height, scale and massing

It is considered that the height, scale and massing of the proposal would be suitable for this part of Elsternwick which has a very mixed built form character. The stepped setbacks of the sides and rear of the proposed building would provide an adequate transition to the adjoining properties to the north, northwest and west.

It is acknowledged that the overall height of the building would be approximately 18 metres. The highest parts of the building would be well setback from the sensitive interfaces to the west and northwest and would not adversely affect the amenity of the adjoining properties. There is currently no height limit for the Mixed Use Zone.

It is noted that the unique design of the proposal has the support of Council's Urban Designer and Heritage Advisor.

# Amenity impacts

The separation of the upper level windows and terraces from the habitable room windows and private open spaces of the dwellings to the west and northwest is generally satisfactory to limit unreasonable overlooking. Details of screening for 2 west-facing windows on the second floor will be required to be shown to ensure that there would be no direct overlooking within 9 metres.

Shadow diagrams have been submitted that show that there would be some additional overshadowing of the rear parts of 15 and 21 Gordon Street in the morning. However, the stepped setbacks of the proposed building ensure that, after 10am at the Equinox, the impact of the overshadowing would not be unreasonable.

The stepped rear setbacks and the location of boundary walls would minimise the visual bulk impact of the proposal on the adjoining properties. Similarly, there would be no significant reduction of daylight to the habitable rooms of the dwellings on the adjoining lots.

In addition to the consideration of overlooking, overshadowing and visual bulk, a further aspect of the amenity impacts to be assessed is the increase in the intensity of the Place of Assembly use.

The current permit does not limit the hours of operation of the Centre. Condition 3 of the current permit allows a maximum of 12 events where more than 30 people may be in attendance in a calendar year. Condition 4 of the current permit allows a maximum of 80 seats in the auditorium. There is no limit on the number of school visits.

The proposed changes to the intensity of the use are the increase in the number of events and the increase in the numbers of people attending events.

The following evening and Sunday activities are proposed:

- The number of evening lectures for a maximum of 30 people to be increased from 12 to 14 each year:
- Up to 6 occasional lectures for a maximum of 50 people each year;
- An evening event for up to 100 people each fortnight;
- Up to 10 elderly persons' social club events for a maximum of 70 people each year; and
- Up to 2 significant events for a maximum of 240 people each year.

Conditions will be included to limit the evening and Sunday activities to those described above and to limit the maximum number of people attending the Centre at any one time to ensure that the existing amenity impacts are not unreasonably intensified.

Use of the rear courtyard and terraces will not be allowed after 8pm or before 8am on any day.

An acoustic report will be required to be submitted to detail requirements to provide acoustic treatments for the plant room and provide other advice on limiting noise emissions from within the building such as from music and people attending events.

### Landscaping

It is acknowledged that all existing vegetation will be removed to enable the construction of the new building. Landscaping will be provided in the rear courtyard, in the planter boxes on the terraces and the Birch Forest within the building. This is considered to be acceptable given the purpose of the building and its Activity Centre context. Tree protection conditions have also been included in relation to 2 trees on adjoining lots.

# Car parking and traffic

The statutory parking requirement under the State Government guidelines for a Place of Assembly with 240 patrons (the maximum number cited by the applicant for 2 major evening functions each year) is 72 on-site car spaces (ie, a rate of 0.3 car spaces/patron). However, at most times, the maximum number of patrons would be during the day from 10am-4pm when there would be up to 150 school children and other 'walk-in' visitors. This would equate to a parking requirement for 48 car spaces (assuming up to 10 'walk-in' patrons at any one time). In practice, the parking demand would be significantly less than 48 car spaces because school groups would travel either by public transport or by school bus and, at many times, there would be fewer than 150 school children.

Two on-site car spaces are proposed with access form the existing vehicle crossing. The existing building has 6 on-site car spaces.

The applicant has undertaken a detailed assessment of parking and traffic conditions and has reached the following conclusions:

- As 4 car spaces are to be removed, a demand based on staff has been undertaken, projecting a demand for 9 car spaces and equating to a shortfall of 7 car spaces;
- Car parking surveys indicate that there is on-street parking available in the area. However, parking is heavily utilised, and observations suggest that finding the available parking may be difficult:
- Staff will be encouraged to undertake alternative modes of transport with the development of a Green Travel Plan, which may include cycling or walking, public transport, or taxi/Uber:
- During the evening, significant car parking resources are available in the vicinity of the site to accommodate additional demands generated by the evening events.

Recognising the parking shortfall, a condition has been included to require the submission of a Green Travel Plan for approval. Additionally, the applicant will be required to provide the required number of bicycle parking spaces and facilities within the building for both staff and visitors (ie, 2 bicycle parking spaces for staff and 4 bicycle parking spaces for visitors and a staff shower/change room). It is noted that the plans show 4 bicycle parking spaces for staff adjacent to the 2 car spaces.

Council's Transport Planning Department has advised that it has concerns about the car parking reduction. However, taking a precinct wide view of Elsternwick, and having regard to the community importance of the Centre, it is considered that the shortfall of parking is acceptable given the Centre's key role in this emerging cultural precinct.

# Management plan requirements

A Construction Management Plan (CMP) and Waste Management Pan (WMP) are required. Conditions have been included outlining the requirements of the CMP and WMP.

## Objector concerns

The concerns of local residents are acknowledged. As discussed in the preceding parts of this report, conditions have been included to manage the amenity impacts of the proposal to minimise overlooking and noise emissions. The traffic and parking impacts will also be managed through the Green Travel Plan and ongoing monitoring as part of the implementation of the Elsternwick Activity Centre Structure Plan and reviews of parking controls.

# FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

# **POLICY AND LEGISLATIVE IMPLICATIONS**

All matter required at Section 60 of the *Planning and Environment Act 1987* have been taken into consideration as part of the assessment of this application.

## LINK TO COUNCIL AND COMMUNITY PLAN

Theme One: 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.

# **JEWISH HOLOCAUST CENTRE REDEVELOPMENT** 13 - 15 SELWYN STREET, ELSTERNWICK 3185



# 01 LOCALITY PLAN 1:1000

#### DRAWING REGISTER

EXISTING CONDITIONS REV				
TP000	DRAWING LIST / LOCALITY PLAN	TP1		
TP050	EXISTING SITE PLAN	TP1		
TP060	EXISTING AND DEMOLITION PLAN, LEVEL GROUND	TP1		
TP061	EXISTING AND DEMOLITION PLAN, LEVEL 1	TP1		
TP062	EXISTING AND DEMOLITION PLAN, ROOF	TP1		
TP063	EXISTING AND DEMOLITIO ELEVATIONS	TP1		
TP064	EXISTING AND DEMOLITIO ELEVATIONS	TP1		
FLOOR PLAN	S			
TP100	DESIGN RESPONSE, PROPOSED SITE PLAN	TP1		
TP120	PROPOSED FLOOR PLAN LEVEL GROUND	TP1		
TP121	PROPOSED FLOOR PLAN LEVEL 1	TP1		
TP122	PROPOSED FLOOR PLAN LEVEL 2	TP1		
TP123	PROPOSED FLOOR PLAN LEVEL 3	TP1		
TP124	PROPOSED ROOF PLAN	TP1		
ELEVATIONS				
TP200	PROPOSED ELEVATIONS	TP1		
TP201	PROPOSED ELEVATIONS	TP1		
SECTIONS				
TP300	PROPOSED SECTIONS	TP1		
TP301	PROPOSED SECTIONS	TP1		
TP302	PROPOSED SECTIONS	TP1		
SHADOW DIA				
TP500	SHADOW DIAGRAMS	TP1		
TP501	SHADOW DIAGRAMS	TP1		
TP502	SHADOW DIAGRAMS	TP1		
MATERIALS				
TP600	MATERIALS SCHEDULE	TP1		

#### \_\_ GENERAL NOTES

SYMBOLS / ABBREVIATIONS
+ RL 00.000 EXISTING LEVEL
+ RE 00.000 PROPOSED LEVEL

#### PRELIMINARY



#### \_KTA

Kerstin Thompson Architects Pty Ltd 277 Queensberry St, Melbourne Australia 3000 T +51 3 862 8800 kta@kerstinthompson.com www.kerstinthompson.com

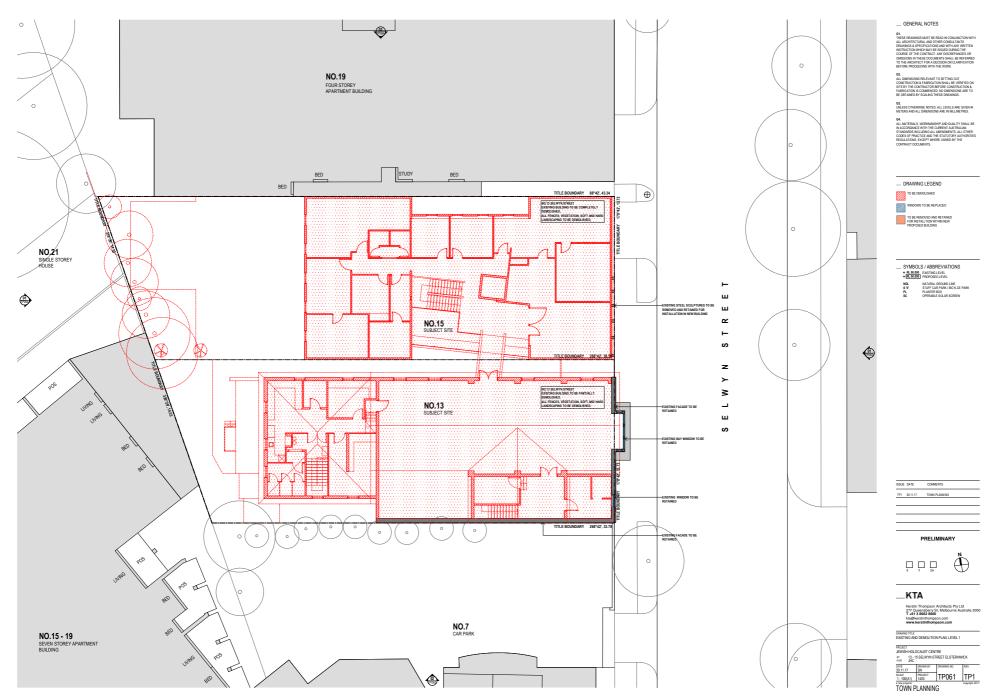
DRAWING TITLE DRAWING LIST / LOCALITY PLAN

PROJECT
JEWISH HOLOCAUST CENTRE
AT 13 - 15 SELWYN STREET ELSTERNWICK
FOR JHC

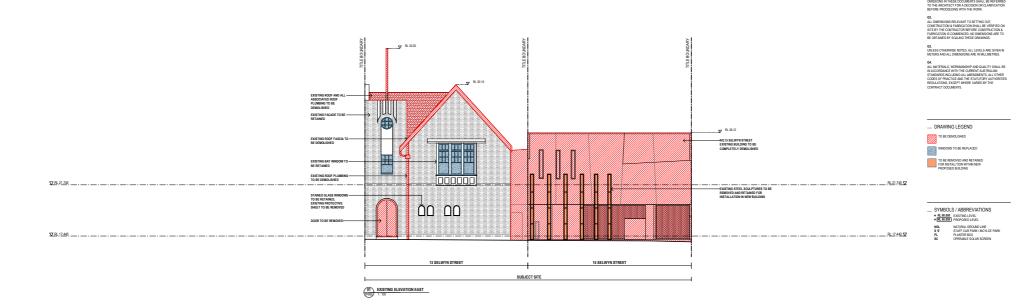
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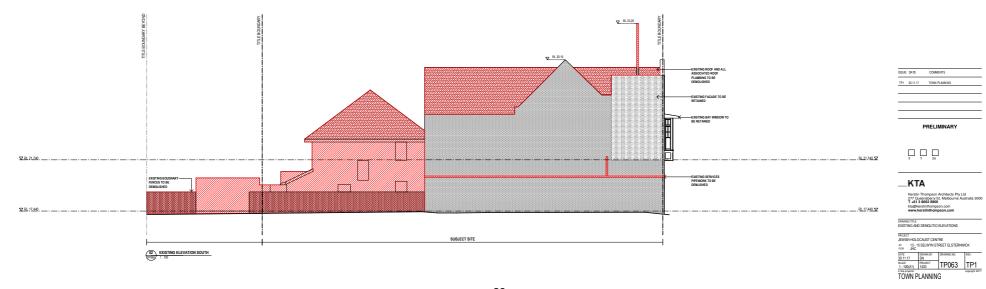






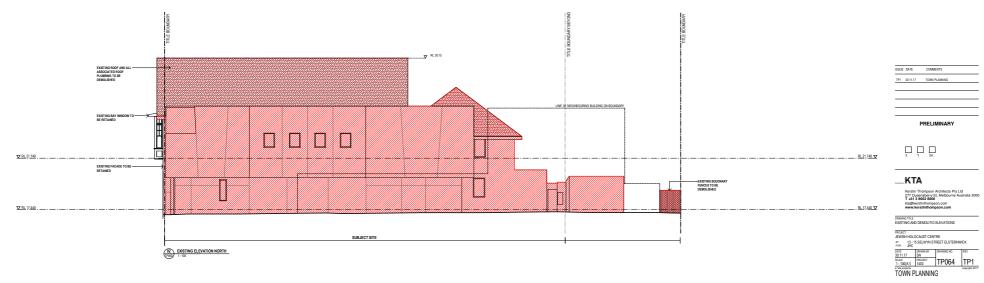


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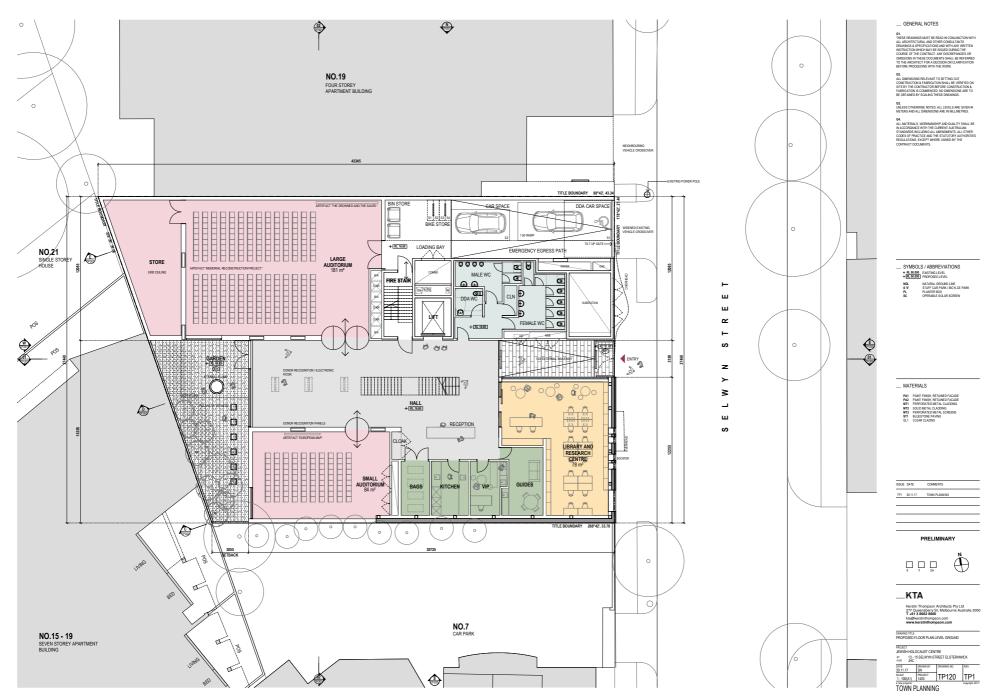


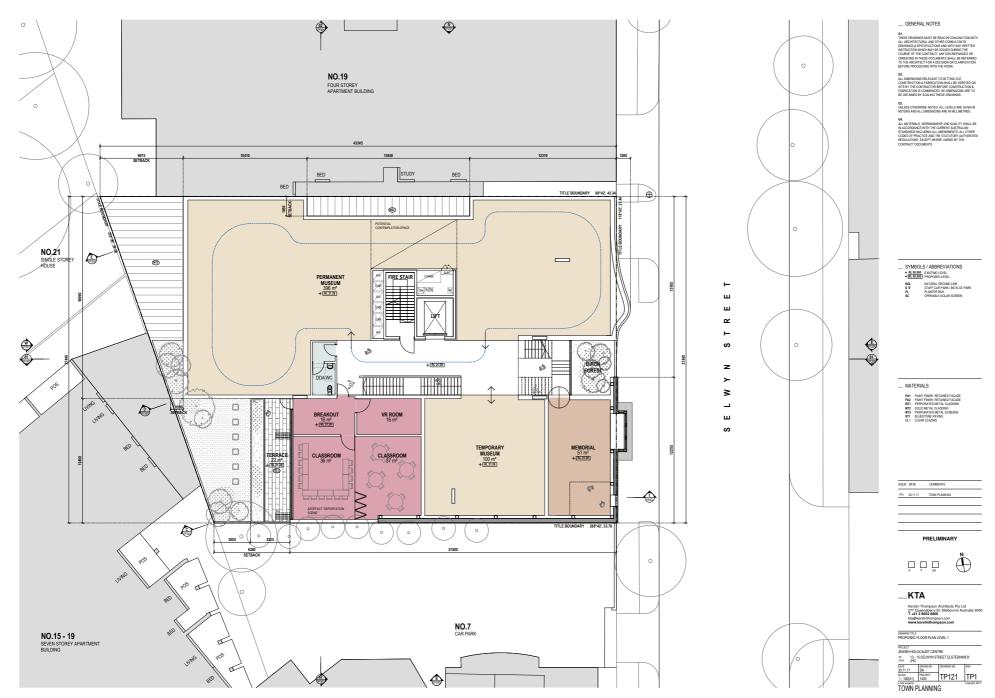


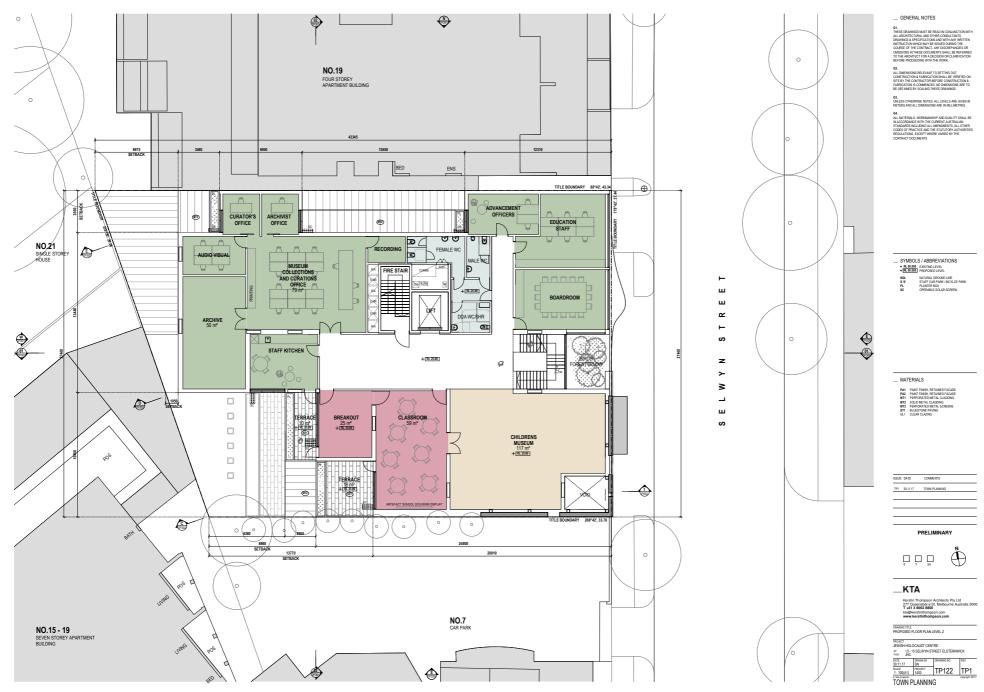
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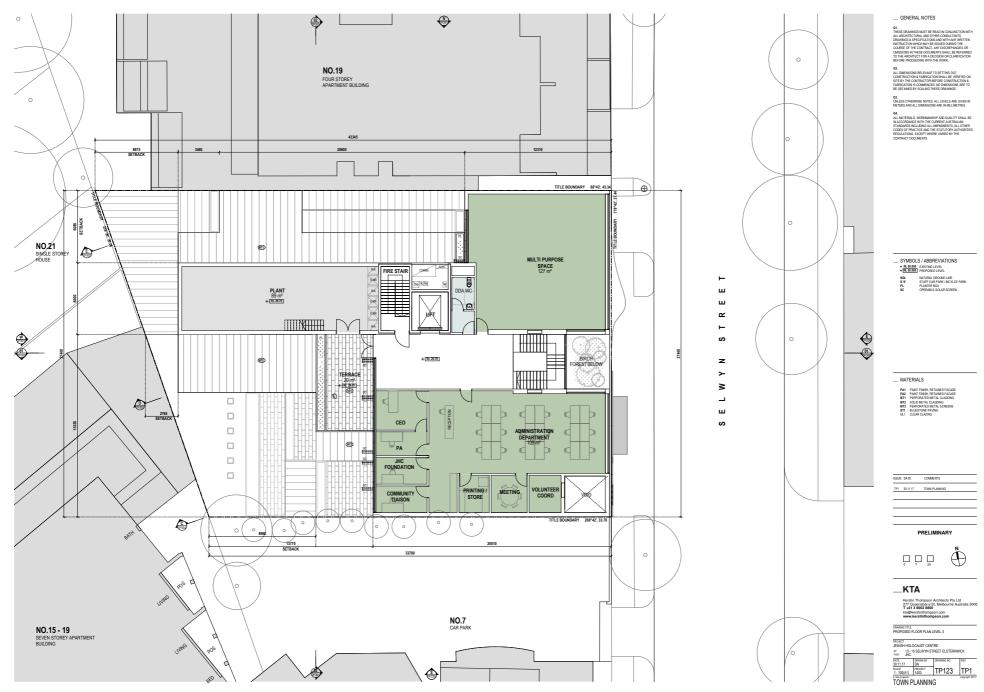


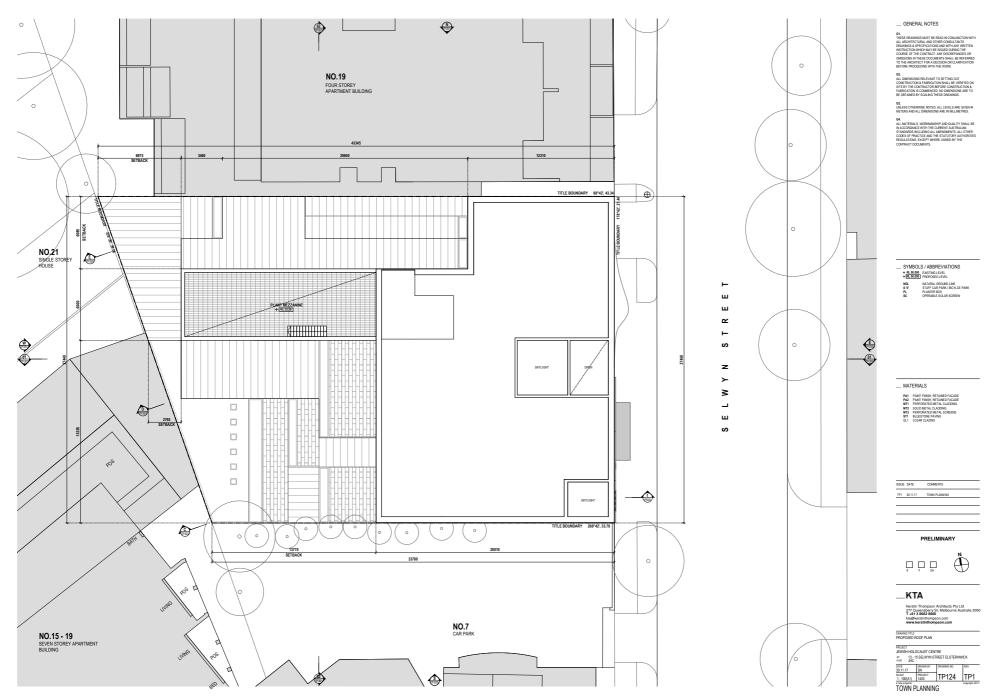


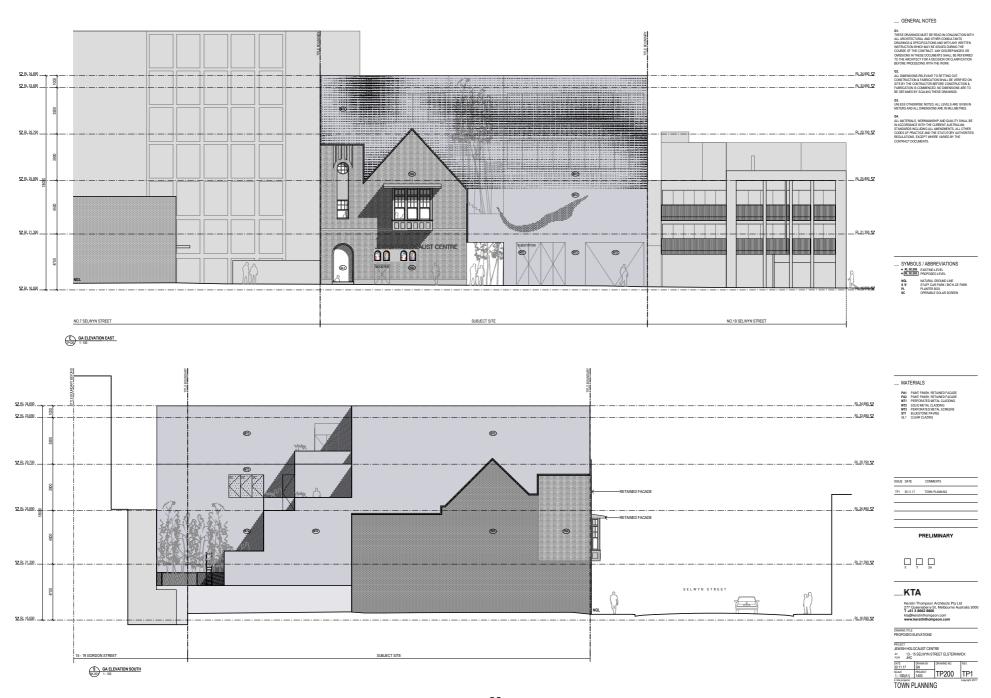


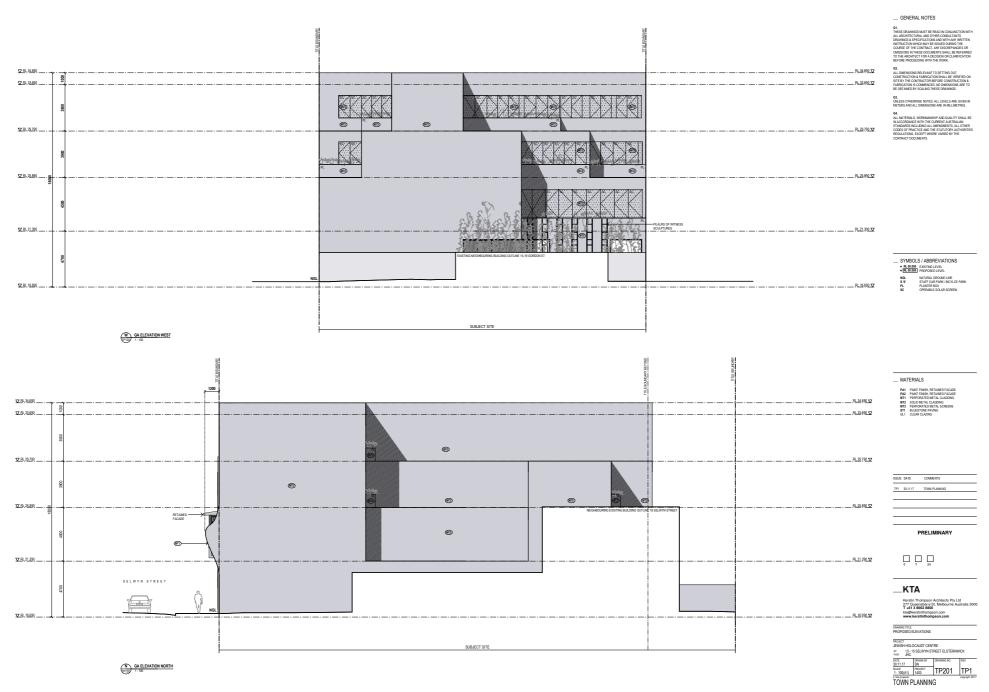


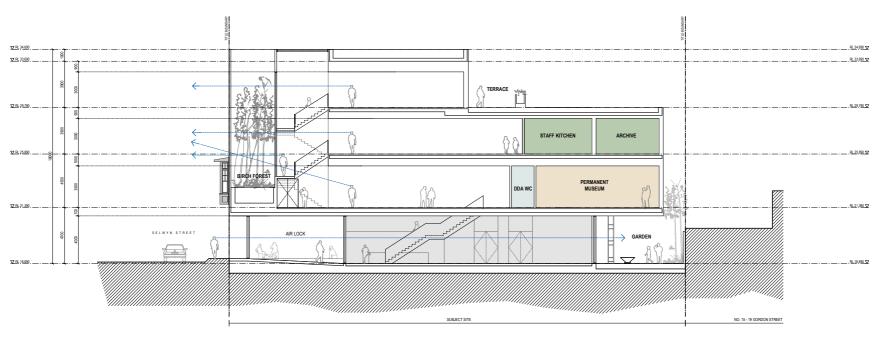












## \_\_ GENERAL NOTES

G3. UNLESS OTHERWISE NOTED, ALL LEVELS ARE GIVEN IN METERS AND ALL DIMENSIONS ARE IN MILLIMETRES.

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ALL MATERIALS, WORKMANSHIP AND QUALITY SHALL BE
IN ACCORDANCE WITH THE CURRENT AUSTRALIAN
STANDARDS INCLIDING ALL AMENDMENTS, ALL OTHER
COCES OF FRACTICE AND THE STATUTORY AUTHORITIES
REQULATIONS, EXCEPT WHERE VARIED BY THE
CONTRACT DOUGLESTIS.

## SYMBOLS / ABBREVIATIONS + RL 00.000 EXISTING LEVEL + RL 00.000 PROPOSED LEVEL

## \_\_ MATERIALS

PAI PAINT FINISH, RETAINED FACADE
PA2 PAINT FINISH, RETAINED FACADE
MT1 PERFORATED METAL CLADDING
MT2 SOLID METAL CLADDING
MT3 PERFORATED METAL SCREENS
ST1 BILLISTONE PAVING
GL1 CLEAR CLAZING

ISSUE DATE COMMENTS TP1 30.11.17 TOWN PLANNING

## PRELIMINARY

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## \_KTA

Kerstin Thompson Architects Pty Ltd 277 Queensberry St, Melbourne Australia 3000 T 461 3 8662 8800 Lta@kerstinthompson.com www.kerstinthompson.com

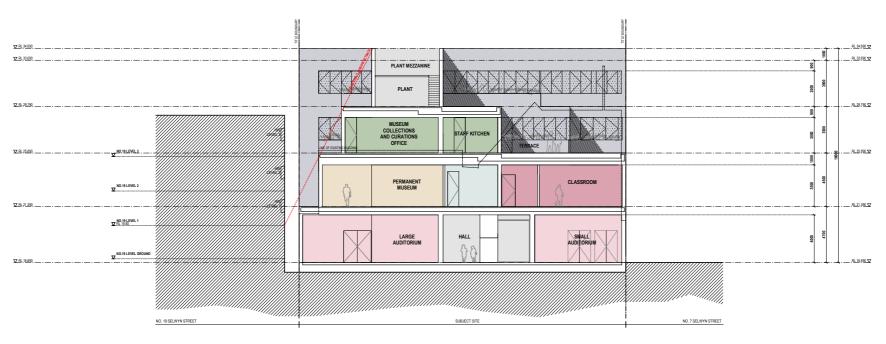
DRAWING TITLE PROPOSED SECTIONS

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MEMORATE STATEMENT STREET ELSTERNINGX

MEMORATE STATEMENT STREET

TOWN PLANNING



## \_\_ GENERAL NOTES

G3. UNLESS OTHERWISE NOTED, ALL LEVELS ARE GIVEN IN METERS AND ALL DIMENSIONS ARE IN MILLIMETRES.

OL

ALL MATERIALS, WORKMANSHIP AND QUALITY SHALL BE
IN ACCORDANCE WITH THE CURRENT AUSTRALIAN
STANDARDS INCLIDING ALL AMENDMENTS, ALL OTHER
COCES OF FRACTICE AND THE STATUTORY AUTHORITIES
REQULATIONS, EXCEPT WHERE VARIED BY THE
CONTRACT DOUGLESTIS.

## SYMBOLS / ABBREVIATIONS + RL 00.000 EXISTING LEVEL + RL 00.000 PROPOSED LEVEL

## \_\_ MATERIALS

PAI PAINT FINISH, RETAINED FACADE
PA2 PAINT FINISH, RETAINED FACADE
MT1 PERFORATED METAL CLADDING
MT2 SOLID METAL CLADDING
MT3 PERFORATED METAL SCREENS
ST1 BILLISTONE PAVING
GL1 CLEAR CLAZING

ISSUE DATE COMMENTS

TP1 30.11.17 TOWN PLANNING

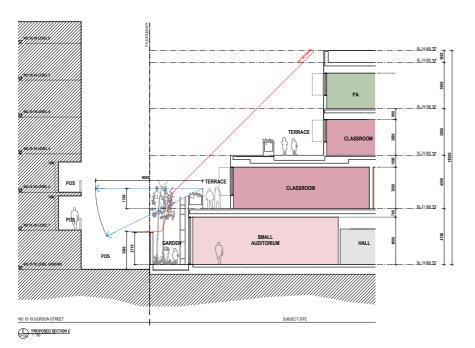
PRELIMINARY

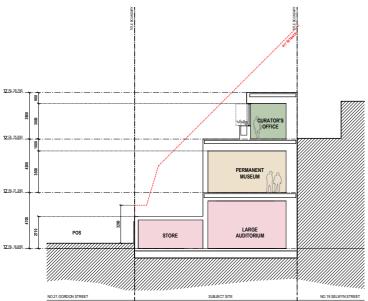
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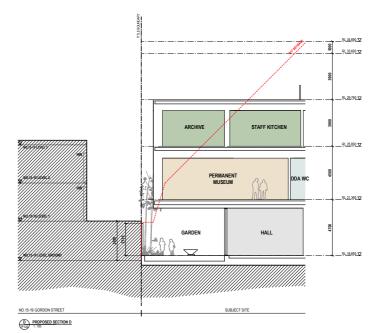
DRAWING TITLE PROPOSED SECTIONS

PROJECT
JEWISH HOLOCAUST CENTRE
AT 13 - 15 SELWYN STREET ELSTERNWICK
FOR JHC





PROPOSED SECTION E



\_\_ GENERAL NOTES

SYMBOLS / ABBREVIATIONS
+ RL 00.000 EXISTING LEVEL
+ RE 00.000 PROPOSED LEVEL

## \_\_ MATERIALS

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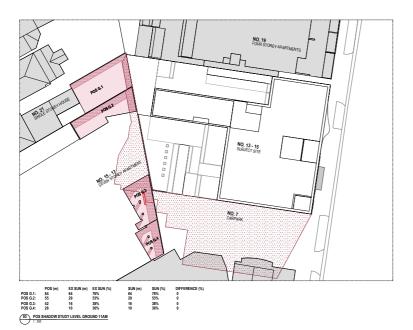
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\_\_ GENERAL NOTES G1.

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TO THE ARCHITECT FOR A DECISION OR CLARRIFICATION
BEFORE PROCEEDING WITH THE WORK. \_\_ DRAWING LEGEND PRIVATE OPEN SPACE EXISTING SHADOW PROPOSED SHADOW OUTSIDE OF TITLE BOUNDARY PROPOSED SUNLIGHT GAINED
DUE TO DEMOLITION OF EXISTING
BUILDINGS SYMBOLS / ABBREVIATIONS
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+ RL 00.000 PROPOSED LEVEL

> ISSUE DATE COMMENTS TP1 30.11.17 TOWN PLANNING

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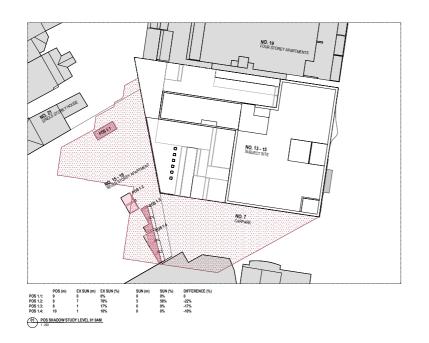
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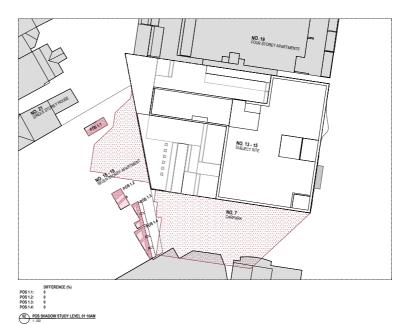
Kerstin Thompson Architects Pty Ltd 277 Queensberry St, Melbourne Australia 3000 T +61 3 862 8800 Lta@kerstinthompson.com www.kerstinthompson.com

PROJECT
JEWISH HOLOCAUST CENTRE
AT 13 - 15 SELWYN STREET ELSTERNWICK
FOR JHC

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## \_\_ GENERAL NOTES

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## \_\_ DRAWING LEGEND

PRIVATE OPEN SPACE

EXISTING SHADOW

PROPOSED SHADOW OUTSIDE OF TITLE BOUNDARY

PROPOSED SUNLIGHT GAINED
DUE TO DEMOLITION OF EXISTING
BUILDINGS

SYMBOLS / ABBREVIATIONS
+ RL 00.000 EXISTING LEVEL
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ISSUE DATE COMMENTS TP1 30.11.17 TOWN PLANNING

## PRELIMINARY

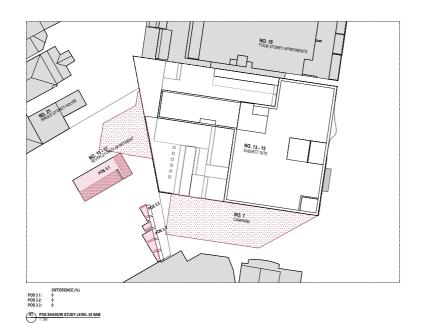
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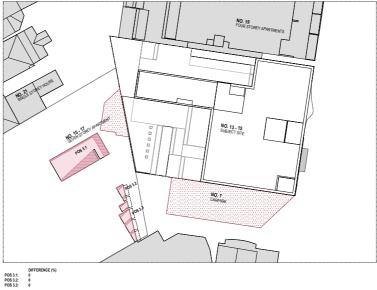


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TP1 30.11.17 TOWN PLANNING PRELIMINARY \_\_KTA Kerstin Thompson Architects Pty Ltd 277 Queensberry St, Melbourne Australia 3000 T +61 3 862 8800 Ka@Kerstinthompson.com www.kerstinthompson.com DRAWING TITLE SHADOW DIAGRAMS PROJECT JEWISH HOLOCAUST CENTRE JEWISH HOLOCAUST CENTRE JEWISH STREET ELSTERNWICK JEWISH JEWISH STREET ELSTERNWICK JEWISH JEWISH STREET ELSTERNWICK JEWISH J

ISSUE DATE COMMENTS

\_\_ GENERAL NOTES

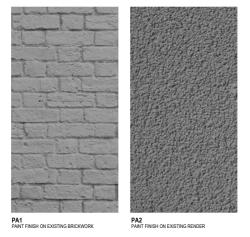
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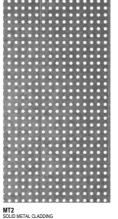
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DUE TO DEMOLITION OF EXISTING
BUILDINGS

SYMBOLS / ABBREVIATIONS
+ RL 00.000 EXISTING LEVEL
+ [RC 00.000] PROPOSED LEVEL NGL NATURAL GROUND LINE S W STAFF CAR PARK / BICYLCE PARK PL PLANTER BOX SC OPERABLE SOLAR SCREEN

POS SHADOW STUDY LEVEL 03 10AM











## \_\_ GENERAL NOTES

SYMBOLS / ABBREVIATIONS
+ RL 00.000 EXISTING LEVEL
+ [RE 00.000] PROPOSED LEVEL

## \_\_ MATERIALS

- PAI PAINT FINISH, RETAINED FACADE
  PA2 PAINT FINISH, RETAINED FACADE
  MT1 PERFORATED METAL CLADDING
  MT2 SOLID METAL CLADDING
  MT3 PERFORATED METAL SCREENS
  ST1 BILLISTONE PAVING
  GL1 CLEAR CLAZING

ISSUE DATE COMMENTS

PRELIMINARY

## \_\_KTA

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DRAWING TITLE MATERIALS SCHEDULE

| PROJECT | SEWM STREET ELSTERNWCX | 13-15 SELWM STREET ELSTERNWCX | 13-15 SELWM STREET ELSTERNWCX | 13-15 SELWM STREET ELSTERNWCX | 13-15 SEWM STREET ELSTERNWCX | 13-15 SEWM STREET ELSTERNWCX | 13-15 SEWM STREET | 13-15 SEWM

9.2 LAND ADJACENT TO 14 DORIS STREET, MURRUMBEENA (RESERVE 1 ON PS008001)

Author: Zachary Van Grondelle, Town Planner

*Trim No:* 18/192843

Attachments: 1. 14 Doris Street MURRUMBEENA - Advertised Plans and Documents

## **PURPOSE AND SUMMARY**

The purpose of this report is to provide an assessment and recommendation for a planning permit application for the removal of the 'reserve' status for a parcel of land adjacent to 14 Doris Street, Murrumbeena.

The application was advertised and no objections were received.

The proposal is considered to be generally in accordance with the requirements of the Glen Eira Planning Scheme and it is recommended that a planning permit be issued.

The following plan shows the location of the subject site and the context of the surrounding area:



## **RECOMMENDATION**

That Council issues a Planning Permit to remove the reserve status and to vest the land in Council ownership for Application No. GE/PP-31517/2018 at land adjacent to 14 Doris Street, Murrumbeena (Reserve 1 on PS008001), in accordance with the following conditions:

- The size, layout and location of the lot 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.
- 2. This Permit will expire if:
  - Two (2) years after the date of this Permit if the plan of subdivision is not certified within that time: or
  - Five (5) years after the date of certification of the plan of subdivision.

The Responsible Authority may extend the times for expiry of this Permit referred to above if a request is made in writing by the owner or occupier of the subject land before this Permit expires or within six (6) months afterwards.

## Note:

A. This Planning Permit represents the Planning approval for the subdivision 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.

Address	14 Doris Street, Murrumbeena
Title details	Reserve 1 on Plan of Subdivision 008001
Restrictions on title	None
Proposal	Removal of the reserve status for that part of reserve 1 on
	LP8001 and vest the land as shown on Plan of Subdivision
	PS813720G in favour of Glen Eira City Council
Zoning and Overlay	Neighbourhood Residential Zone, 1
Controls	Special Building Overlay, 1
Permit requirements	Clause 52.02 - A permit is required before a person proceeds
	under Section 24A of the Subdivision Act 1988"
Relevant Planning	Clause 52.02 - Easements, Restrictions and Reserves
Scheme provisions	
Seriously	None
entertained	
amendments	
Notification	Notice undertaken in accordance with Section 52 of the <i>Planning</i>
	and Environment Act 1987, including a notice mailed to 7
	surrounding properties.
Submissions	No objections were received
Cultural Heritage	None required
Management Plan	
required	

## **DESCRIPTION OF PROPOSAL**

The application proposes:

- Removal of the 'Reserve' status affecting part of the subject site.
- Vesting the whole of the subject site in Council ownership.
- No buildings and works will result from this application.

## LAND DESCRIPTION AND SURROUNDING AREA

## Land

The subject site is a parcel of land that measures 223sqm in area and adjoins the north eastern boundary of 14 Doris Street, Murrumbeena.

The subject site was previously part of a drainage reserve and measures approximately 48.5m in length and 4.6m wide.

## Surrounding Area

The surrounding area is zoned Neighbourhood Residential 1 Zone – Schedule. The area is largely residential in character and of predominately single dwellings with generous setback in a landscaped setting.

## **RELEVANT HISTORY**

There is no applicable planning history.

## **CONSULTATION AND ENGAGEMENT**

The application was advertised to the directly adjoining properties and no objections were received.

## **REFERRALS**

The application was not required to be referred to any statutory authority under the provisions of the Glen Eira Planning Scheme.

## **ISSUES AND DISCUSSION**

The key issues for consideration in the application include:

- The purpose of the proposal
- The interests of affected people

## The purpose of the proposal

The purpose of this application is to vest the land in Council's ownership and to remove the reserve status so as to enable the sale of the subject site. These situations are common where older reserves are still under the name of the original subdivider (now deceased) but serve a particular purpose, in this case for drainage purposes.

Given the subject site is covered by an existing 'drainage' easement, the protection of this as a drainage asset would not be affected. Therefore, the 'reserve' status is not required and can be removed. Moreover, Council cannot sell the land unless this status is removed.

Approval of this application will allow for sale arrangements to be carried out by Council's Building and Properties Department. The sale process is not part of the town planning process.

## The interests of affected people

Council is required to consider the interests of affected people before deciding the application. The application was advertised to all directly adjoining properties and no objections were received. Given that there is a safeguard over the drainage asset in the form of the drainage easement, it is considered that the proposal would not materially affect any adjoining owners or other interested person.

As such the proposal is considered acceptable and has appropriate regard to the provisions of the Glen Eira Planning Scheme.

## FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS POLICY AND LEGISLATIVE IMPLICATIONS

All matter required at Section 60 of the *Planning and Environment Act* 1987 have been taken into consideration as part of the assessment of this application.

## LINK TO COUNCIL AND COMMUNITY PLAN

Theme One: Liveable and Well Designed

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

## OFFICER DECLARATION OF CONFLICT OF INTEREST

Council is the applicant. Planning Permit applications involving Council land are decided by resolution to ensure separation between Council as a Responsible Authority and Council as a land owner.

## **CONCLUSION**

That a Planning Permit be issued.

## **Advertised Plan** 1 of 5

This copied document is made available for the sole purpose of enabling its consideration

and review as part of the planning process Hellier McFarlance

under the Planning and Environment Act 198 evelopment Consultants Town Planners Land Surveyors The document must not be used for any other purpose which may breach any copyright

ABN 61 978 833 292 Level 2, 1911 Malvern Road, Malvern East, VIC 3145 PO Box 1206, Darling, VIC 3145 Tel: 03 9532 9951 Fax: 03 9532 9941 www.hmf.com.au | info@hmf.com.au



## FORM 1

## SUBDIVISION ACT 1988 - APPLICATION FOR CERTIFICATION

PART A

[All Applicants complete this Section]

Plan No.:

Plan of Subdivision (PS813720G)

To:

Glen Eira City Council

We:

Hellier McFarland

Ref:

11039N/2

Of:

342 Hawthorn Road, Caulfield South 3162

Date: 06/09/2017

Telephone:

9532 9951

apply to have the attached;

PLAN OF SUBDIVISION under Section 24A of the Subdivision Act 1988.

certified under the Subdivision Act 1988 and to have advice of street numbers allocated

Situation of land:

Reserve adjacent to

14 Doris Street, Murrumbeena

2. Name and address of registered proprietor of the land or to whom the land is

The land will be vested in Glen Eira City Council of Hawthorn & Glen Eira Roads, Caulfield

3, Name and address of applicant:

Hellier McFarland

342 Hawthorn Road, Caulfield South

Does the attached plan do anything requiring the unanimous resolution of the members of the owners corporation under Division 3 of Part 5 of the Subdivision Act 1988 or an order of the Victorian Civil and Administrative Tribunal under section 34D of the Subdivision Act 1988?

## \*YES [provide details]/\* NO

If 'YES', have the members of the affected owners corporation passed a unanimous resolution to proceed with the alterations shown on the attached plan?

\*YES/\*NO N/A

If 'NO', has the Victorian Civil and Administrative Tribunal made an order under section 34D of the Subdivision Act 1988?

\*YES/\* NO

Signed: .....

.....(applicant)

on behalf of Hellier McFarland

\*Delete if not applicable.

IF THE APPLICANT IS NOT THE OWNER, the owner must provide written consent under section 5(5) of the Subdivision Act 1988-

lember Firm Association of Consulting Surveyors

(a) if the application is made in paper form by signing the following—

I, Samatha Kvoll , a director or appropriate officer (representing the City of Glen Eira) consent to the applicant submitting this plan to the Council for certification.

Signed Date 19 12 17.

(b) if the application is made in a form other than paper the owner's written consent (in the form set out under paragraph (a)) must be provided in a separate document.

Note 1: The applicant must sign this application whether or not the applicant is the owner.

Note 2: If the applicant is not the owner, the owner must either-

- (a) if the application is to be lodged in paper, co-sign this application; or
- (b) if the application is to be lodged in a form other than paper, give the applicant the written consent required under section 5(5) of the Subdivision Act 1988 in a separate document.

Note 3: Where there is more than one owner, all owners that are not the applicant must co-sign the application or give written consent as set out in Note 2.

Note 4: Where there is more than one owner and where an agent is not acting on behalf of all owners, then the owners who are not represented by the agent must co-sign the application or give written consent as set out in Note 2.

PART B Only applicants having "Old Law" land complete this Section (acquiring authorities are not required to complete this section—see section 35(6)(g) of the Subdivision Act 1988).

I/We certify that steps have been taken to bring this land under the Transfer of Land Act 1958.

[Name and signature of Applicant]

PART C. [Only acquiring authorities complete this section]

This Part relates to the acquisition of land by-

[The City of Glen Eira]

Note 5 The following should be attached to this application-

a)a copy of any planning permit applicable to the land or any application for a planning permit made concurrently with this application, or

- (b) an extract of the planning scheme indicating any conditions or exemptions which may support your application, or
- (c) evidence of referral authorities' consent within the previous 3 months (see section 8 of the Subdivision Act 1988).

Note 6 If the attached plan does anything requiring either the unanimous resolution of the members of the owners corporation under Division 3 of Part 5 of the Subdivision Act 1988 or an order of the Victorian Civil and Administrative Tribunal under section 34D of the Subdivision Act 1988, a copy of the resolution or the order must be attached to this application

Copyright State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968 (Cth) and for the purposes of Section 32 of the Sale of Land Act 1962 (Vic) or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. The State of Victoria accepts no responsibility for any subsequent release, publication or reproduction of the information.

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

-----Security no : 124069667528E VOLUME 11611 FOLIO 433

**Advertised Plan** 

2 of 5

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under the Planning and Environment Act 1987.

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Produced 21/12/2017 08:29 am

LAND DESCRIPTION

Reserve 1 on Plan of Subdivision 008001. PARENT TITLE Volume 04276 Folio 149 Created by instrument AM319842V 11/11/2015 the sole purpose of enabling its consideration

REGISTERED PROPRIETOR

Estate Fee Simple

TENANTS IN COMMON As to 1 of a total of 3 equal undivided share purpose which may breach any copyright Sole Proprietor

JOHN ARTHUR CLERKE BLAIR of 70 ELIZABETH STREET MELBOURNE VIC 3000 As to 1 of a total of 3 equal undivided shares Sole Proprietor ARTHUR BLAIR of HIGH STREET ST KILDA VIC 3182

As to 1 of a total of 3 equal undivided shares Sole Proprietor MARGUERITA MARY BLAIR of BURKE ROAD MALVERN VIC 3144

0919418 18/12/1919

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

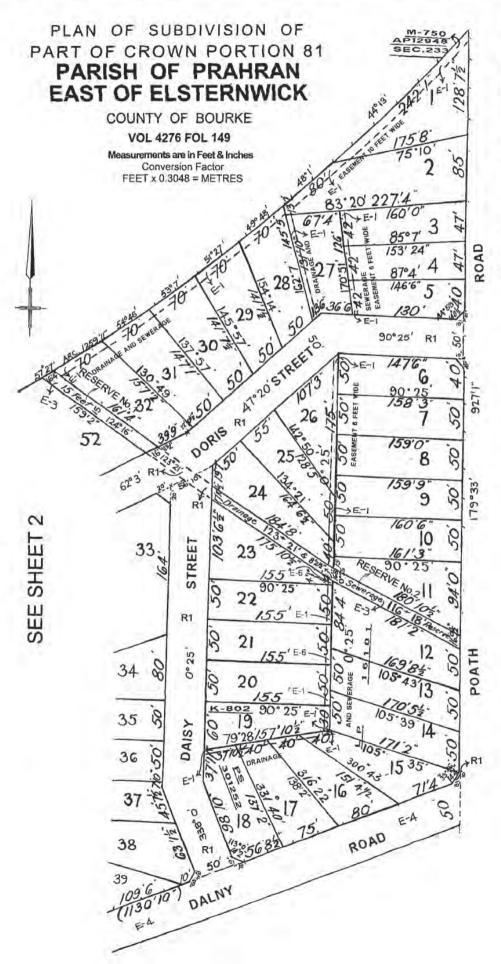
SEE LP008001 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

DOCUMENT END

Delivered from the LANDATA System by URBIS PRO Pty Ltd



LP 8001 EDITION 3

PLAN MAY BE LODGED 7/10/20.

2 SHEETS SHEET |

COLOUR CODE E-1 & E-6 = BLUE

R1 = BROWN

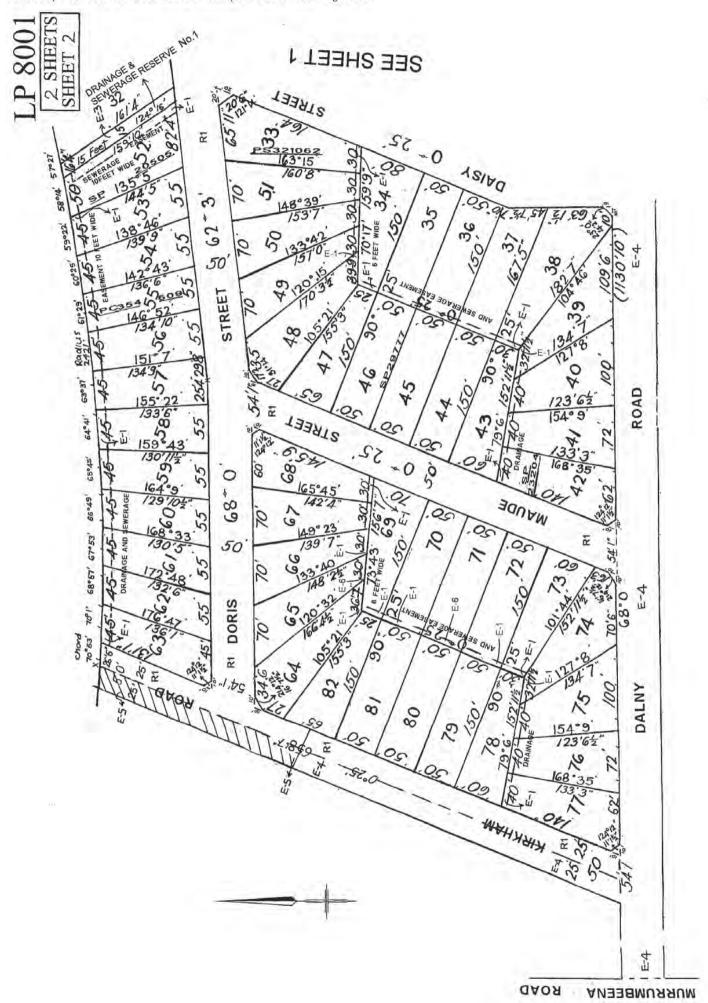
E-3 = GREEN E-4 = YELLOW

E-5 = YELLOW HATCHED BLACK

ROADS COLOURED BROWN AND YELLOW

## ENCUMBRANCES

AS TO THE LAND MARKED E-6 & R1 ANY EASEMENTS AFFECTING THE SAME



# MODIFICATION TABLE RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

WARNING: THE IMAGE OF THIS PLAN/DOCUMENT HAS BEEN DIGITALLY AMENDED.

## PLAN NUMBER PS 8001

AFFECTED LAND/PARCEL	LAND/PARCEL IDENTIFIER CREATED	MODIFICATION	DEALING	DATE	TIME	EDITION NUMBER	ASSISTANT REGISTRAR OF TITLES
LOTS 21, 23, 65 & 71	E-6	EASEMENTS ENHANCED		Ы		2	A.D.
ROADS	Æ	EASEMENTS ENHANCED				w	ΑD

## GLEN EIRA Glen Eira City Council

## Advertised Plan 3 of 5

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Application for Planning Permit and Certification under the Planning and Environment Act 1987.

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Supplied by Submitted Date

21/12/2017

**Application Details** 

Application Type

Planning Permit and Certification under the

Subdivision Act

Version 1

Applicant Reference Number 11039N-2

Responsible Authority Name Glen Eira City Council

Responsible Authority Reference Number(s) GE/PP-31517/2018, GE/CRT-7062/2018

SPEAR Reference Number S115225H

The Land

Primary Parcel DORIS STREET, MURRUMBEENA VIC 3163

Lot RES1/Plan LP8001 SPI RES1\LP8001

**Zone:**32.09 Neighbourhood Residential Zone

Overlay: 44.05 Special Building

**The Proposal** 

Subdivision Act (1988) Dealing Type Section 24a (Rem & Vest of Reserve - Sub)

Plan Number PS813720G

Number of lots

Proposal Description (i) To vest Reserve No.1 on LP8001 (being land in

Vol.11611 Vol.433) and shown as Lots 1 and 2 on this plan to Glen Eira City Council under the provisions of S24A of the Subdivision Act 1988(ii) Removal by Glen Eira City Council of the reservation from Reserve No.1 on LP8001 and shown as Lots 1 & 2 heron under the provisions of S24A of the

& 2 neron under the provisions of \$24A of th

Subdivision Act 1988.

Estimated cost of the development for which a permit is required \$ 0

**Existing Conditions** 

Existing Conditions Description Vacant

Title Information - Does the proposal breach an encumbrance on

Title?

Encumbrances on title, such as a restrictive covenant, section 173 agreement or other obligation such as an

easement or building envelope do not apply.

**Applicant Contact** 

Applicant Contact Mr Luke Webb

Hellier McFarland

Level 2/1911 Malvern Road, Malvern East, VIC, 3145

Business Phone: 03 9532 9951 Email: lwebb@hmf.com.au

**Applicant** 

SPEAR S115225H Printed: 28/03/2018 Page 1 of 2

City of Glen Eira **Applicant** Glen Eira Road, Caulfield, VIC, Australia Business Phone: 9524 3827 **Owner** Owner (Owner details as per Applicant) **Declaration** I, Luke Webb, declare that the owner (if not myself) has been notified about this application. I, Luke Webb, declare that all the information supplied I, Luke Webb, apply to have the attached plan of subdivision / consolidation certified under the Subdivision Act 1988 and to have advice of street numbers allocated.

Luke Webb

Hellier McFarland

Authorised by

Organisation

**SPEAR S115225H** 

Printed: 28/03/2018

Page 2 of 2

## PLAN UNDER SECTION 24A OF THE SUBDIVISION ACT 1988

## LOCATION OF LAND

PARISH: PRAHRAN (EAST OF ELSTERNWICK)

TOWNSHIP: SECTION:

CROWN ALLOTMENT:

CROWN PORTION: 81 (PT) TITLE REFERENCE: Vol 11611 Fol 433

LAST PLAN REFERENCE: RESERVE No. 1 ON LP8001

POSTAL ADDRESS: 14 DORIS STREET, MURRUMBEENA

(At time of subdivision)

MGA94 Co-ordinates E 330 670 (of approx centre of land N 5 805 555

## Notations

Survey:- This plan is/is not based on survey.

This survey has been connected to Permanent Marks no(s),  $56\,$  &  $194\,$  In proclaimed Survey Area No.

Depth Limitation: Does not apply

## EDITION 1

## PS813720G

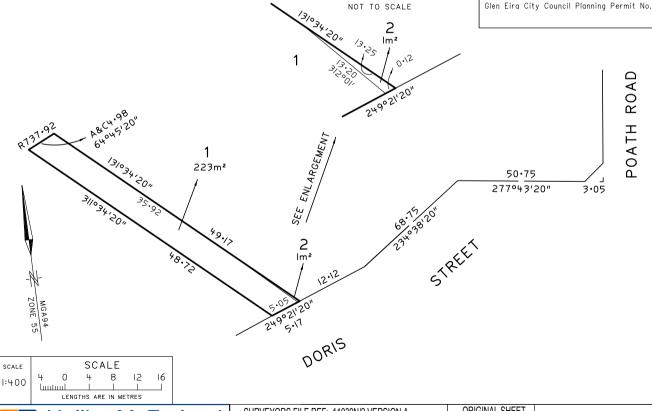
COUNCIL NAME: GLEN EIRA CITY COUNCIL

## Advertised Plan 4 of 5

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Vesting of Roads or Reserves				Notations	
Identifier Counc				Body/Person	Purpose of the plan:
	Nil		Nil		(i) To vest Reserve No.1 on LP8001
	[	(being land in Vol.11611 Vol.433)			
Legend	d: A - Appurtenant Easeme	and shown as Lots 1 and 2 on this plan to Glen Eira City Council			
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour of	under the provisions of S24A of the Subdivision Act 1988
	DRAINAGE & SEWERAGE	SEE DIAG	LP8001	LOTS ON LP8001	(ii) Removal by Glen Eira City Council
LAND IN LOTS 1 & 2	SEWERAGE	SEE DIAG	THIS PLAN	SOUTH EAST WATER CORPORATION	of the reservation from Reserve No.1 on LP8001 and shown as Lots 1 & 2
	DRAINAGE	SEE DIAG	THIS PLAN	GLEN EIRA CITY COUNCIL	heron under the provisions of S24A o the Subdivision Act 1988.
				ENLARGEMENT	Grounds for vesting and removal:
			\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	NOT TO SCALE	Glen Eira City Council Planning Permit No
			13/6	2 1201 /3 Im²	
			`	20" /3 Im²	

ZONE: 55



Hellier McFarland evelopment Consultants Town Planners Land Surveyors Level 2, 1911 Malvern Road, Malvern East, VIC 3145 PO Box 1206, Darling, VIC 3145 Tel: 03 9522 9951 Fax: 03 9532 9941 www.hmf.com.au info@hmf.com.au SURVEYORS FILE REF: 11039N/2 VERSION A SHEET 1 OF 1 SHEETS LICENSED SURVEYOR RAYMUND FRANCIS EARLS

## PLAN UNDER SECTION 24A OF THE SUBDIVISION ACT 1988

## EDITION 1

## PS813720G

## LOCATION OF LAND

PARISH: PRAHRAN (EAST OF ELSTERNWICK) TOWNSHIP:

SECTION:

CROWN ALLOTMENT:

CROWN PORTION: 81 (PT) TITLE REFERENCE: Vol 11611 Fol 433

LAST PLAN REFERENCE: RESERVE No. 1 ON LP8001 POSTAL ADDRESS: 14 DORIS STREET, MURRUMBEENA

(At time of subdivision)

ZONE: 55

## Notations

Survey:- This plan is/is not based on survey.

This survey has been connected to Permanent Marks no(s). 56 & 194  $\,$  In proclaimed Survey Area No.

Depth Limitation: Does not apply

LAND IN

LOTS 1 & 2

Staging This is/is not a staged subdivision

DRAINAGE & SEWERAGE

SEWERAGE

DRAINAGE

Council Name: Glen Eira City Council

SPEAR Reference Number: S115225H

Vesting of Roads or Reserves Identifier Council/Body/Person Nil Easement Information Legend: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road) Width Easement Reference Purpose Origin Land Benefited/In Favour of (Metres)

SEE DIAG

SEE DIAG

SEE DIAG

LP8001

THIS PLAN

THIS PLAN

Purpose of the plan:

(i) To vest Reserve No.1 on LP8001 (being land in Vol.11611 Vol.433) and shown as Lots 1 and 2 on this plan to Glen Eira City Council under the provisions of S24A of the Subdivision Act 1988

Notations

(ii) Removal by Glen Eira City Council of the reservation from Reserve No.1 on LP8001 and shown as Lots 1 & 2 heron under the provisions of S24A of the Subdivision Act 1988.

Grou<u>nds for vesting and removal:</u>

**ENLARGEMENT** NOT TO SCALE Glen Eira City Council Planning Permit No. 2 /3. ?5 lm² 0.15 ROAD 249021120" OATH 1 223m² 50.75 277°43′20″ 3.05 2 DORIS SCALE 4 8 12 1:400

LOTS ON LP8001

SOUTH EAST WATER CORPORATION

GLEN EIRA CITY COUNCIL

## Hellier McFarland

Level 2, 1911 Malvern Road, Malvern East, VIC 3145 PO Box 1206, Darling, VIC 3145 Tel: 03 9532 9951 Fax: 03 9532 9941 www.hmf.com.au info@hmf.com.au

SURVEYORS FILE REF: 11039N/2 VERSION A

LICENSED SURVEYOR RAYMUND FRANCIS EARLS SHEET 1 OF 1 SHEETS

## **Planning Property Report**

from www.planning.vic.gov.au on 21 December 2017 10:43 AM

Lot and Plan Number: Lot RES1 LP8001

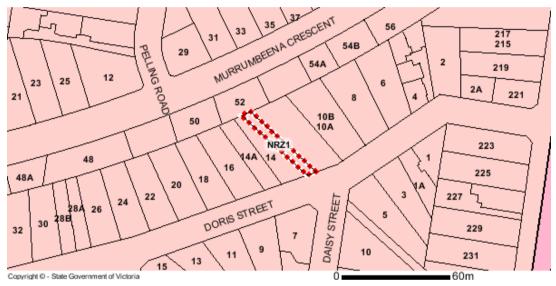
Directory Reference: Melway 69 C7

**Advertised Plan** 5 of 5

This copied document is made available for Address: DORIS STREET MURRUMBEENA 3163 the sole purpose of enabling its consideration
Local Government (Council): GLEN EIRA Council Property Number: N/A
and review as part of the planning process under the Planning and Environment Act 1987. The document must not be used for any other purpose which may breach any copyright

## **Planning Zone**

NEIGHBOURHOOD RESIDENTIAL ZONE (NRZ) NEIGHBOURHOOD RESIDENTIAL ZONE - SCHEDULE 1 (NRZ1)



Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

Zones Legend		
ACZ - Activity Centre	IN1Z - Industrial 1	R1Z - General Residential
B1Z - Commercial 1	IN2Z - Industrial 2	R2Z - General Residential
B2Z - Commercial 1	IN3Z - Industrial 3	R3Z - General Residential
B3Z - Commercial 2	LDRZ - Low Density Residential	RAZ - Rural Activity
B4Z - Commercial 2	MUZ - Mixed Use	RCZ - Rural Conservation
B5Z - Commercial 1	NRZ - Neighbourhood Residential	RDZ1 - Road - Category 1
C1Z - Commercial 1	PCRZ - Public Conservation & Resource	🔃 RDZ2 - Road - Category 2
C2Z - Commercial 2	PDZ - Priority Development	RGZ - Residential Growth
CA - Commonwealth Land	PPRZ - Public Park & Recreation	RLZ - Rural Living
CCZ - Capital City	PUZ1 - Public Use - Service & Utility	RUZ - Rural
CDZ - Comprehensive Development	PUZ2 - Public Use - Education	SUZ - Special Use
DZ - Dockland	PUZ3 - Public Use - Health Community	TZ - Township
ERZ - Environmental Rural	PUZ4 - Public Use - Transport	UFZ - Urban Floodway
FZ - Farming	PUZ5 - Public Use - Cemetery/Crematorium	UGZ - Urban Growth
GRZ - General Residential	PUZ6 - Public Use - Local Government	
GWAZ - Green Wedge A	PUZ7 - Public Use - Other Public Use	<ul> <li>Urban Growth Boundary</li> </ul>
GWZ - Green Wedge	PZ - Port	
+++++++ Railway +	Tram — River, stream	Lake, waterbody

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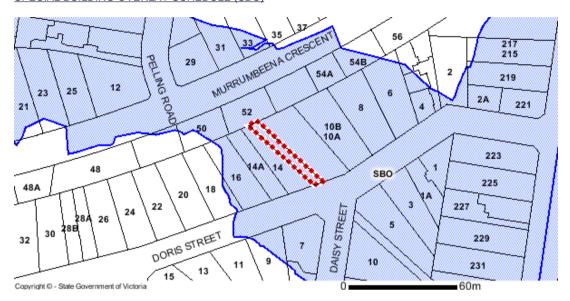


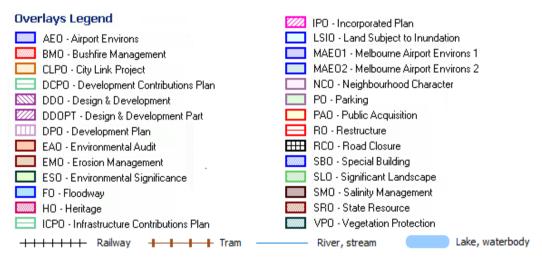
Lot-RES1-LP8001-PLANNING-PROPERTY-REPORT

Page 1 of 3

## **Planning Overlay**

SPECIAL BUILDING OVERLAY (SBO) SPECIAL BUILDING OVERLAY SCHEDULE (SBO)





Note: due to overlaps some colours on the maps may not match those in the legend.

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## **Further Planning Information**

Planning scheme data last updated on 20 November 2017.

A planning scheme sets out policies and requirements for the use, development and protection of land. This report provides information about the zone and overlay provisions that apply to the selected land. Information about the State, local, particular and general provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting Planning Schemes Online

This report is NOT a Planning Certificate issued pursuant to Section 199 of the Planning & Environment Act 1987. It does not include information about exhibited planning scheme amendments, or zonings that may abut the land. To obtain a Planning Certificate go to <u>Titles and Property Certificates</u>

For details of surrounding properties, use this service to get the Reports for properties of interest

To view planning zones, overlay and heritage information in an interactive format visit Planning Maps Online

For other information about planning in Victoria visit www.planning.vic.gov.au

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9.3 45-47 KANGAROO ROAD & 33 HOWE STREET MURRUMBEENA

Author: Catherine Zhou, Principal Town Planner

*Trim No:* 18/193834

Attachments: 1. 45-47 Kangaroo Rooad & 33 Howe Street Murrumbeena

## **PURPOSE AND SUMMARY**

The purpose of this report is to provide an assessment and recommendation for a planning permit application for the construction of 15 dwellings and a reduction of the car parking requirements at 45-47 Kangaroo Road and 33 Howe Street, Murrumbeena.

The application was advertised and 34 objections were received with concerns ranging from it being an overdevelopment of the site, resulting in impact to the availability of on-street car parking and amenity impacts to surrounding properties.

Subject to conditions that amongst other things improve street setbacks, reduce overlooking and provide for improved access and movement in the car park, the proposal is considered on balance to be generally in accordance with the requirements of the Glen Eira Planning Scheme and it is recommended that a Notice of Decision to Grant a Planning Permit be issued.

The following plan shows the location of the subject site and the context of the surrounding area:



## **RECOMMENDATION**

That Council issues a Notice of Decision to Grant a Planning Permit for Application No. GE/PP-31500/2018 at 45-47 Kangaroo Road & 33 Howe Street, Murrumbeena in accordance with the following conditions:

1. Before the development starts, 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 'Town Planning Package' dated 22 February 2018 and prepared by Bayley Ward Architects) but modified to show:

## Landscaping

a) A Landscape Plan in accordance with Condition 2;

## Plan modifications and annotations

- b) Increase of the minimum front setback of Townhouse 1 to 5 to Kangaroo Road to a minimum of 5m;
- Relocation of air-conditioning units next to the lift to the east of Townhouse 11 to the roof or basement:
- d) West elevation to be updated to show a privacy screen to a height of 1.7m above the finished floor level for the balcony of Townhouse 8 on the first floor;
- e) Annotation on both the floor plan and west elevation that fixed obscure glazing to a height of 1.7m above the finished floor level is to be used for all west facing windows of Townhouses 8, 9 & 10 on the first floor;
- f) Screening to prevent overlooking from the private open space areas of dwellings 1, 6, 7, 8, 9, 10 and 11 to be provided in accordance with Clause 55.04-6 of the Glen Eira Planning Scheme;
- g) Screening to be provided around any roof mounted plant to limit views from the street front;
- h) A 3 metres x 3 metres visual splay at the south-eastern corner of the site to be dimensioned on the ground floor plans;
- i) A total of five bicycle parking spaces to be provided on site. Two of the bicycle spaces should be allocated for visitors and be provided on the ground floor at the entrance of the site in the form of bicycle hoops;
- j) The delineation of separate Tree Protection Zones (TPZ) and Tree Protection Fencing (TPF) for the street tree (Platanus X acerifolia) in front of No 33 Howe Street at a radius of 2.9m from the base of the trunk of the tree:

## Vehicle access, car parking layout and basement configuration

- k) The basement ramp gradient to be modified to comply with the design standards of Clause 52.06 of the Glen Eira Planning Scheme;
- I) on-site car parking to be allocated:

- Two (2) car spaces be allocated to each of the three-bedroom dwellings; and
- A minimum of two (2) residential visitor car spaces be provided for the 15 dwellings proposed;
- m) Relocate the two visitor parking spaces to either side of the stair case;
- n) The 5.5 metre wide crossover to be designed as splayed crossovers in accordance with Council's splayed crossover standard drawings;
- o) The apex of the basement access ramp must provide at least 100mm freeboard above the back of the footpath/street building line;
- p) The visitor's intercom to be relocated onto the southern side of the accessway ramp:
- q) The 300mm kerbs on either side of the ramp to be extended to the entire section of the ramp and the columns protruding into the kerbs need to be removed from within this area;
- r) The solid wall along the ramp, adjacent to the car space (to the south of the ramp) to be cutback or the wall be no greater than 900mm in height for the first 2.5 metres from the bottom of the basement floor to improve sightlines between motorists exiting the car space and those traveling down the ramp.
- 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;
  - 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) 15 trees within the private open space areas (one for each dwelling).

Or 15 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. The layout and description of the use(s) as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority. *Note: This does not obviate the need for a permit where one is required.* 

- 4. 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 (Platanus X acerifolia) in front of No 33 Howe Street at a radius of 2.9m 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.

- 7. Prior to the completion of the basement floor construction, written confirmation by a Licensed Land Surveyor must be provided to the Responsible Authority verifying that the basement floor has been constructed in accordance with the endorsed plans (prior to the construction of the levels above being commenced); and
- 8. Prior to the completion of the ramp to the basement, written confirmation by a Licensed Land Surveyor must be provided to the Responsible Authority verifying that the basement ramp has been constructed in accordance with the endorsed plans (prior to the construction of the levels above being commenced).
- 9. The approved Waste Management Plan 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.
- 10. 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.
- 11. All outdoor lighting must be baffled and/or located to prevent light from the site causing detriment to the locality to the satisfaction of the Responsible Authority.
- 12. All walls on or facing a boundary must be cleaned and finished to the satisfaction of the Responsible Authority.

- 13. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
- 14. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building or on balconies without the prior written consent of the Responsible Authority.
- 15. Privacy screens must be in accordance with the endorsed plans and must be installed prior to the occupation of the development. The privacy screens must be maintained to the satisfaction of the Responsible Authority.
- 16. Concrete kerbs or other barriers must be provided to the satisfaction of the Responsible Authority to prevent direct vehicle access to an adjoining road other than by vehicle crossing.
- 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 opening must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.
- 18. 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.
- 19. 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;
- (j) any construction lighting to be baffled to minimise intrusion on adjoining lots.
- 20. 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.

## Note:

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 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. All matters relating to the boundary fences shall be in accordance with the provisions of the Fences Act 1968.
- D. Occupants of the development and their visitors would not be eligible for parking permits based on Council Policy 13.12 - Exclusion of Specific Developments from the Residential Parking Permit Scheme.
- 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. Prior to the commencement of any demolition and/or building works, an Asset Protection Permit must be obtained from Council's Engineering Services Department.
- 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.
- J. No net increase in peak stormwater runoff in Council drainage network. Post development peak storm water discharge to Council drainage network must be maintained to the predevelopment level for 10 year ARI. Detailed plans and computations should be submitted to Council for approval prior any construction works.
- K. Engineering Services encourage using of rainwater tanks for storage and reuse for toilet and irrigation purpose and or stormwater detention system.
- L. All stormwater runoff must be connected to Council underground drainage network. No uncontrolled stormwater discharge to adjoining properties and footpaths.

Address	45-47 Kangaroo Road & 33 Howe Street, Murrumbeena	
Title details	Lot 2 LP 46500, Lot 1 LP 46500, Lot 1 TP 848886K	
Restrictions on	There is no restrictive covenant registered on the title. However,	
title	sewerage and drainage easements are identified on each of the lots.	
Proposal	Demolition of the existing three dwellings	
	A total of fifteen (15) dwellings proposed including 10x three	
	storey and 5x two storey attached townhouses	
	Basement car parking comprising of 32 car spaces (two for	
	each dwelling and 2 visitor car spaces)	
	Reduction of 1 visitor car space	
	Vehicular access via a new crossover onto Howe Street	
	Five attached town houses will front Kangaroo Road	
	Two attached town houses located on either side of the	
	proposed driveway fronting Howe Street	
	The three storey components are generally located centrally to	
	the site and further away from the street and neighbouring	

	properties
	· ·
	All dwellings consist of three bedrooms
	Maximum overall building height of 9.75 metres
	Site coverage of 51 per cent and Garden Area of 44 percent
Zoning and	General Residential Zone - Schedule 1
Overlay Controls	Parking Overlay – Schedule 2
Permit	Pursuant to Clause 32.08 of the Glen Eira Planning Scheme a permit
requirements	is required to develop the land for two or more dwellings and
	pursuant to Clause 52.06 of the Glen Eira Planning Scheme a permit
	is required to reduce the number of car parking spaces.
Relevant Planning	State Planning Policy Framework
Scheme	Municipal Strategic Statement
provisions	Housing Diversity Area Policy (Clause 22.07)
	General Residential Zone (Clause 32.08)
	Car Parking Policy (Clause 52.06)
	Bicycle Facilities (Clause 52.34)
	ResCode (Clause 55)
Seriously	Council recently adopted Quality Design Guidelines (Guidelines) that
entertained	provide a design framework for built form outcomes throughout the
amendments	Municipality. The Guidelines have been adopted by Council however
	have not yet been implemented into the planning scheme by way of
	an amendment.
	The proposal was submitted before the Guidelines were adopted and
	as such consideration has not been given to them in the decision.
Notification	Notice undertaken in accordance with Section 52 of the <i>Planning and</i>
	Environment Act 1987, including 4 notices on site and a notice
	mailed to 28 surrounding properties
Submissions	34 objections received and are detailed in the report
Cultural Heritage	None required
Management Plan	
required	

## **DESCRIPTION OF PROPOSAL**

The proposal is for the development of fifteen two and three storey dwellings in a townhouse configuration above a basement car park over three standard residential lots. The application also includes a reduction of one visitor parking space in accordance with Clause 52.06 of Glen Eira Planning Scheme.

All dwellings consist of three bedrooms. Ten of the proposed townhouses will be three-storey and five will be two storey. The three-storey components are generally located in the centre of the site away from the street frontages and neighbouring properties.

The maximum overall building height is 9.75m (Note: the height does not include the airconditioning units proposed on the top of the roof).

Pedestrian access to the proposed dwellings will either be from the street or from the internal walkway. Vehicle access will be via a double crossover from Howe Street to the basement where 32 car spaces will be provided (2 spaces for each dwelling and 2 visitor car spaces). The basement would also accommodate a waste storage area, bicycle parking, storage units and associated services.

Private open space for each dwelling is provided both on the ground floor level and by way of a balcony on the upper levels.

The total site coverage will be 51 per cent and the Garden Area will be 44 per cent.

## LAND DESCRIPTION AND SURROUNDING AREA

The subject site contains three lots located at the northwest corner of the intersection of Kangaroo Road and Howe Street. There is one dwelling on each of the lots. The combined site has a frontage to Kangaroo Road of 27.432m and a frontage to Howe Street of 56.998m, with a total land area of 1,829m<sup>2</sup>.

The surrounding area is predominantly residential with a mixed tenure of housing including single dwellings, dual occupancy dwellings, and unit developments.

## **RELEVANT HISTORY**

## Pre-application advice

The applicant sought pre-application advice from Council in November 2017 with floorplans that were broadly based on the proposal before Council.

The advice outlined that the principle of a terraced form of development with a combination of two and three stories was appropriate, however provided no comment regarding the built form as no elevations were provided for the pre-application meeting. Advice set out that the proposal should achieve compliance with ResCode requirements, minimum garden area and be less than the maximum allowable height under the zone.

## Planning application history

A planning application to consolidate two lots of the subject site Lot 1 & 2 on LP46500 (45 & 47 Kangaroo Road) was lodged with Council concurrently with this application on 27 February 2018. The intention of the consolidation is to remove the easements located within these two lots. This application is still under assessment.

## **CONSULTATION AND ENGAGEMENT**

There were 34 objections received as part of the notification process and this included the following concerns:

- Visitor parking shortfall and parking management in the area
- Traffic and safety concerns
- Impact on property value
- Overdevelopment
- Amenity impact on the neighbourhood including overlooking, visual bulk, noise, overshadowing and waste collection time
- Sets a precedent for future development
- Height, setback, bulk and style are not corresponding to the neighbourhood character
- Location of air-conditioning service and lift
- Inadequate social and physical infrastructure to support the proposed development
- Construction management concerns

- Loss of established trees
- Low quality build
- Accuracy of the development plans

A planning conference was chaired by Cr. Athanasopoulos and attended by 29 objectors, and representatives of the applicant. It was agreed at the planning conference that the applicant would consider modifications to address issues of:

- Screening of the services on the roof (a condition is included on the Notice of Decision);
- The 2.7m high boundary fence adjoining properties (a condition is included to provide screening to the boundary that meets ResCode requirements);
- Relocation of air conditioners (a condition is included on the Notice of Decision).

## **REFERRALS**

There are no statutory referral requirements for this application under the provisions of the Glen Eira Planning Scheme. The following is a summary of comments and requirements from relevant Council departments:

Non-statutory referrals			
Transport Planning	Council's Traffic Engineer does not object to the proposal, however requires conditions to address the parking layout and access as well as the location of bicycle parking.  In addition, Council's Traffic Engineer considers that the traffic generated by the proposal would not have a major impact on the operation and function of Howe Street and the surrounding road network.		
Asset Engineering	Council's Asset Engineering Department has no objection to the proposal subject to the inclusion of conditions or permit notes regarding vehicle crossing construction, drainage, asset protection of building over easements.		
Landscape Officer	Council's Landscape Officer considers that there are no high value trees on the site. As such, the proposed tree removal is supported and the requirement for canopy tree planting will be addressed with permit conditions.		
Parks Services	Council's Parks Service Department has confirmed that the proposed development will not have direct impact on the three street trees located on the natural strip in front of the development site. Tree protection measures will be included in the permit conditions.		
Waste Management	Council's Waste Management Department has reviewed the submitted Waste Management Plan and considers it is satisfactory. It includes a waste collection to be done by a private contractor and for collection of waste and recycling to occur once a week during off peak periods.		

## **ISSUES AND DISCUSSION**

The assessment of the proposal has regard to the following:

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

## Zoning and policy context

State and Local planning policy broadly supports development in this location, which encourages an increase of housing supply in existing urban areas with good access to public transport and services.

The subject site is located within the General Residential Zone, Schedule 1 (GRZ1) of the Glen Eira Planning Scheme (Scheme) and is located in close proximity to the Hughesdale shops and train station. The site is within Hughesdale Neighbourhood Centre and is subject to the Housing Diversity Area Policy at Clause 22.07 of the Scheme.

Key objectives of this policy are to:

- To promote a range of housing types, comprising of a mix of single dwellings, two dwelling developments and other forms of multi-unit development.
- To promote a diversity of dwelling layouts and sizes.
- To ensure that the density, mass and scale of residential development is appropriate to the location, role and neighbourhood character of the specific housing diversity area.
- To ensure that key development sites contribute to the provision of housing diversity in Glen Eira.
- To ensure that the siting and design of new residential development takes account of its interface with existing residential development on adjoining sites.
- To ensure that the design of new residential development is sensitive to and respectful of the scale of existing residential development on adjoining sites.

It is considered that the proposal complies with the Housing Diversity Area Policy and the purpose of the GRZ1. The height of the proposed building sits below the mandatory maximum height allowed in the GRZ1.

The density, mass and scale of the development is appropriate for this location and provides an appropriate scale transition to adjoining residential properties with the location of the three-storey dwellings centrally within the site and the two-storey elements set around the boundaries. This ensures that the streetscape presentation is appropriate and well managed.

The architectural quality is considered to be well-designed with a good level of visual interest and architectural merit and would be appropriate.

All dwellings have three bedrooms however include a mixture of sizes ranging from 123sqm to 158sqm. Their layout allows flexibility of use and accommodates diverse family living. The outdoor spaces are also varied and include both ground level access and upper floor balconies. The basement and ground floor are provided with lift access which serves occupants and visitors with limited mobility. The ground level contains dwellings with kitchens and bathroom facilities. Having regard to the dwelling diversity objective of Clause 55.02-3 the development encourages a range of dwelling sizes and types which will cater for a variety of tenants requirements.

## Neighbourhood character

It is acknowledged that this building is within a street where there are no other three storey buildings. However, the existing neighbourhood character will change over time given the sites' location within a neighbourhood activity centre.

A key aspect of the proposal is the two storey presentation to the street which is considered a responsive built form outcome and aligns with the height of neighbouring properties.

In recommending the development be approved, weight has been given to the footprint of the uppermost level of the building. As noted, the three-storey dwellings are located centrally within the site and are adequately separated from adjoining buildings. It is considered that the top level will have very limited visibility both from the street and adjoining neighbouring properties.

The proposal is representative of the anticipated change in terms of the density, height and massing within the GRZ1 and archives high level of compliance with the relevant ResCode standards.

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 Housing Diversity Policy which support increased residential densities.

## Height, scale and massing

As discussed above, the overall height of the proposal is 9.75m above natural ground level, and this is compliant with the allowable maximum in the GRZ1 of 10.5m.

It is considered that the proposal has been carefully designed to avoid visual bulk by:

- siting the dwellings in five groups with some form of separation;
- providing articulation both horizontally and vertically; and
- incorporating a variety of building materials and roof forms to create visual interest.

The three-storey component of the development has limited visibility from the streets and adjoining properties and the predominant double-storey street presentation with gable and flat roof forms is considered responsive to the surrounding environment.

It is noted that the front setback to Kangaroo Road at ground floor does not comply with the ResCode street setback standard, which requires 4.99m (based on the front setback of the adjoining dwelling to the west at 43 Kangaroo Road). The proposed minimum front setback to Kangaroo Road is 3.4m. It is noted that this front setback is transitionally increased to 4.55m towards 43 Kangaroo Road to the west in response to the existing street setback. However, it is considered that a 3.4m front setback (part of the front garden will be enclosed

as the private open space for the proposed dwellings) is very limited and does not provide sufficient landscape opportunity. As such, a condition will be included to require the minimum front setback to Kangaroo Road to be increased to 5m to improve its built form relationship within this street context.

The front setback to Howe Street varies between 4.1m to 6.0m, which is greater than the Rescode front setback requirement of 3m to the side street.

Both the first floor level and the uppermost level have provided side and rear setbacks in excess of the ResCode requirements.

The proposed site coverage is 51% (being less that the ResCode standard of 60%).

The proposed permeability is 31% (being greater than the ResCode standard minimum of 20%).

#### Amenity impacts (including internal amenity)

The subject site slopes gently from the south towards the north by approximately 1m. It is noted that the proposed finished ground floor level and outdoor decking will be approximately 1m higher than the adjoining properties towards the north of the site. In order to prevent overlooking, the applicant has proposed higher fences and this has been raised as a concern by some objectors. It is important to note that an increased height will not impact on shadowing to these neighbours, and while it will appear higher, is considered an acceptable outcome to ensure that their level of privacy is maintained. The development complies with the overlooking and overshadowing requirements of ResCode.

There are four air-conditioning units located in close proximity to the existing habitable room window of U5/29-31 Howe Street. A condition will be included to require the relocation of these units to the roof or basement to avoid noise impact for the neighbouring property. This is consistent with Standard B24 (Noise impacts objective).

In response to the concerns regarding the location of the lift to the north of the internal corridor, it is noted that a small portion of the lift will be encroaching into the setback requirement. This is not considered to detrimentally impact on amenity and is acceptable.

The habitable rooms of the dwellings will generally have good access to sunlight and daylight. Council raised concerns during the preliminary assessment stage regarding the limited solar access to the private open spaces of Townhouses 02-04. However, it is also noted that a north-facing balcony is provided on the first floor and a south-facing balcony provided on the second floor for each of these dwellings. While compromised solar access is expected to the private open spaces, adequate natural light access is provided for these dwellings. Given the affected dwellings are only a small portion of the development; the minor compromise is considered acceptable.

Internal overlooking has been well managed with privacy screens, obscure glazing or high sill for windows facing the central walkway.

Adequate private open space will be provided through a combination of ground floor courtyards, first and second floor balconies.

The front fences along Howe Street will be partially up to 1.8m in height and 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 and not overly impact on neighbourhood character.

#### Landscaping

There is adequate open space provided at ground floor and this is sufficiently clears from the basement arear to provide for appropriate landscaping, including deep soil canopy tree planting.

A condition of permit will require a total of 15 canopy trees within the private open space areas of this development.

## Car parking and traffic

Clause 52.06 of the Scheme relates to car parking and requires a total of 33 car spaces to be provided on site (30 for residents, 3 for visitors).

The application provides the required number of car parking spaces for the dwellings and seeks a reduction for 1 visit parking space. Concerns regarding the lack of a visitor parking space was raised by objectors. However, Council's Traffic Engineering Department considers that the majority of visitor parking is provided and the reduction of one visitor space is considered acceptable. They have had regard to the submitted car parking demand assessment, the availability of on-street parking in the area and the proximity to public transport. It is considered that the reduction of one visitor parking space is acceptable.

Additional concern was raised by objectors about traffic and pedestrian safety in this area and how the proposal would exacerbate this. The traffic generation is considered reasonable in the context of the road network and it is not considered that any mitigation measures are required.

## Management plan requirements

A condition of any permit issued will require that Construction Management Plan be approved before development starts.

## Objector concerns

Concerns raised by objectors are discussed in this report. With regard to the concerns about the capacity of the existing infrastructure to support this development, it is noted that Councils Asset Engineering Department has not identified any issues with the capacity of the existing infrastructure. Standard requirements for drainage, vehicle crossing and built over easement are either addressed in the included as permit conditions or notes and will be addressed in the building permit stage.

# FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS POLICY AND LEGISLATIVE IMPLICATIONS

All matters required at Section 60 of the *Planning and Environment Act* 1987 have been taken into consideration as part of the assessment of this application.

## LINK TO COUNCIL AND COMMUNITY PLAN

Theme One: 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.



PROPOSED DEVELOPMENT AT 45-47 KANGAROO ROAD & 33 HOWE STREET, MURRUMBEENA TOWN PLANNING PACKAGE TP000 PRELIMINARY REV COVER SHEET
NEIGHBOURHOOD CHARACTER ANALYSIS TP200 TP001 SITE-SURVEY

NEIGHBOURHOOD & SITE DESCRIPTION TP002 TP003 TP004 DESIGN RESPONSE TP005 LOCALITY PLAN TP200 PROPOSED FLOOR PLANS TP201 BASEMENT FLOOR PLAN TP202 GROUND FLOOR PLAN TP203 FIRST FLOOR PLAN TP204 SECOND FLOOR PLAN ~RODE-PLAN TP206 TP207 SITE COVERAGE GARDEN AREA SECTIONS TP400 TP401 SECTION 1 & 2 **ELEVATIONS** TP501 TP502 TP503 NORTH & SOUTH ELEVATIONS
EAST & WEST ELEVATIONS
INTERNAL STREET ELEVATIONS
INTERNAL STREET ELEVATIONS TP504 SCHEDULES EXTERNAL MATERIALS SCHEDULE TP800 TP801 PERSPECTIVE FROM KANGAROO ROAD TP900 TP901 TP902 PERSPECTIVE FROM HOWE STREET TP1000 SHADOW DIAGRAMS TP1001 9AM EXISTING & PROPOSED 11AM EXISTING & PROPOSED 1PM EXISTING & PROPOSED TP1004 3PM EXISTING & PROPOSED

SITE AREA:	M MACA
DWELLINGS:	3
CAR SPACES:	3
BUILDING FOOTPRINT:	400m <sup>2</sup>
SITE COVERAGE:	22%
PERMEABILITY:	1061m <sup>2</sup> /58%
BASEMENT AREA:	N/A
GARDEN AREA:	1317m <sup>2</sup> /72%

PROPOSED DWELLINGS: CAR SPACES 12. BUILDING FOOTPRINT 51% 574m²/31% 960m²/52% 811m²/44% SITE COVERAGE: PERMEABILITY: BASEMENT AREA: GARDEN AREA:

INDIVIDUAL	TOWNHO	USES				
TOWNHOUSE NO.	GROUND (m²)	FIRST (m <sup>2</sup> )	SECOND (m <sup>2</sup> )	CAR SPACES NO.	SPOS (m²)	POS (m²)
01	61	63		2	13	47
02	63	53	36	2	9	29
03	63	53	36	2	9	29
04	58	53	36	2	9	29
05	63	63	-	2	46	19
06	51	51	38	2	42	10
07	51	51	38	2	31	10
08	56	52	39	2	8	23
09	58	58	39	2	30	12
10	56	51	38	2	8	23
11	61	62	-	2	76	-
12	61	60	37	2	30	21
13	61	60	37	2	30	21
14	68	55	-	2	16	30
15	61	62	-	2	35	40
	TOTAL	LNSA	2113m <sup>2</sup>	TOTAL	EXTERNAL	752m <sup>2</sup>

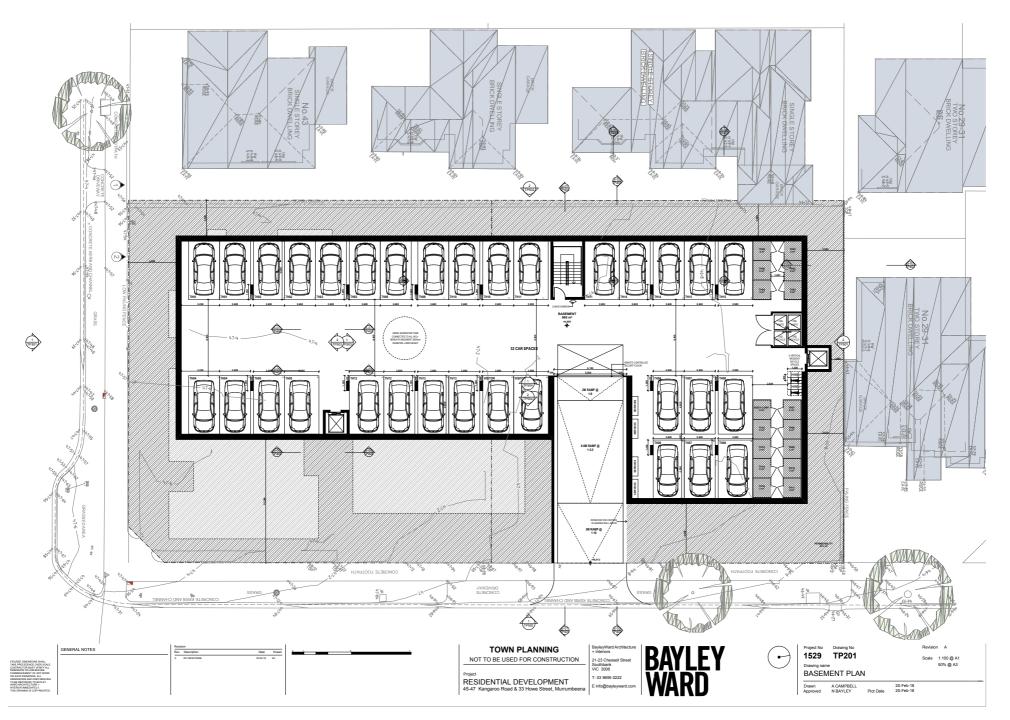
	GENERAL NOTES	Revision						
	GENERAL NOTES	Rev	Description	Date	Drawn			
FIGURED DIMENSIONS SHALL TAKE PROCEDENCE OVER SOLE. CONTRACTOR MEET VERSEY ALL DIMENSION ON JOB ISFORS. COMMENCEMENT OF ANY WORK OR SHOP DRAWNIGS. ALL DIMENSIONS AND DISPOSENCIES TO BE REPORTED TO MAILEY INTERDOR MINISTERLY. THES DRAWNIGS IS COPYRIGHTED.		*	RFI RESPONSE	20.02.18	AC			

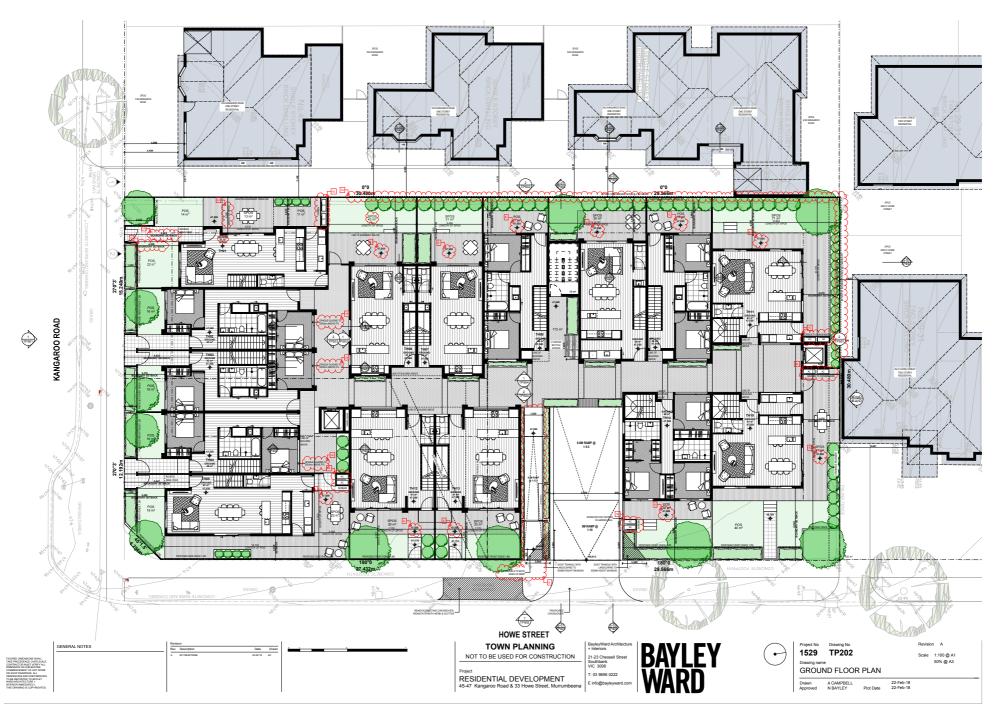
TOWN PLANNING						
NC	OT TO BE USED FOR CONSTRUCTION					
Project	SIDENTIAL DEVELOPMENT Kangaroo Road & 33 Howe Street, Murrumbeen					

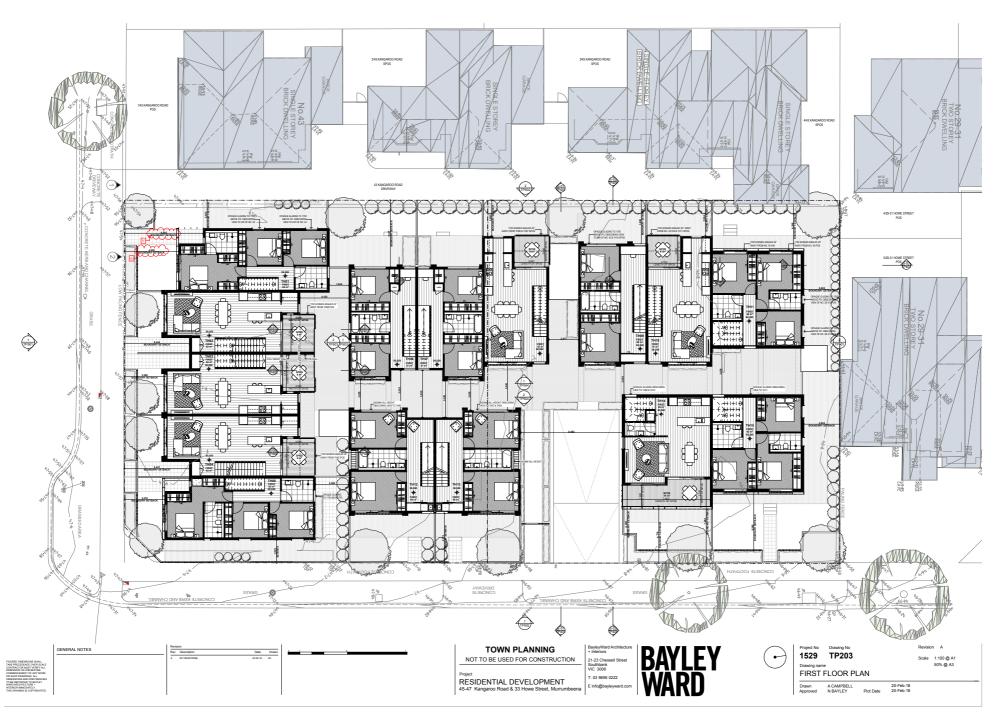
21-23 Chessell Street Southbank VIC 3006 T: 03 9695 0222 E info@bayleyward.com

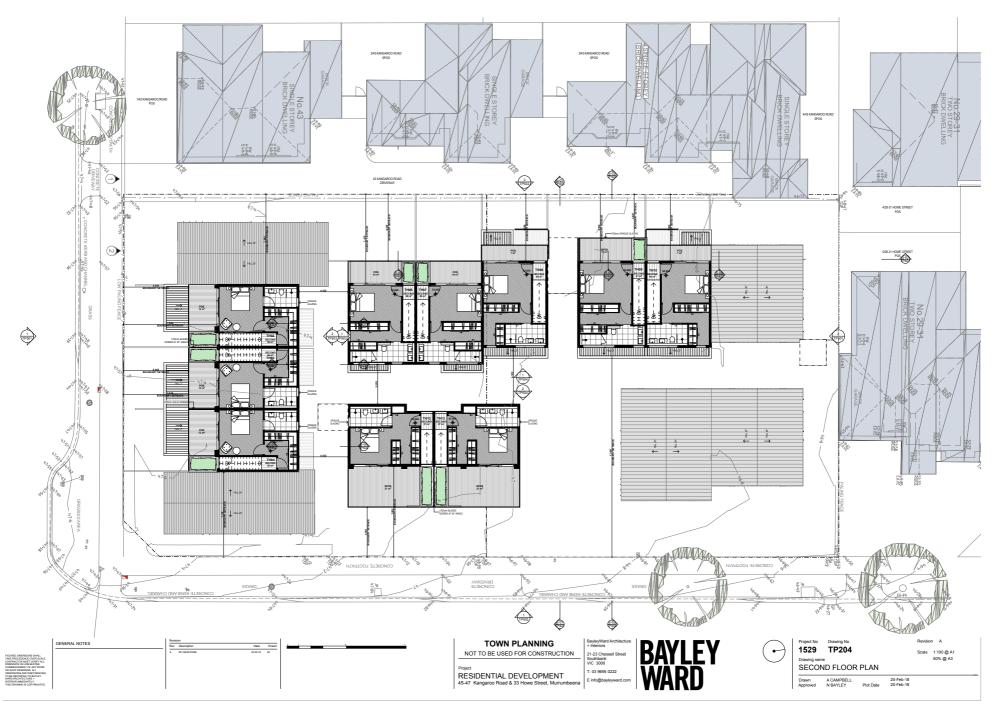
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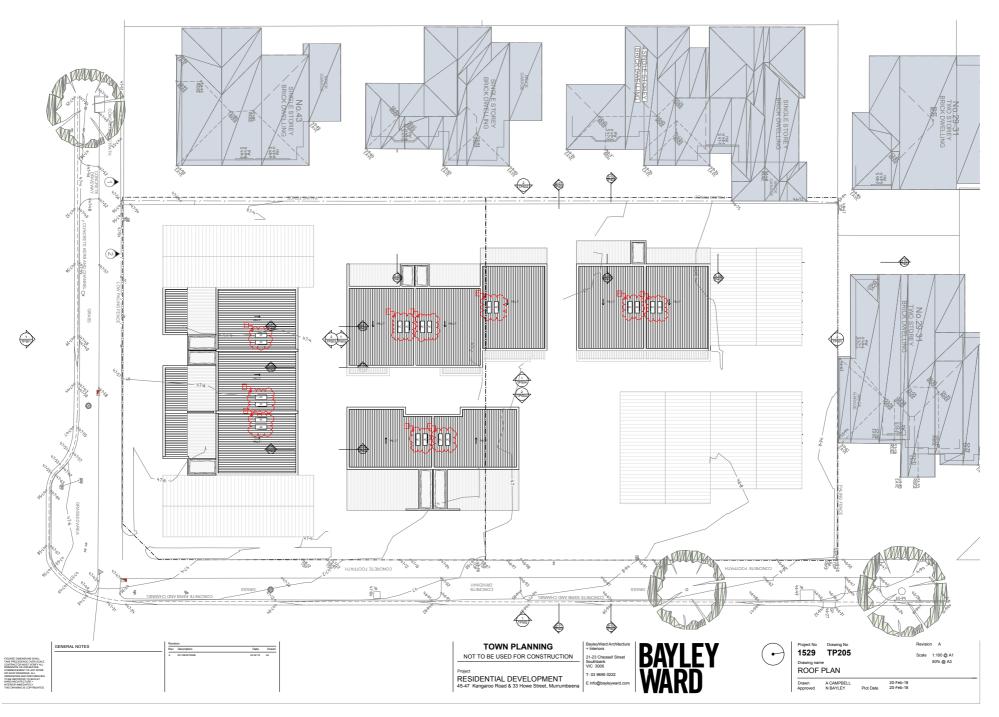
Project No 1529	TP000		Revisio	n A @ A1
Drawing nam	R SHEET			50% @ A3
Drawn	A CAMPRELL	23-Feb-18		

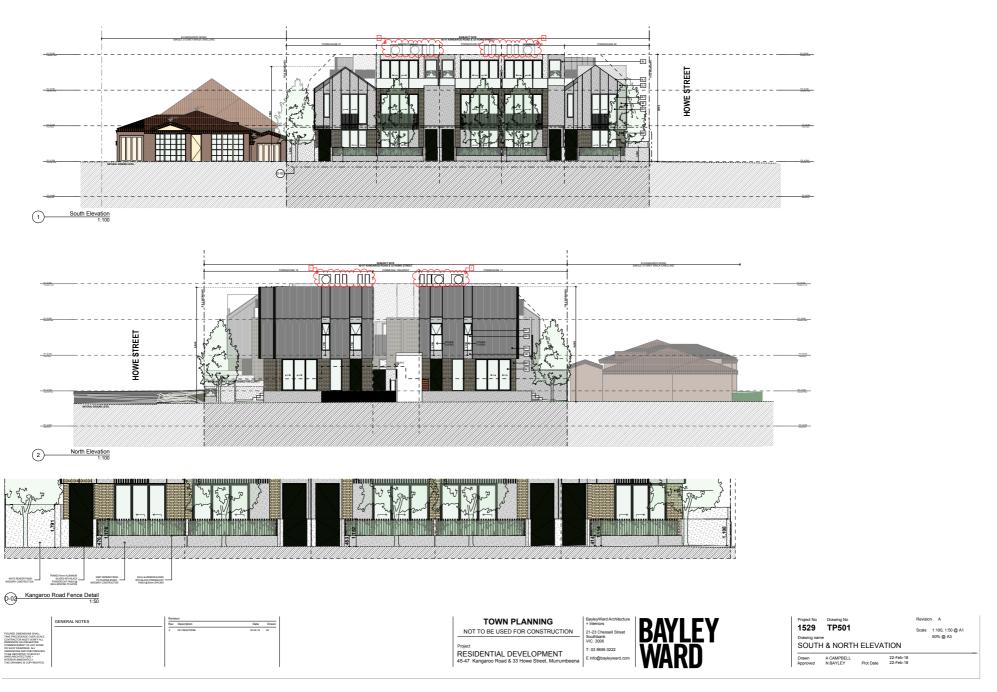




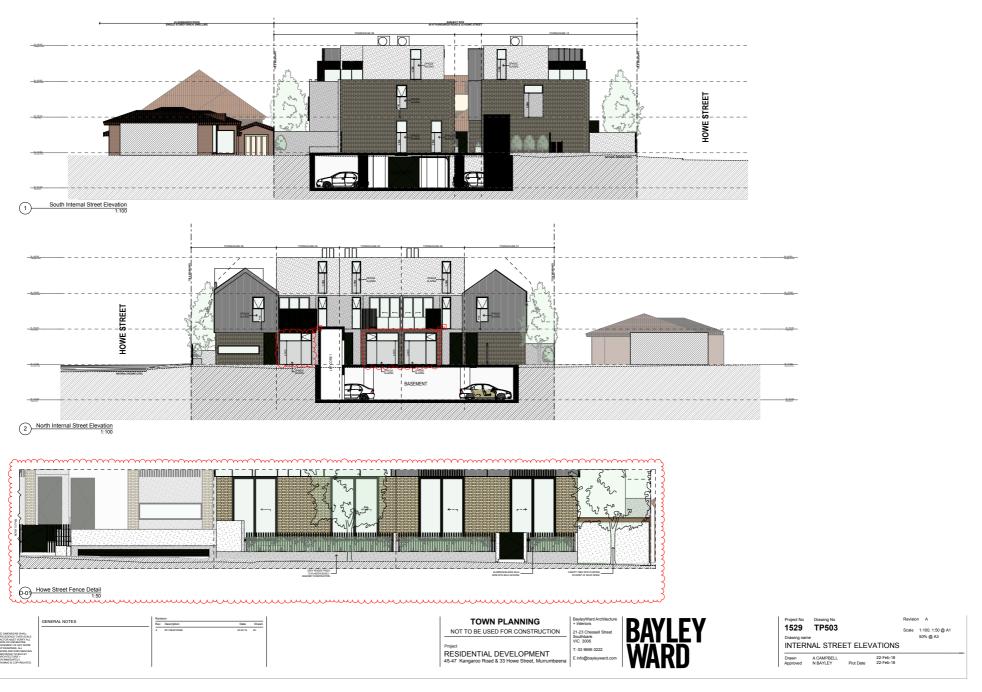




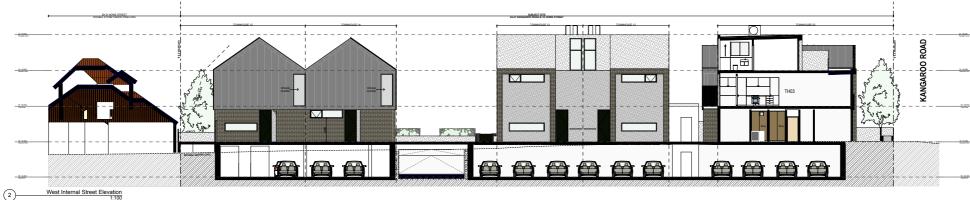












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TOWN PLANNING

NOT TO BE USED FOR CONSTRUCTION

Project

RESIDENTIAL DEVELOPMENT
45-47 Kangaroo Road & 33 Howe Street, Murrumbeena

AYLEY
1529 TP504 Scale 1:100@A1
Drawing name
INTERNAL STREET ELEVATIONS

Drawing AAMPBELL
Approved A DAMPBELL
Approved N BAYLEY
Plot Date 22-Feb-18

9.4 VCAT WATCH

Author: Paul Wood, Senior Planning Manager

*Trim No:* 18/1103058

Attachments: 1. Applications before and decisions 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.
- 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'.

There were four decisions since the previous report. One is the decisions is for the Bethlehem Hospital site in Kooyong Road. The appeal decision was received at the point when this report was finalised and as such the decision will be summarised in the next VCAT Watch to enable a full and thorough review of the implications of the decision.

The following is of notable interest for Council in the context of Council decision making.

Address	17-19 Loranne Street, Bentleigh
Proposal	Construction of part three storey and part four storey building to contain 21 dwellings over a basement car park.
	Plans were amended as part of the VCAT process and included increased side and rear setbacks and additional visitor car parking spaces. Council maintained its objection to the proposal.
Council decision	Refusal

GLEN EIRA CITY COUNCIL

VCAT decision	Decision set aside – permit granted
Appellant	17-19 Loranne Pty Ltd



Council refused to grant a planning permit for the proposed development of a part three, part four storey building consisting of 21 dwellings above basement car park and a reduction of the visitor car parking requirements. A total of 13 objections were received.

In determining to refuse the application, Council relied on the following grounds:

 Overdevelopment of the site resulting in excessive mass and bulk impacts when viewed from adjoining properties and within the streetscape and associated non-compliances with policy, the purpose of the zones and a number of ResCode standards.

Objector parties to the appeal also raised concerns in respect to the mass and bulk of the proposal and its impacts on adjoining properties and within the streetscape.

The Tribunal considered that the scale of the development and its density appropriate for the area. It had regard to the location in both the Residential Growth Zone and the General Residential Zone and considered that the proposal was a good response to this context.

Furthermore it also identified that the proposal also abutted the Neighbourhood Residential Zone and found this to be well managed given the recessive upper level setbacks and the stepping of the development down to two-storeys at its interface with the Neighbourhood Residential Zone.

The Tribunal did however require increased street setbacks for the southern portion (17 Loranne Street) of the building, which formed a condition of the permit and will assist in reducing the visual impact from the street.

The Tribunal found that amenity impacts had been appropriately limited by the design features, which included recessive upper levels, adequate articulation and materiality along the side and rear boundaries, no walls on boundary and general compliance with the amenity standards of ResCode. The only ResCode non-compliance being limited to a setback to the northern boundary, adjacent a non-sensitive interface in a driveway and garage, which was deemed to be acceptable.

The Tribunal determined that the internal amenity of the dwellings would be generally acceptable, subject to conditions that would require more visually permeable screening and additional windows to some kitchens, all of which would comply with Standard B22 (Overlooking) of the Planning Scheme.

On this basis, the Tribunal determined to approve the proposal and directed Council to issue a permit, subject to conditions.

## FINANCIAL, RESOURCE, RISK 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 planning permit decision making in Glen Eira.

## **COMMUNICATION AND ENGAGEMENT**

There has been no communication or engagement for this report.

## LINK TO COUNCIL AND COMMUNITY PLAN

Theme One: 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 an update of the applications before and recent decisions of the VCAT.

## APPLICATIONS BEFORE AND RECENT DECISION OF THE VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

NEW APPEA	IEW APPEALS LODGED WITH THE VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL (11 APRIL 2018 to 1 MAY 2018)									
Address	Suburb	Next VCAT date	VCAT reference	Description of proposal	Zone	Council decision	Council delegate for decision	Appeal lodgment date	Type of appeal	
319-321 Hawthorn Road	Caulfield	9/10/18	P686/2018	Use of the land for the purpose of shared housing	GRZ1	Refusal	Council	18/4/18	s77 (Refusal)	
11 Caleb Street	Bentleigh East	11/10/18	P704/2018	Construction of four triple storey dwellings	GRZ1	Refusal	DPF	19/4/18	s77 (Refusal)	

Address	Suburb	Next VCAT	VCAT	TRATIVE TRIBUNAL (* INCLUDING APPEALS AWAITING A DECIS  Description of proposal	Zone	Council	Council	Appeal	Type of
	Suburb	date	reference	Description of proposal		decision	delegate for decision	lodgment date	appeal
65 Hall Street	Ormond	*	P2407/2017	Construction of two (2) attached double storey dwellings	NRZ1	Refusal	DFP	26/10/17	s77 (Refusal)
15-23 Mayfield Street	St Kilda East	*	P2366/2017	An amendment to a hours of operation and the uses that could be undertaken on the land was approved as an amendment to planning permit that allows 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	Notice of Decision	DFP	6/11/17	s80 (Conditions)
15-23 Mayfield Street	St Kilda East	*	P2367/2017	An amendment to the permit to allow the hall and synagogue to be used independent of the school was refused	NRZ1	Refusal	DPF	6/11/17	s77 (Refusal)
15-23 Mayfield Street	St Kilda East	*	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	NRZ1	Notice of Decision	DPF	6/11/17	s80 (Conditions)
1 Sinclair Street	Elsternwic k	*	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	Notice of Decision	Council	6/11/17	s82 (Objector)
14 Service Street	Caulfield North	*	P2504/2017	Alterations and additions to the existing dwelling and the construction of an additional, single storey dwelling at the rear	NRZ1	Refusal	Manager	17/11/17	s149 (declaration)
10 St Georges Road	Elsternwic k	*	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	RGZ	Refusal	Council	29/11/17	s77 (Refusal)
40 Snowdon Avenue	Caulfield	*	P119/2018	Partial demolition and alterations and additions to an existing dwelling on land affected by the Heritage Overlay	NRZ1	Planning Permit	Manager	25/1/18	s80 (Conditions)
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	No decision		29/11/17	s79 (Failure)
3 Rigby Avenue	Carnegie	30/5/18	P237/2018	Construction of five (5) dwellings	NRZ1	Notice of Decision	DPF	13/2/18	s80 (Conditions)
9 Royal Avenue	Glen Huntly	31/5/18	P2738/2017	The construction of a four storey building comprising up to 16 dwellings and a reduction in the visitor car parking requirement and waiver of loading bay requirement	C1Z	Planning Permit	Council	6/12/17	s80 (Conditions)
2 Lancaster Street	Bentleigh East	1/6/18	P2678/2017	Construction of two (2) double storey attached dwellings	NRZ1	Refusal	DPF	30/11/17	s77 (Refusal)
233-247 Glen Huntly Road & 14 Ripon Grove	Elsternwic k	4/6/18	P2932/2017	Construction of a multi-level mixed use development including 117 dwellings, up to 13 storeys plus basement, reduction in visitor car parking and waiver of loading bay requirements	C1Z	Refusal	Council	2/1/18	s77 (Refusal)
2/1 Cecil Street	Bentleigh East	5/6/18	P258/2018	Construction of single storey dwelling to the rear of the existing dwelling	NRZ1	Refusal	Manager	20/2/18	s77 (Refusal)
16 South	Bentleigh	6/6/18	P2240/2017	Construction of eight (8) three storey townhouses with basement	GRZ1	Refusal	DPF	5/10/17	s77 (Refusal)

Avenue				car parking					
20 McKinnon Road	McKinnon	22/6/18	P2848/2017	Construction of two (2) double storey attached dwellings with basement carparking	NRZ1	Refusal	Manager	20/12/17	s77 (Refusal)
6-8 Bevis Street	Bentleigh East	25/6/18	P558/2018	Construction of fifteen (15) dwellings and reduction in car parking	GRZ1	Refusal	Council	29/3/18	s77 (Refusal)
331-333 Neerim Road	Carnegie	25/6/18	P180/2018	Construction of a four storey building and reduction in visitor car parking and alter access to a road in a Category 1 Road Zone	RGZ1	No decision		5/2/18	s79 (Failure)
11 Moylan	Bentleigh East	25/6/18	P394/2018	Construction of two (2) double storey attached dwellings	NRZ1	Planning Permit	Delegate	22/3/18	s80 (Conditions)
19 Vunabere Avenue	Bentleigh	25/6/18	P477/2018	Construction of two double storey attached dwellings	NRZ1	Planning Permit	DPF	22/3/18	s80 (Conditions)
25 Stone Street	Caulfield South	26/6/18	P2998/2017	Construction of two (2) double storey attached dwellings	NRZ1	No decision		2/1/18	s79 (Failure)
18 Hopkins Street	McKinnon	26/6/18	P522/2018	Construction of three dwellings (one single storey and two double storey) in accordance with the endorsed plans	NRZ1	Planning Permit	DPF	26/3/18	s80 (Conditions)
43 Whitmuir Road	McKinnon	17/7/18	P88/2018	Construction of two (2) double storey dwellings on land affected by the Special Building Overlay	NRZ1	Refusal	Manager	19/1/18	s77 (Refusal)
32 Kokaribb Road & 259- 263 Neerim Road	Carnegie	25/7/18	P427/2018	Construct a four (4) storey residential building above basement carpark, a reduction in the car parking requirement and alteration of access to a road in a Road Zone, Category 1	RGZ1	Refusal	Manager	13/3/18	s77 (Refusal)
2 Shanahan Crescent	McKinnon	31/7/18	P134/2018	Construction of three (3) double storey attached dwellings on land affected by the Special Building Overlay	NRZ1	Refusal	Manager	25/1/18	s77 (Refusal)
711 Warrigal Road	Bentleigh East	14/8/18	P262/2018	Construction of two double storey dwellings and the creation of access onto a road in a Road Zone Category 1	NRZ1	Refusal	Manager	14/2/18	s77 (Refusal)
94 Clarence Street	Caulfield South	23/8/18	P3330/2018	Construction of two (2) storey building containing two dwellings and basement car parking	NRZ1	Planning Permit	DPF	21/2/18	s80 (Conditions)
39 Lilac Street	Bentleigh East	10/9/18	P473/2018	Construction of four (4) attached three storey dwellings	GRZ1	Refusal	Manager	1/3/18	s77 (Refusal)
11 Valkstone Street	Bentleigh East	10/9/18	P475/2018	Construction of two (2) double storey attached dwellings	NRZ1	Notice of Decision	DPF	26/3/18	s82 (Objector)

Address	Suburb	VCAT	Description of proposal	Zone	Council	Council	Type of appeal	Appeal	Date of VCAT	VCAT decision
		reference			decision	delegate for decision	21.00	outcome	decision	(effect on Council decision)
92 Kooyong Road	Caulfield North	P250/2018	Use of the land for accommodation (dwellings) in a Commercial 1 Zone, construction of a building or construction or carrying out of works in a Commercial 1 zone, construction of a building or construction or carrying out of works in a Special Building Overlay	C1Z	Notice of Decision	DPF	s82 (Objector)	Permit issued (consent)	5/4/18	Varied
17-19 Loranne Street	Bentleigh	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	s77 (Refusal)	Permit issued	24/4/18	Set aside
669-673 Centre Road	Bentleigh East	P2948/2017	Minor amendments to reconfigure dwellings and modify window locations as an amendment to an approved six storey building comprising up to 39 dwellings above a basement car park, alteration of access to a road in a Road Zone Category 1, a reduction in parking and waiver of loading bay requirements	C1Z	Applicatio n made direct to VCAT	Applicatio n made direct to VCAT	s87A (amendment)	Permit issued (consent)	24/4/18	Appeal allowed
472 & 476-482 Kooyong Road & 11 Saturn Street	Caulfield South	P973/2017	Construction of buildings and works (ranging from 3 to 11 storeys) and use of the land as a hospital, retirement village, residential aged care facility with associated car parking reduction	NRZ1	Refusal	Council	s77 (Refusal)	Permit issued	2/5/2018	Set aside

9.5 ELSTER CREEK CATCHMENT 2018 ACTION PLAN - UPDATE

**Author:** Julia Wilson, Senior Strategic Planner

*Trim No:* 18/197515

Attachments: 1. Elster Creek Catchment Action Plan

#### **PURPOSE AND SUMMARY**

To provide Councillors and the community with a progress update on the Elster Creek Catchment. This update covers the work underway and scheduled actions that have been undertaken in the areas of advocacy and collaboration from January to March 2018 (a Quarter 1 update on the Elster Creek Catchment 2018 Action Plan).

## **RECOMMENDATION**

That Council:

- notes the information contained within the report and Quarter 1 status update of deliverables in the Elster Creek Catchment 2018 Action Plan:
- 2. supports the community consultation and engagement activities within the Action Plan;
- 3. continues to support officer involvement in work that supports and identifies actions regarding flood mitigation; and
- acknowledges the positive engagement and commitment demonstrated by our partners: Melbourne Water, City of Bayside, City of Port Phillip and City of Kingston in working together on flood risk communication and mitigation initiatives in the Elster Creek catchment.

### **BACKGROUND**

Implementation of the Elster Creek Catchment collaborative partnership has come into being. The Elster Creek Catchment Action Plan for 2018 was endorsed on 27 September 2017, at the Elster Creek CEO Forum.

## **ISSUES AND DISCUSSION**

Council Officers, in collaboration with officers from the partner organisations of Bayside City Council, City of Port Phillip, Kingston City Council and Melbourne Water, have begun enacting the *Action Plan*.

To demonstrate transparency and accountability to the community on project progress, an online *Action Plan* dashboard has been established which identifies each deliverable's status. The *Action Plan* dashboard is updated regularly.

Glen Eira's Elster Creek Catchment webpage contains a link to the Action Plan dashboard (Figure 1) which leads to the City of Port Phillip's website (http://www.portphillip.vic.gov.au/elster-creek-catchment-action-plan.htm). Partner organisations have a similar arrangement.

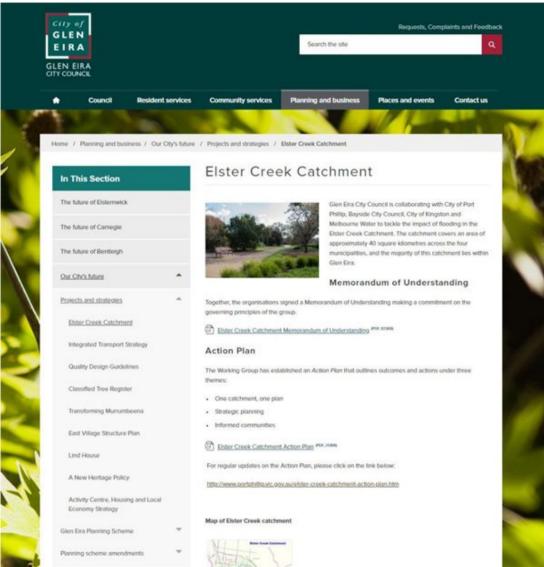


Figure 1 Glen Eira's Elster Creek Catchment page

The dashboard provides an up-to-date status of each deliverable. The Quarter 1 status update of deliverables are outlined as follows (refer to attached Action Plan):

- 1. Deliverable 1 is underway, with draft plans and GIS tables provided to working group members, and actual Floor level data and heat maps to be finalised and distributed.
- 2. Deliverables 2 and 3 are underway, with Melbourne Water completing a high-level screening assessment for the local mitigation options study in Ormond and McKinnon and a further study to review the 2011 GHD report recommendations. Melbourne Water is also in discussion with Glen Eira City Council regarding the use of open space for flood mitigation.
- 3. Deliverable 4 is underway, and communications are ongoing, this deliverable is linked to the review of the Flood Mitigation Study.
- 4. Deliverables 5 and 6 have commenced with an initial discussion occurring at the Working Group Meeting on the 20 February 2018. Melbourne Water is putting

- together a proposal for the catchment flood management plan that includes a community education component.
- 5. Deliverable 7 is underway. Melbourne Water co-ordinates with the State Emergency Service regarding coordination and response to flood events.
- 6. Glen Eira City Council has completed Deliverable 8 with Hansen Consultants being engaged to undertake a review of planning policies and frameworks at a catchment level. Glen Eira has also commenced Deliverable 9 with workshops held in April 2018 to define the future planning policy opportunities with suitable representatives from partner organisations and other relevant participants.
- 7. Melbourne Water is underway on Deliverable 10 with a review of the Distributed Storages and Melbourne Urbanisation Mapping Project with outputs to be available for review by April 2018.
- 8. Melbourne Water is looking to trial a stakeholder and engagement schedule for modelling and mapping projects as part of Deliverable 11 with the upcoming planning scheme amendments for Glen Eira City Council and Kingston City Council.
- 9. Deliverable 12 is underway with Melbourne Water undertaking investigations to determine what gauges may be best suited to urban piped catchments for implementation of a flood warning application. Deliverable 13a is in the process of being finalised with a draft *Communications Plan* being put to the Working Group for endorsement in March 2018.
- 10. Deliverable 13b is complete with a Lexicon available on the City of Port Phillip website with relevant terminology and definitions included. The Working Group will update this Lexicon, if required, with input from the Community Reference Group once established.
- 11. Deliverable 14 has not been started as it is subject to budget approval to enable the engagement of a suitably experienced data consultant.
- 12. Deliverable 15 has been completed with a consolidated stakeholder database established with input from the project partners. This stakeholder database will be a living document which can be amended as the working group is advised of changes to the relevant stakeholder group.
- 13. The establishment of the Community Reference Group, under Deliverable 16, is underway with nominations advertised from 13 March 2018 to 2 April 2018. Nominations received will be reviewed for alignment with the draft Terms of Reference and recommendations were put forward to the Working Group for the endorsement of the group's membership at the April 2018 meeting.
- 14. Deliverable 17 has not been started as it requires input from the various action plan deliverables. Specific education activities likely to be undertaken once mitigation options and planning investigations have been completed.

In addition, and separate to the Action Plan, Council is undertaking an Integrated Water Management Study for Caulfield Park. The study will explore opportunities for storm water harvesting, flood risk mitigation, and options on how water can be captured on site and repurposed.

#### <u>Advocacy</u>

The following is a summary of advocacy activities undertaken by Council officers in the Elster Creek Catchment:

Council officers on behalf of Glen Eira City Council are representing the Elster Creek Catchment priorities as part of the *Dandenong Catchment Integrated Water Management Forum*. The Elster Creek Catchment Project has been tabled as a project in this forum and is being put forward for consideration and prioritisation against other integrated water management project across the Dandenong catchment.

Council officers are also considering Elster Creek Catchment priorities as they relate to strategic sites within the East Village and Caulfield Station Precinct *Structure Plans*.

The *Plan* for East Village aims to deliver a system of integrated water management that encourages the re-use of stormwater, minimises flood risk, ensures the environmental health of waterways, protects public health, and contributes towards a sustainable and green urban environment.

Council is partnering with Victorian Planning Authority to develop a *Structure Plan* for the Caulfield Station Precinct. Officers will consider flood mitigation in the area during this process.

## Timeline

Elster Creek Working Group meetings occur each month.

Nominations for the Community Reference Group closed on 2 April 2018. A recommendation on group membership was submitted to the Working Group for endorsement at the April 2018 meeting. Three nominations were received from the Glen Eira community.

Elster Creek Community Reference Group meetings will be scheduled with the members and will be linked to key milestones within the *Action Plan*.

## FINANCIAL. RESOURCE. RISK AND ASSET MANAGEMENT IMPLICATIONS

Endorsing the *Action Plan* does not commit Council to investing funds on Melbourne Water land or in other municipalities. The theme led by Glen Eira City Council can be managed under the operating budget of the City Futures Department.

## POLICY AND LEGISLATIVE IMPLICATIONS

The *Action Plan* has no immediate legal and risk implications. A possible outcome of the Glen Eira led theme could be a Planning Scheme Amendment across the four councils.

## **COMMUNICATION AND ENGAGEMENT**

Partner councils in collaboration with Melbourne Water are committed to working towards addressing community concerns regarding flooding. The Elster Creek Catchment presents unique challenges in the distribution of the catchment across multiple jurisdictional boundaries and asset owners.

By adopting whole of catchment approach the project partners can address flooding at a catchment scale where historically impacts and mitigation was limited the local government boundaries.

Key to project success is having an active and engaged community who are eager to tackle the challenges alongside the project partners.

Communication regarding the Elster Creek Catchment will be undertaken through several processes. These are captured in the *Communication and Engagement Plan*. In summary, these include the following actions:

- establishment of an Elster Creek Catchment webpage including a project dashboard;
- periodic email updates to members of the stakeholder database;

- communication of project progress and feedback through the Elster Creek Community Reference Group;
- · social media messages for specific activities and events; and
- · Council quarterly updates.

## LINK TO COUNCIL AND COMMUNITY PLAN

Theme One: 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**

Flooding is not defined by municipal boundaries. It is defined by a water catchment, usually covering a number of municipalities and involving a range of public agencies and stakeholders. The Elster Creek catchment partnership represents a progressive and more effective way of tackling the flooding issue.

Glen Eira City Council will continue to work closely with the partner councils and Melbourne Water to implement the *Elster Creek Catchment Action Plan* for 2018.

# **Elster Creek Catchment Action Plan**

October 2017 – In Confidence











# **Core Principles – Memorandum of Understanding**

Outlined in the Memorandum of Understanding is a commitment by Councils within the Elster Creek catchment and Melbourne Water on the governing principles of the group. This extract has been included within this document to provide alignment between the MOU and how the Working Group will work to deliver the Action Plan.

## **Core Principles**

Councils and Melbourne Water are committed to cooperating across municipalities and with water utilities and State departments for the purpose of exploring a whole-of-catchment approach. Engagement with community members is paramount in developing a common understanding of effective ways to address the problem.

Specifically, the parties will:

- 1. Be transparent in all interactions and share information with the intent of establishing a shared understanding of the factors influencing the problem.
- 2. Embed a common community engagement language and process that is constructive and meaningful for community members.
- Be considerate of each organisation's respective circumstances, including but not limited to, community interests, commercial imperatives and strategic contexts.
- 4. Collaborate to identify evidence-based and innovative solutions with a best-for-regional catchment community benefit.
- 5. Ensure opportunities to build community resilience are explored and actively pursued.

This Action Plan is a high level document, with overall deliverables for each action. Each action will be scoped in detail by the Working Group.

## **Governance Structure**

## Councils

## **Steering Committee**

Comprising CEOs and MW, with a focus on delivery in accordance with MOU principles.

- Appoint working group members
- · Sign-off key milestones
- Resolve key issues at catchment and state level to ensure program on track

## **Working Group**

Comprising senior Council officers, responsible for advising on the development of the Program Plan

- Establish program of work for first 12 months
- Establish resourcing requirements
- Resolve key issues at catchment and local level to ensure program on track
- Escalate issues to CEO forum as required

## Melbourne Water Board

## **Program Manager**

Melbourne Water-based with responsibility for:

- Developing program plan
- Reporting to the Steering Committee
- Convening CEO and Working Group to monitor progress

## **Community Reference Group**

Comprising key community representatives with role to:

- Provide input into key milestones for the delivery of the action plan
- Provide recommendations to the Working Group
- Communicate and advocate outcomes on behalf of the ECC to the wider community

Elsetr Creek Catchment Action Plan

# Theme: One catchment, one plan

Understanding and responding to flood risk at a catchment scale, further developing community resilience to flooding

	Deliverable	Resourcing	Timeline	Lead Agency	Outcome
Catchment view of flood risk	<ol> <li>A Elster Creek catchment wide flood map and flood risk map that includes:</li> <li>1% ARI flood extent and a range of other more frequent flood extents</li> <li>Floor level data for all flood affected properties</li> <li>Heat map of flood risk</li> </ol>		January 2018	Melbourne Water	Understanding of catchment wide flood risks
Catchment view of infrastructure projects	<ul> <li>2. A single asset investment view across the catchment:</li> <li>Sharing existing and future planning of IWM and drainage investment projects</li> <li>Identification of opportunities to influence projects based on the inclusion of flood risk reduction</li> <li>Collate previous investment across the catchment</li> </ul>		May 2018	Bayside City Council	Opportunities to share resources or prioritise projects based on need within the catchment
Review all options to reduce flood risk	3. A review of the 2011 GHD Flood Mitigation Study to: a) Identify whether any of the mitigation options previously identified might be beneficial for mitigating higher AEP floods (ie: 10%, 20%) b) Consider whether there are other opportunities, not previously identified that might be appropriate for mitigating higher AEP floods		March 2018	Melbourne Water	Options reviewed which may result in localised mitigation works for more frequent flood events
	4. Investigate modelling and mitigation options recommended by the CRC.		April 2018	Melbourne Water	Work in collaboration with relevant research groups
Elster Creek Catchment Action Plan		Page 3			Joint Plan

# Theme: One catchment, one plan

Understanding and responding to flood risk at a catchment scale, further developing community resilience to flooding

	Deliverable	Resourcing	Timeline	Lead Agency	Outcome
Preparedness for flood events	5. Elster Creek Catchment flood management plan developed which builds community understanding of flood risk, preparedness and response across the catchment by working with our partners (SES and Council)		April 2018	Melbourne Water	Uplift of community resilience in the catchment to be better prepared for flood events
	6. Pilot program developed which provides for a tailored approach to flood awareness, education and response (with potential higher levels of service) based on sub catchment flood risk profiles		July 2018	Melbourne Water	Responding to our communities needs for higher levels of service – building resilience and enabling preparedness and recovery uplift
Post-flood actions	7. Work with EMV and VicSES for improved coordination and response, including scenario planning		June 2018	Melbourne Water	Meeting community expectations for flood response
	8. Communication to the community at appropriate times				

# Theme: Strategic planning

Develop a consistent approach to land use planning across the Elster Creek Catchment which minimises the impacts of urban runoff. Opportunities are sought to further minimise flood risk across the catchment through innovation, research and collaborative partnerships.

Action	Deliverable	Resourcing	Timeline	Lead Agency	Outcome
Planning for the catchment	9. Complete a collective review (scan) of the Catchment's planning schemes to inform future 'catchment level' planning policy, focussing on the reduction in flood risk and adaptability provisions.		February 2018	City of Glen Eira	Consistent Planning provisions across municipalities that minimise urban runoff and flood risk are implemented for the Elster Creek Catchment
	10. Define future planning policy opportunities from a catchment wide perspective (IWM, Rainwater Tanks, Impervious %, Incentives and Offset Program) leveraging available research programs and partnership opportunities		May 2018	City of Glen Eira	
	11. Review outcomes of the Distributed Storages and Melbourne Urbanisation Mapping Projects to ascertain opportunities for further scenario development in the Elster Creek Catchment		March 2018	Melbourne Water	
Collaborating with our partners	12. Develop a plan to engage with stakeholders, the community and councils when commencing modelling and mapping projects (which lead to planning scheme amendments)		April 2017	Melbourne Water	
Innovation	13. Develop a plan to share existing or planned technology advancements across the catchment and progress these tools for early community benefits:  - Flood warning app - Smart gauges		May 2018	Melbourne Water	
Elster Creek Catchment Action Plan		Page 5			Joint Plan

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## **Theme: Informed communities**

Build community and agency awareness and a shared understanding of flooding in the Elster Creek Catchment

Action	Deliverable	Resourcing	Timeline	Lead Agency	Outcome
We communicate with our communities about flooding across the Elster Creek Catchment	14a. Communications approach and plan developed  14b. Development of 'a community' lexicon in relation to flooding. Conversations and communications about flood risk are clearly articulated and shared across the Elster Creek Catchment. Simplifying flood terminology and concepts.		January 2018	Lead Agency Port Phillip City Council	Consistent and clearly understood communications about Elster Creek Catchment flooding
Building our understanding, validating what we know	15. Develop a mechanism for impacted communities to update flood impacts during and post flood events using the latest NextGen technologies (ie: livestreaming, photos, drone information)		April 2018	Melbourne Water	Enabling understanding of catchment wide flood impacts affecting the community
Our engagement is focused	16. Map key stakeholders groups across the Elster Creek Catchment to understand influencers and advocacy opportunities		January 2018	Port Phillip City Council	Information will form a baseline for future activities
	17. Create a Community Reference Group to provide community feedback to the Working Group		February 2018	Port Phillip City Council	Community is actively engaged
Building our understanding	18. Develop a specific education program for Councillors, MP's Senior Council Executives and Stakeholder Advocacy Groups to: • Build understanding of the characteristics of the Elster Creek Catchment in relation to flooding • Understand mitigation options (i.e. 2011 GDH Flood Mitigation Study)		March 2018	Port Phillip City Council	Agencies and advocacy groups understand flood risk across the Elster Creek Catchment
Elsetr Creek Catchment Action Plan		Page 6			Joint Plan

9.6 DOCKLESS SHARE BIKES

Author: Mathew John Bonomi, Coordinator Transport and Place Design

*Trim No:* 18/195649

Attachments: Nil

#### **PURPOSE AND SUMMARY**

This report seeks to provide an update to Councillors on the current situation of dockless share bikes within both Glen Eira and wider metropolitan Melbourne.

## **RECOMMENDATION**

That Council notes this report.

#### **BACKGROUND**

At Council meeting on the 8<sup>th</sup> of November 2017, Council resolved to consider further advice from officers following attendance at an information session on dockless share bikes and the Memorandum of Understanding, held by the City of Melbourne.

This information session was held in March of 2018. City of Melbourne officers detailed the issues and opportunities presented by the ongoing operation of oBike within Melbourne. Officers recommended a wait and see approach to additional Councils signing a similar MOU foreshadowing a new and improved agreement with the share bike operators.

## **Dockless Share Bikes**

Dockless share bikes were first introduced in Melbourne in June 2017. Currently, *oBike* is the only operator in Melbourne. The company provides a dockless bicycle sharing system, with bikes that have a built-in Bluetooth lock. Bicycles can therefore be left anywhere at the end of a journey, not just at a docking station like the existing blue RACV share bikes found in the Melbourne CBD. Users use a smartphone app to locate and hire the bikes.

There have been several reports of issues with oBikes obstructing pedestrian access to footpaths and being left in inappropriate locations throughout metro Melbourne. This has resulted in the City of Melbourne, City of Port Phillip and City of Yarra developing a Memorandum of Understanding (MOU) with oBike. The MOU outlines the way in which the bikes must be managed in an effort to improve safety and amenity across the three municipalities.

## **ISSUES AND DISCUSSION**

## oBike redeployment

Recently oBike withdrew its fleet of bikes from all outer municipalities to focus their operation in the inner-city municipalities of Melbourne, Yarra and Port Phillip. It is believed this is due to ongoing management and viability concerns. This redeployment means that only limited oBikes will be seen within Glen Eira in the future, as all efforts will be made by the operator to redeploy within the inner city areas. Recent observations throughout the municipality tend to confirm this.

## New operators

It is anticipated that within the coming months, additional share bike operators will launch within Melbourne (this could include *Offo* and *Redibike*). Council officers understand that there have been preliminary discussions with inner-city Councils and they would expect any new operators to sign a similar MOU. At this stage Glen Eira officers have not been approached by any of these potential new operators.

## Local Law compliance

Reports from Council's Civic Compliance Team show that complaints regarding the misplacement of oBikes have significantly reduced. This is in line with the expectations as previous stated that oBikes are no longer stationed within Glen Eira.

## **Draft Integrated Transport Strategy**

The Draft Integrated Transport Strategy (Policy 5.1) outlines that Council will quickly respond to changing transport technologies.

To ensure Council takes advantage of these opportunities Council will assess the new and emerging technologies against the principles within the Integrated Transport Strategy and the goals and objectives of Glen Eira Council and Community Plan. If the operation was supported then an appropriate agreement would then need to be signed off which could include appropriate fees, restrictions and guidelines.

If managed correctly share bikes do present the opportunity to play an important role within our transport system. The benefits include:

- 1. Increased transport flexibility
- 2. Reductions in vehicle use and congestion
- 3. Financial savings for the individual

These bikes can also act as a "door opener" for increased bicycle use, by making a strong visual statement that bicycles do belong to our cities streets.

## **Next Steps**

It is expected that the retraction of operations into the inner city municipalities that have an MOU agreement with OBike will, in time, set an industry standard for the operation of dockless shared bikes. At the appropriate time, when this technology finds its feet and is ready to expand again, Glen Eira can adopt the same controls and agreements as the innercity Councils.

## FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

N/A

## POLICY AND LEGISLATIVE IMPLICATIONS

N/A

## **COMMUNICATION AND ENGAGEMENT**

N/A

## LINK TO COUNCIL AND COMMUNITY PLAN

Theme Two: Accessible and Well Connected

A City that is easy to move around, full of safe travel options and walkable neighbourhoods.

## 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 expected that the dockless share bike programs like oBike will continue to their presence within our neighbourhoods, although to a limited scale when compared to our inner- city neighbours.

Officers will continue to update Council on new operators or the existing oBike operator.

#### 9.7 COMMUNITY ENGAGEMENT STRATEGY 2018-2021

Author: Gave Stewart, Manager Community Development & Care

*Trim No:* 18/1104959

Attachments: 1. Final Community Engagement Strategy

2. Comments from public exhibition of the Community Engagement

Strategy and responses

#### **PURPOSE AND SUMMARY**

To seek endorsement for the *Glen Eira Community Engagement Strategy 2018-2021 and provide* details of feedback received through the public exhibition process.

#### **RECOMMENDATION**

That Council endorses the Glen Eira Community Engagement Strategy 2018-2021.

#### **BACKGROUND**

The Glen Eira Community Engagement Strategy 2018–2021 outlines a process for how Council will conduct community engagement activities, and explains how our community can be involved in decisions about matters that are important to them.

To develop this new strategy, Council's previous *Community Engagement Strategy 2014* was reviewed and Council's approach to community engagement was more closely aligned to best practice public participation approaches outlined by the International Association of Public Participation (IAP2). A report from the Victorian Auditor-General's Office (VAGO) on best practice participation approach and the proposed changes to the *Local Government Act*, which aim to strengthen transparent decision-making in the public interest, were also important reference points.

The new *Glen Eira Community Engagement Strategy 2018-2021 was* developed in consultation with Council's Community Consultation Advisory Committee, which includes three Councillors and four Community members. A range of Council business units, Managers and the Executive also informed its development.

The *Strategy* forms part of Council's overall community engagement framework that includes:

- Community Engagement Policy (endorsed by Council on 17 October 2017);
- Glen Eira Community Engagement Strategy 2018-2021; and
- an internal staff toolkit which provides resources to ensure consistent and high quality community engagement practices.

At the Council meeting of 27 February 2018 Council endorsed the release of the draft *Community Engagement Strategy 2018-2021* for public exhibition.

Copies of the draft *Glen Eira Community Engagement Strategy 2018–2021* were made available to the public and comment sought between Thursday 1 March and Wednesday 28 March. Copies of the draft *Glen Eira Community Engagement Strategy 2018–2021 were* distributed:

- in Council's Service Centre and Glen Eira libraries
- on Council's web page

- online at www.haveyoursaygleneira.com.au where people could also submit a question; tell us ideas; or express an opinion
- to community organisations on Council's community development mailing lists by email.

Council reached out to engage the community in the plan through:

- Facebook posts
- Community Engagement E-newsletter
- Service Centre and Library television screens
- Glen Eira News article
- Community news advertisement in Caulfield and Moorabbin Leader newspapers
- Presentation and discussion at networks, community groups and committees such as Disability Reference Group, Youth Voice and other forums.

#### **ISSUES AND DISCUSSION**

During the consultation period, Council heard from 20 people via the Have Your Say website and on email (A summary of all comments received and the intended responses is in attachment 2).

### • Community Feedback

The key issues raised included in the feedback included further defining stakeholder groups by specifically including LGBTIQ and gender diverse communities, and vulnerable people and those with mental illness in the list of groups we must try harder to reach.

There was a strong emphasis on past research and data to inform engagement projects, and in closing the loop, ensuring that participant demographics and analysed engagement data is reported back to the community at the conclusion of each engagement process.

As a result of this feedback, changes to the strategy were made on pages 9, 10 & 18 as outlined below.

Issues related to youth engagement in the feedback received will be addressed in the Connecting with Youth Strategy 2018 -2021 which is the partner document to this Engagement Strategy and out for public comment throughout May 2018.

Some issues raised in feedback from the community did not result in a change to the strategy. These included concerns that the Strategy is too broad in its scope and definition.

All feedback received will be responded to and engagement outcomes reported back to the community via the Have Your Say website and in the Community Engagement eNewsletter.

### Changes to Strategy following feedback

Under the section 'When designing community engagement' (page 9) the following dot point was added:

 background research, previous data analysis and studies, and other supporting materials

Included in 'Groups we must try harder to reach' (page 10) are:

- o LGBTIQ and gender diverse people
- Vulnerable people and those with mental illness

Under the section 'We conduct community engagement in line with our commitments in this *Strategy'* (page 18), point 3 has been adjusted to read:

 The findings and results of all community engagement processes, including participant demographics and analysed feedback, are published on our website and/or communicated directly with participants

GLEN EIRA CITY COUNCIL

### FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

It is anticipated that training programs for staff will require additional resources which have been included in draft budget proposals for 2018-19. Up to \$30,000 may be required in addition to current budgets for training and development of staff.

### **POLICY AND LEGISLATIVE IMPLICATIONS**

The review of the Local Government Act, currently underway, is likely to have implications for Council in the way community engagement is undertaken in the future. The *Glen Eira Community Engagement Strategy 2018-2021* has responded to all elements recommended in the draft Local Government Bill of December 2017.

### **COMMUNICATION AND ENGAGEMENT**

Glen Eira Community Engagement Strategy 2018-2021 was developed in collaboration with the Community Consultation Advisory Committee and with support from the Executive Management Team. External engagement with the community on the draft Strategy elicited 20 responses from community members via Council's Have Your Say website and on email. Half of the respondents were in support of the Strategy, and four changes were made to the Strategy as a result of their feedback.

#### LINK TO COUNCIL AND COMMUNITY PLAN

Theme Five: 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 proposed *Glen Eira Community Engagement Strategy 2018-2021* outlines Council's approach to open engagement with the community.



BENTLEIGH
BENTLEIGH EAST
BRIGHTON EAST
CARNEGIE
CAULFIELD
ELSTERNWICK
GARDENVALE
GLEN HUNTLY
MCKINNON
MURRUMBEENA
ORMOND
ST KILDA EAST

# GLEN EIRA COMMUNITY ENGAGEMENT STRATEGY 2018–2021





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# ABOUT THIS STRATEGY

Glen Eira City Council welcomes community ideas, input and feedback. We want to strengthen relationships and build a better understanding of community needs and views to help us make informed and transparent decisions.

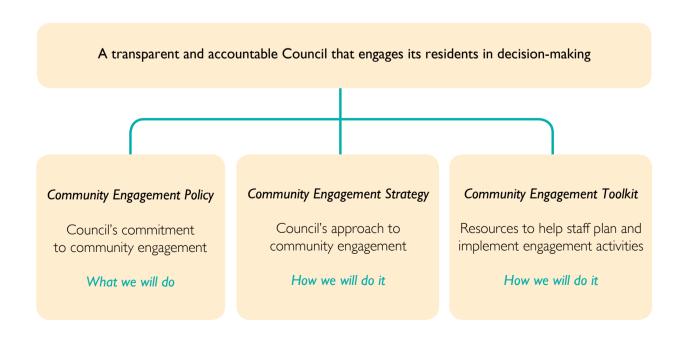
To do this successfully and consistently across our various services and projects, we have developed this *Community Engagement Strategy*. This document outlines a process for how Council will conduct community engagement activities, and explains how our community can be involved in decisions about matters that are important to them.

Implementing this *Strategy* is the shared responsibility of the entire Glen Eira City Council organisation and applies to Councillors, staff, contractors and consultants. The *Strategy* recognises that the key to successful community engagement is a productive and collaborative parntership between Council and the community.

The process outlined in this *Strategy* upholds the 10 Guiding Principles of Council's *Community Engagement Policy* (see Appendix one) and is informed by the International Association of Public Participation (IAP2) methodologies.

IAP2 has developed a set of tools to promote community involvement in decision-making and help practitioners improve the practice of community engagement. These tools are widely considered to be international best practice and form part of a comprehensive community engagement approach, which includes training for staff to support the implementation of this *Strategy*.

There are three key components to Council's overall framework for community engagement and together, these provide a roadmap for how we achieve our vision 'for a transparent and accountable Glen Eira where decision-making is informed by input from the community'.



# WHAT IS COMMUNITY ENGAGEMENT?

Community engagement is about the Glen Eira community shaping Council directions, descisions, and actions that affect, impact or interest them.

It is a purposeful, planned process where stakeholders, communities and Council work together to inform decisions about services, events, strategic plans, issues and projects.

Sometimes community engagement may be as simple as asking for feedback after an event and at other times this may involve in-depth discussions to help us develop and decide on solutions to challenging issues.

Community engagement is also about the community initiating conversations about things that matter to them and having open and honest interactions with Council.

Not only does community engagement lead to better decision-making, but participation in civic life is recognised as being central to good health, developing strong and supportive relationships and networks, while contributing to a positive community spirit.



# Who is our community?

A community is a group of people that share a common attribute or experiences. Broadly, our community includes people who live, work, access services, participate or contribute to community life in Glen Eira. Within this there are many diverse communities, including:



communities of place, such as residents of Caulfield or users of Centenary Park;



communities of interest, such as arts, sports and environmental sustainability;



communities of affiliation, such as schools, religious groups and local clubs; and



communities of culture, such as Aboriginal and Torres Strait Islander peoples and those from diverse ethnic and faith backgrounds.

## What is a stakeholder?

Stakeholders are individuals, a group of individuals, organisations or political entities directly affected or involved with the outcome of a decision or the impact of a strategy, project or proposition.



# **OUR APPROACH**

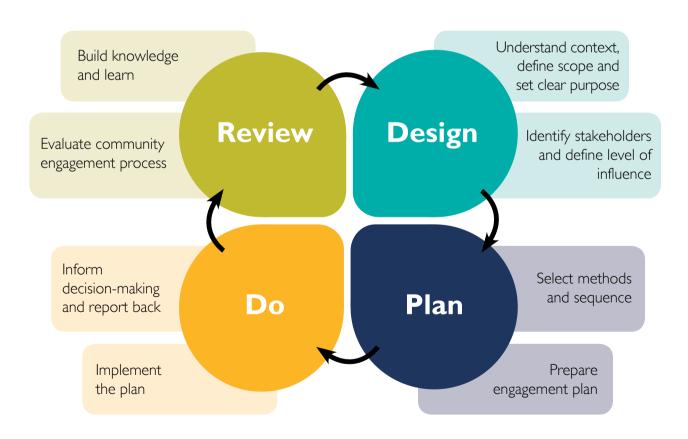
Council's approach to community engagement has been informed by public participation approaches outlined by the International Association of Public Participation (IAP2), reports from the Victorian Auditor-General's Office (VAGO) and proposed changes to the Local Government Act which aim to strengthen transparent decision-making in the public interest.

IAP2 is an international organisation advancing the practice of public participation. The IAP2 framework is underpinned by values that are aimed at ensuring organisations make better decisions that reflect the interests and concerns of potentially affected people.

The public participation principles released by VAGO in 2015<sup>1</sup> include responsiveness, transparency and integrity, openness, accountability, inclusiveness and awareness. These provide a basis for the community engagement principles proposed in the draft *Local Government Act* currently on public exhibition<sup>2</sup>, and this *Community Engagement Strategy*.

Council commitment to improved community engagement is reflected in the *Council and Community Plan 2017–2021*, which aims for 'a transparent and accountable Council that engages its residents in decision-making.'

The community engagement model below has been adapted from IAP2 and shows four interconnected elements that outline our approach.



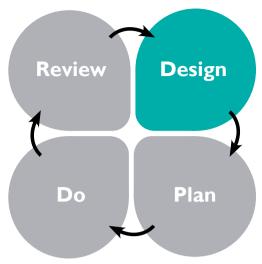
<sup>&</sup>lt;sup>1</sup> Public Participation in Government Decision-making: Better practice guide, Victorian Auditor-General's Office, January 2015

<sup>&</sup>lt;sup>2</sup> Local Government Act Bill — Exposure Draft, Minister for Local Government, Victorian State Government, December 2017

# **DESIGN**

In this stage we determine the need to engage and understand the context within which engagement will occur. Council looks at the big picture and how this process fits in with other services and activities. The purpose for engaging is clarified, how results will be used and who might need to be involved.

This stage helps to define the process and makes sure we are clear on what is required before progressing to the 'Plan' stage where the detailed planning for community engagement commences.

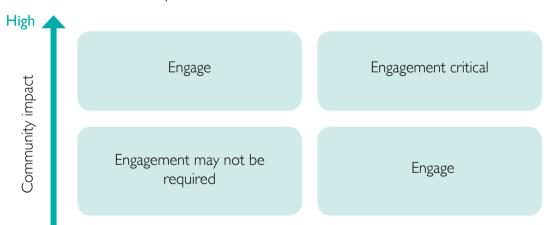


# Understand context, define scope, set clear purpose

### We will:

- · clearly define the purpose of the engagement;
- assess the level of community impact and interest to determine when to engage;
- · consider previous engagement, risks and public value; and
- always engage when legally required.

Council will assess the need to engage by looking at two factors: the level of community impact, and the level of community interest.





We will engage on matters that involve:



significant change to services and facilities, such as the redevelopment of a local park;



a change in strategic direction, such as the Council and Community Plan;



changes to the existing amenity or characteristics of an area, such as the redevelopment of Elsternwick Plaza;



considerable budget implications, such as the redevelopment of an aquatic facility;



controversial or sensitive matters, such as an environmental issue; and



key emerging issues, such as community gardening.

Council will always engage with the community where there is a legislated requirement to do so. This includes making a local law; selling Council property; developing the *Council and Community Plan* and *Municipal Health and Wellbeing Plan*; setting the Annual Budget and Councillor allowances; and making changes to urban planning policies.

When designing community engagement Council will also consider:

- whether we are informing the community or asking them to contribute to a decision;
- the benefits of seeking community input into a project;
- feedback we have already gathered through other recent and relevant engagements;
- whether the likely costs of engagement represent good value for ratepayers given the scope and scale of the decision;
- opportunities to combine projects that seek to engage with the same stakeholder groups; and
- background research, previous data analysis, studies and other supporting materials.

Through this process we will clearly define and agree on the purpose and scope of the engagement.

# Identify stakeholders and define level of influence

### We will:

- provide anyone affected or interested with the opportunity to participate;
- clearly define the level of influence participants will have;
- think comprehensively about our various stakeholder groups and communities; and
- proactively seek out the view of hard-to-reach communities.

Opportunities to participate will be available to anyone who is likely to be affected by, or who has an interest in, a decision or outcome, by actively reaching out to interest groups.

Council will seek to ensure views from a cross-section of the community are gathered that are relevant to the decision. This means we will proactively seek out the views of those whose voices are not often heard.

### Stakeholders and communities to consider:

- residents and ratepayers;
- local businesses and industry groups;
- service providers (such as education, health, emergency);
- community groups, sports, clubs and local organisations;
- those who work, visit and volunteer in our city;
- users of particular facilities, services or modes of
- other levels of government and peak bodies; and
- council staff, leadership and contractors/ consultants.

### Groups we must try harder to reach:

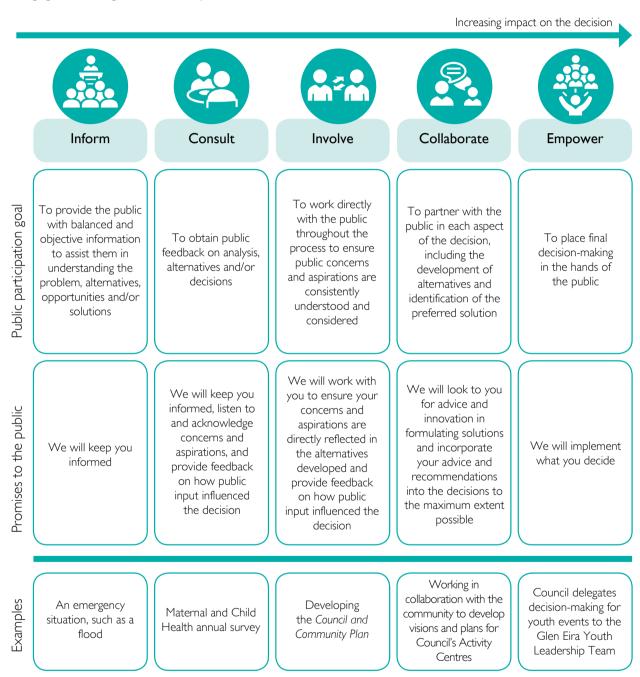
- Aboriginal or Torres Strait Islanders;
- people with a disability;
- children:
- young people;
- frail aged;
- culturally and linguistically diverse communities;
- LGBTIQ and gender diverse people; and
- Vulnerable people and those with mental illness.

Council has identified that young people in particular are often under-represented in our community engagement processes. To address this, we will develop a specific youth consultation strategy with targeted engagement channels and techniques to better involve our young people.

For each engagement process, Council will identify the stakeholders and community we need to engage with according to the issue. We will also clearly define how much influence participants will have on the final decision or action, using the IAP2 Public Participation Spectrum as a guide. The IAP2 Public Participation Spectrum

articulates five levels of engagement, from very little (Inform) influence, to the most influence (Empower) where the final decision is placed in the hands of the community.

For example, when we are going to consider community feedback (along with other factors) when making our decision, the *Spectrum* calls this *Consult*; or when we are we going to work with participants until we reach a decision that the majority are comfortable with, the *Spectrum* calls this *Collaborate*. An adaptation of the *Spectrum* together with examples of when each level of engagement might be used is presented below:

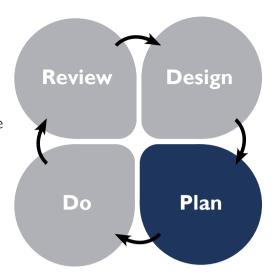


Importantly, we will tailor the level of participation to the project and the stakeholders, recognising that one level is not inherently better than the other and what is most appropriate depends on the project scope and decision to be made. Determining the level of public participation at the beginning of any engagement process is critical for managing community expectations and also shapes the 'Plan' phase.

# PI AN

In this stage Council plans how to implement the engagement process. This includes the details of who we need to engage, what methods will be used, where and when the engagement will take place, who will conduct the engagement, how we will report back to the community and finally how the engagement process will be evaluated.

This stage ensures the engagement process is comprehensive and efficient and allows Council to allocate sufficient time and resources.

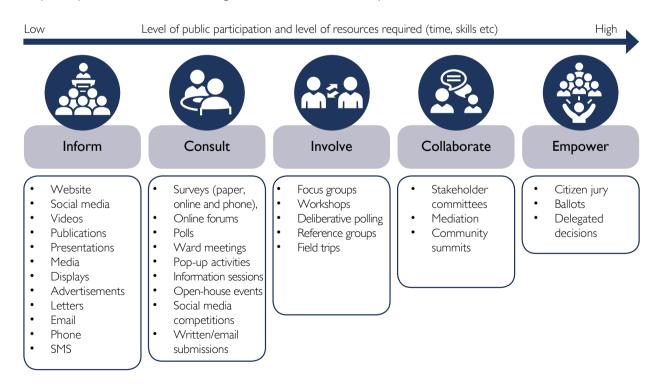


# Select methods and sequence

#### We will:

- set clear expectations about what is negotiable and the level of influence on decision-making the community can expect to have;
- tailor our methods to the project, stakeholders and resources available;
- consider the mix and sequence of methods to increase participation; and
- ensure our activities are accessible and inclusive.

Community engagement methods will vary depending on who is being consulted, the level of public participation desired and the timeframes and resources required. A mix of engagement methods is generally required to cater for different stakeholder needs, preferences and the level of participation Council is seeking to achieve. Some examples include:



Council will also seek out innovative approaches to engagement, particularly those that enable voices of hard-to-reach communities.

The sequence and mix of engagement activities will be carefully considered to make sure they work together and allow enough time and space for meaningful participation.

# Prepare engagement plan and seek approval

We will:

- prepare an engagement plan;
- plan how to raise awareness and encourage participation in the process; and
- decide how we will monitor and evaluate the plan.

Before implementing each engagement process, Council will prepare an engagement plan to ensure activities are agreed, co-ordinated and properly resourced (time, financial, skills, experience and equipment).

The plan will also identify the background information required to allow the community to contribute in an informed and meaningful way and how we will raise awareness of the engagement process and encourage participation.

Importantly, prior to commencing an engagement process, Council will decide how the engagement will be monitored and evaluated. This will ensure the right information is captured along the way and allow us to fully assess the value of each engagement activity.

This plan will be prepared using the resources and best practice approaches outlined in the *Community Engagement Toolkit* and helps to ensure the process is efficient, targeted and respectful of the community's time.

Every plan requires approval by management, and in some cases Council, as a way of ensuring all engagement activities are co-ordinated and of high quality.

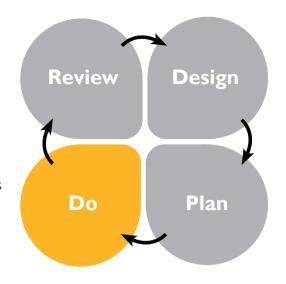


# DO

In this stage Council implements the *Community Engagement Plan*, engages with stakeholders and community and uses the results to inform decision-making.

We will actively listen to and record what has been provided during the engagement process. At agreed points, Council will report back to the community the results and outcomes of engagement and how decisions were influenced.

This stage provides us with the information required to inform decisions and provides an opportunity to engage with and learn from our community.



# Implement the plan

### We will:

- actively listen to, and record all views expressed;
- respect the diverse views and experiences of our community; and
- monitor and adjust if needed.

Our community is diverse and has many views, opinions and needs. Through all engagement activities, Council will encourage the open expression of these views. We will listen to, record and respect all voices heard throughout the engagement process.

As the engagement plan is implemented, we will monitor the effectiveness of the different activities and the level and breadth of participation. Using this information, we will reassess and adjust engagement activities, timelines or other factors if required to improve the process. For example, if a group in the community is identified whose voices have not been heard, we may undertake additional activities specifically aimed at reaching them.



# Inform decision-making and report back

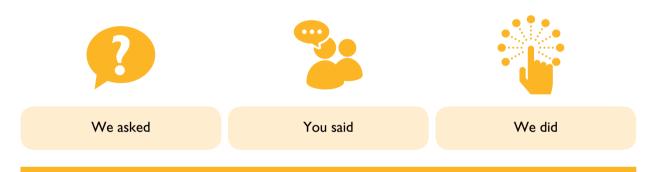
We will:

- give consideration to all feedback received;
- report back the findings and decisions in a timely and accessible way; and
- use findings to influence decisions or advocate where we do not have the authority to make decisions.

Council recognises that transparent decision-making processes rely on the use of sound evidence, community input and representation. All views gathered through community engagement activities will be considered, balanced and assessed, giving consideration to any other data, advice, strategies and/or legislation that is relevant to the matter.

In making the decision, Council will refer back to the purpose of the engagement activity and ensure the final decision reflects the original purpose and objective.

Importantly, we will report back to participants and the community to clearly demonstrate how engagement results and outcomes have been used to inform the final decision.



The report format may vary depending on the nature of the engagement, but will be timely, accessible to every participant and the broader community, and protect the privacy and confidentiality of participants.

For longer-term engagement projects, Council will report back at key progress milestones so the community is kept informed and maintains interest and confidence in our process.

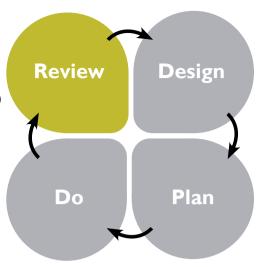
If input is received about issues or decisions that are outside Council's direct control, we will pass the anonymous engagement findings on to the responsible body and/or advocate to that body representing the views received by our community. For example, feedback received about public transport may be used to advocate to the State Government or public transport providers.

# **REVIEW**

In this stage Council will review the engagement process and what has been learnt during the implementation of the *Community Engagement Plan*. We will appraise each of the elements (what worked well, what could be improved) and document any learnings.

This provides Council with an opportunity to increase the level of understanding of our community and build skills and knowledge to improve future engagement processes.

Continuous improvement through monitoring, evaluation and learning is an integral part of our approach.



# Evaluate community engagement process

#### We will:

- welcome and listen to community feedback at any time;
- · plan our evaluation at the start of the engagement process;
- take a holistic approach that considers more than just numbers; and
- document and share lessons learnt.

Community feedback (positive and negative) on Council's engagement activities is welcome at any time. This can be provided directly to the team managing the engagement process or via Council's Customer Service Team.

Council will carefully plan how each engagement process will be monitored and evaluated before it begins so we capture the right information to allow a full and thorough assessment of the value of all of the engagement activities.

By taking a holistic approach to monitoring and evaluation, Council will ensure a mix of qualitative and quantitative measures are used to evaluate the purpose, process and participation, for example:

Were participants clear on the purpose of the engagement?

Were the most suitable and effective techniques used?

Were participants satisfied with the process?

Were there any voices missing?

Measurement will be undertaken using a variety of methods and will be captured during and at completion of the engagement process.

To build engagement capacity across Council, lessons from each project evaluation will be documented and shared with all staff who conduct community engagement, to inform future practice.

# Build knowledge and learn

We will:

- co-ordinate engagement projects to avoid unnecessary duplication;
- maximise the impact of community input by sharing insights internally; and
- keep a central register of what the community has told us.

Council provides more than 100 services and maintains more than \$2 billion in assets on behalf of the community, which means regular engagement occurs on a range of different topics. This must be carefully planned and managed to avoid repetition and the risk of over-consultation.

To make the most of the input the community has provided us, we will:

maintain a central register of all engagement projects (planned, in progress and completed) that includes participants, methods, findings and lessons learnt;

proactively share engagement findings with relevant internal departments;

consult the register when planning any engagement project to first find out what we already know and when we last consulted on similar issues; and

look for opportunities to combine engagement projects around similar topics and/or which seek to engage with the same stakeholder groups.

All data provided by the community will be protected in line with the Privacy and Data Protection Act 2014 (Act).



# **DELIVERING THE STRATEGY**

The overall effectiveness of our *Community Engagement Strategy* is measured by opportunities provided for the community to participate in decision-making and the degree to which community engagement leads to better decisions and outcomes.

### We will know we have been successful when:

We meet the requirements of our Council and Community Plan 2017-2021

- every major project will have a comprehensive community engagement process (page 42); and
- the level of satisfaction with the 'community engagement' score in the *Community Satisfaction* Survey will be consistent with, or better than, industry benchmarks (page 42).

We conduct community engagement in line with our commitments in this Strategy

- we consistently reach the participation targets in our engagement processes in terms of number of participants and capture views from a broad cross-section of the community;
- each year, registrations on our *Have Your Say* Glen Eira website grow and the reach of engagement content across our digital tools increases;
- the findings and results of all community engagement processes, including participant demographics and analysed feedback, are published on our website and/or communicated directly with participants;
- we report our community engagement processes as part of our quarterly corporate performance reports;
- Council decisions and advocacy activities are evidenced by community engagement findings; and
- every engagement process has a documented evaluation which is shared and available internally.

We complete the following key projects to implement our Strategy

- establish and maintain a central engagement register that is utilised as part of every engagement planning process;
- promote and increase the reach of the Community Engagement eNewsletter
- develop a youth consultation strategy with targeted and relevant engagement techniques to maximise participation of young people in decision-making;
- establish an online consultation group of approximately 400 residents who are willing to be involved and provide opinions and feedback on Council's programs and services (as noted in the *Council and Community Plan 2017–2021*, page 43);
- develop and implement a Community Engagement Toolkit and a staff training plan to ensure all Council staff are highly skilled and confident to engage well across the Glen Eira community; and
- develop and implement a plan to improve digital platforms for community engagement, including social media and online solutions.

# 4.1 ROLES AND RESPONSIBILITIES

Successful delivery of this *Strategy* is the shared responsibility of the entire Glen Eira City Council organisation and the community.

All staff develop and implement community engagement processes in line with this *Strategy*, and ensure this is also upheld by contractors as required.

Community Engagement
Practice Leaders share
community engagement
best practice across
the organisation,
help colleagues plan
for engagement and
assist with large-scale
engagement processes.

Council makes decisions considering community input and other financial, legislative and environmental factors. Councillors also undertake ongoing engagement with the community in their role.

The community shapes our City and it is imperative that they are engaged in decision-making for projects, strategy development and events that create connections in our community.

Community Wellbeing
Department co-ordinates
the implementation,
maintenance and review
of Council's Community
Engagement Policy,
Strategy and Toolkit. It also
supports departments
with community
engagement programs.

Community Consultation Committee oversees, evaluates and informs our Community Engagement Strategy.

Executive Leadership Team leads a culture that values genuine community engagement and allocates resourcing.

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# 4.2 RESOURCES

The Strategy will be resourced through comprehensive training and promotion to embed engagement as part of all Council processes. Specifically this will be achieved by:

the promotion of the Community Engagement Policy, Strategy and Toolkit internally and externally through Council publications, intranet and website;

ensuring appropriate resources are allocated to the planning, delivery and evaluation of engagement processes commensurate with the size and complexity of the project;

the development and delivery of a staff training program to include enhanced training for Community Engagement Practice Leaders;

the development and strengthening of contemporary engagement tools such as Council's Have Your Say Glen Eira website, social media and the establishment of the online community panel; and

the engagement of community engagement specialists to assist in large and complex engagement processes if required.



# **FURTHER INFORMATION**

# Glossary

Key terms are used throughout this Community Engagement Strategy. These have been explained below.

#### IAP2

The International Association of Public Participation. An international member association that seeks to promote and improve the practice of public participation or community engagement. Its frameworks, in particular its *Public Participation Spectrum*, is widely understood as the international best practice.

### Communication

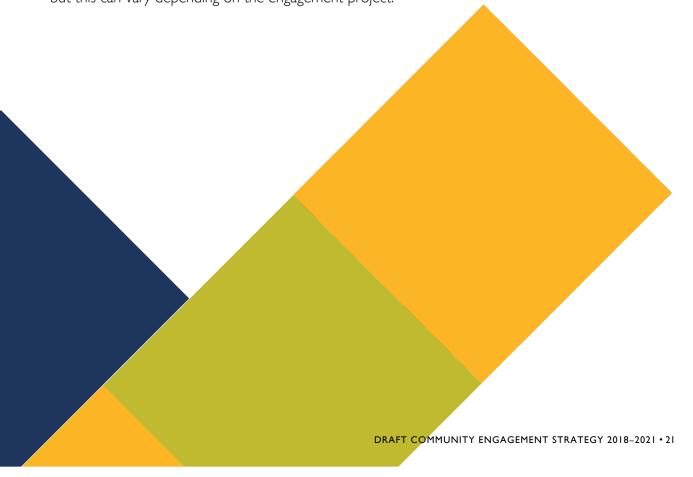
The process of imparting or exchanging information or ideas. It is an essential element of community engagement, but is only considered a form of community engagement if it is used for the purpose of informing a decision or action.

### Capacity building

The process of strengthening the skills, competencies, knowledge and abilities of people, communities and organisations to achieve their objectives.

### Representative sample

A small number of people that accurately reflects key characteristics of the broader target population. To illustrate, if our target population was 100 animal–lovers, 70 per cent dog–lovers and 30 per cat-lovers, then seven dog-lovers and three cat-lovers would form a representative sample. We commonly use age, gender and location as the basis of establishing representative samples, but this can vary depending on the engagement project.



# **USEFUL LINKS**

If you want to find out more about community engagement at Council, in Local Government more broadly, or the tools and techniques available, the following resources are available.

Resource	Access it via	
Glen Eira City Council Community Engagement Policy  Council's website or libra		
Glen Eira Council and Community Plan 2017–2021	Customer Service Team	
International Association of Public Participation (IAP2) Australasia	www.iap2.org.au	
Victorian Auditor General: Public Participation in Government Decision-making: Better practice guide 2015	www.audit.vic.gov.au enquiries@audit.vic.gov.au (03) 8601 7000	



# **APPENDIX**

# Appendix one — guiding principles

Our approach to community engagement is underpinned by 10 guiding principles, which are endorsed in Council's *Community Engagement Policy* (adopted on 17 October 2017).

#### Council will:

- engage with all members of the Glen Eira community to strengthen relationships, build community capacity and facilitate informed and transparent decision-making;
- ensure that the purpose of its engagement is clear and the community understands how their input will inform decision-making processes;
- ensure that community engagement activities are well planned, co-ordinated, accessible and inclusive and will provide reasonable timeframes for contribution to all engagement activities;
- proactively engage with the community using a range of methods as well as seek out new, innovative ways of engaging with people (including online and creative, visual methods) that increase accessibility;
- encourage those affected by a decision to be involved in the decision-making process;
- · seek out the participation of those in the community whose voices are not often heard;
- be respectful and actively listen to different points of view, acknowledging the diverse range of knowledge, expertise and experiences in our community;
- report back to the community in a timely manner about how their input was considered and how it influenced the final outcome;
- advocate for its community and ensure the community's views, needs and concerns are raised with other levels of government or relevant stakeholders; and
- monitor its approach and undertake evaluation and review to ensure continuous improvement in its approach to community engagement.

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### Glen Eira City Council

Corner Glen Eira and Hawthorn Roads, Caulfield

Mail address: PO Box 42 Caulfield South, 3162 Phone: (03) 9524 3333 Fax: (03) 9523 0339 mail@gleneira.vic.gov.au www.gleneira.vic.gov.au

#### **National Relay Service**

If you are deaf, hearing-impaired, or speech-impaired, we ask that you call us via the National Relay Service and then ask for (03) 9524 3333.

Online: https://internet-relay.nrscall.gov.au

Teletypewriter (TTY): 13 36 77 Speak and Listen: 1300 555 727

#### Social media

#### What's on in Glen Eira:

www.facebook.com/GlenEiraCityCouncil

### Glen Eira arts, gallery and events:

www.facebook.com/gleneiraarts

### Glen Eira Libraries and Learning Centres:

www.facebook.com/GlenEiraLibraries

### **Glen Eira Maternal and Child Health:**

www.facebook.com/GlenEiraMaternalandChildHealth

#### **Glen Eira Sports and Aquatic Centre:**

www.facebook.com/GESAConline www.twitter.com/GESAConline

#### Glen Eira Youth Services:

www.facebook.com/GlenEiraYouthServices www.instagram.com/gleneirayouthservices

#### Glen Eira sustainable living:

www.facebook.com/sustainablelivinggleneira



#	Have Your Say or Email	Support for Plan?	Summary of comments made	Change to Strategy?	Proposed changes to strategy & suggested responses
I	Have Your Say	Yes	<ul> <li>Agree that Council is working to include all members of the community and the Strategy commits to seeking the views of harder to reach communities</li> <li>However, the LGBTIQ and gender diverse communities are particularly vulnerable and should be explicitly included as a written example in the Strategy, to demonstrate inclusion to this community</li> <li>In the acknowledgement of the under-representation of young people, Council should include acknowledgement that LGBTIQ and gender diverse young people are particularly vulnerable</li> <li>In working towards decisions that the majority are comfortable with (collaborate engagement), the Strategy should also acknowledge the need to be aware of, and listen to, minority groups</li> </ul>	Yes	Changes to Strategy – page 10: Included in 'Groups we must try harder to reach' are:  • LGBTIQ and gender diverse people  Response to other comments: How Council plans to engage with young people is captured in the draft Youth Engagement Strategy. Council welcomes your feedback on the draft from early May.  How feedback is used to shape decision making is covered in Do - 'inform decision-making and report back'. Balancing comments and views from different stakeholders is key in the 'we asked-you said-we did' concept.
2	Have Your Say	No	<ul> <li>Strategy is not specific enough (insufficient detail provided on how Council will tap into community resources)</li> <li>While people with a disability are mentioned, those with mental illness are not</li> </ul>	Yes	Changes to Strategy – page 10: Included in 'Groups we must try harder to reach' are:  • Vulnerable people and those with mental illness  Response to comments: The strategy is balancing introducing people to best practice concepts, publicly stating Council's commitment and giving practical examples to communicate an overarching strategy. In this context specificity has been avoided to allow each engagement project to be developed around its specific intent. The detail will be part of the engagement plan and toolkit which will influence better practice over time and improve engagement with residents and other stakeholders.
3	Have Your Say	Yes	<ul> <li>Covers many aspects and allows consultation with many groups</li> <li>Allows consultation with a broad range of people.</li> <li>Strategy is a little too wordy</li> </ul>	No	Response to comments: Council has endeavoured to produce a strategy that is clear and concise and expresses our strategic direction.

RESF	RESPONSES RECEIVED IN RESPONSE TO PUBLIC EXHIBITION PERIOD FOR COMMUNITY ENGAGEMENT STRATEGY				
#	Have Your Say or Email	Support for Plan?	Summary of comments made	Change to Strategy?	Proposed changes to strategy & suggested responses
4	Have Your Say	Yes	<ul> <li>Community input is important</li> <li>Helps to get a better idea of what the community wants</li> <li>It's a start in the right direction</li> </ul>	No	No change, comments noted
5	Have Your Say	Yes	The Strategy describes a comprehensive approach  Delivery of the Strategy' section could be improved by:  Inclusion of a commitment to a data analysis of each major community engagement (covering age, diversity, occupation data of participants) published by Council as part of a progress report on major projects  Monitoring number of registrations and withdrawals on the Have Your Say site and publishing an annual report Undertaking an analysis of Have Your Say active and dormant membership to determine reasons used for ongoing improvement	Yes	Changes to Strategy – page 18:  Under the section 'We conduct community engagement in line with our commitments in this Strategy, point 3 becomes:  • The findings and results of all community engagement processes, including participant demographics and analysed feedback, are published on our website and/or communicated directly with participants  Response to other comments:  As part of our ongoing commitment to both the Community Voice members and our broader digital subscribers, we will regularly conduct audits and analysis of our online membership to ensure the community remain active and interested. Due to privacy laws, this will be an internal activity, and external promotion of the outcomes will be included in Council's overall reporting against the Council and Community Plan 2017-2021.
6	Have Your Say	No	<ul> <li>Insufficient detail on which stakeholders will be involved in an engagement</li> <li>Strategies' citation of 'take a holistic approach that considers more than just numbers' when discussing intentions of community inclusion, uses 'buzzwords' which are ambiguous. This sentence should be better written as 'consideration will be given not only to the amount of people affected but also the degree they are affected'.</li> </ul>	No	Response to comments: This document is an overall strategy for how Council will engage with its community. Details on specific stakeholders will be engaged be determined on a project-by-project basis, as part of a Community Engagement Plan.
7	Have Your Say	Yes	No comment	No	Noted
8	Have	No	The document consists of broad goals that cover everything and	No	Response to comment:

RESPONSES RECEIVED IN RESPONSE TO PUBLIC EXHIBITION PERIOD FOR COMMUNITY ENGAGEMENT STRATEGY					
#	Have Your Say or Email	Support for Plan?	Summary of comments made	Change to Strategy?	Proposed changes to strategy & suggested responses
	Your Say		therefore nothing		The strategy is deliberately broad; individual Community Engagement Plans will include more detail of how the community will be engaged for individual projects.
9	Have Your Say	No	<ul> <li>The community is engaged after the plan has been implemented. Engagement should be earlier and Council should really listen to the people, the residents, not the key stakeholders who will benefit while the residents suffer</li> <li>There does not seem to be much investigation in the initial design and planning stage such as impact studies, environmental, traffic, parking studies</li> </ul>	Yes	Changes to Strategy – page 9: Under the section 'When designing community engagement, Council will consider', add the following dot point:  • background research, previous data analysis and studies, and other supporting materials  Response to other comment: This Strategy seeks to build processes that engage community members in conversations from the outset about matters that are important to them. The changing relationships between community members and Council will be a measure of the success of the Strategy.
10	Have Your Say	Yes	<ul> <li>Communication regarding planning and population growth in Glen Eira is important and the community needs ongoing and updated information on this</li> </ul>	No	Response to comment:  Communication regarding planning and population growth is reported annually via Council's Annual Report.
11	Have Your Say	Yes	<ul> <li>There is a great need for Council to listen to Glen Eira residents</li> <li>The sooner the Strategy is enacted the better</li> </ul>	No	No change, comments noted
12	Have Your Say	No	<ul> <li>Document is an example of political correctness and social engineering.</li> <li>It provides Council an excuse to be involved in matters that are the preserve of either the State or Federal government.</li> <li>Following the Strategy would allow both Councillors and Council to pursue projects of no value</li> </ul>	No	Response to comment: Council has legislative obligations to openly and honestly engage with the community. This Community Engagement Strategy based on best practice and seeks to provide the Council with guidance on how best to include the community in decision-making processes.  Local Government has an advocacy role in issues where the decision making sits with either the State or Federal Governments, for example public health, public transport, and planning issues.
13	Have	No	The Strategy suggests that Council thinks it is able to take on	No	Response to comment:

#### RESPONSES RECEIVED IN RESPONSE TO PUBLIC EXHIBITION PERIOD FOR COMMUNITY ENGAGEMENT STRATEGY Have Support for Change to Your Say Plan? Summary of comments made Strategy? Proposed changes to strategy & suggested responses or Email Your issues that are State and federal government issues Local Government has an advocacy role in issues where the Say decision making sits with either the State or Federal Governments, for example public health, public transport, and planning issues. Response to comments: Have Yes The Strategy covers both processes and concepts No Council will continually include the public in decisions that affect Your There is a strong focus on inclusion although in reality, the same them. This strategy aims to ensure that we specifically target Say people are involved in organisations traditionally 'hard to reach' sectors of our community. Individual projects will aim to hear a diversity of voices to ensure a broad cross-representation of views. 15 Have Yes • Well designed and readable Nο No change, comments noted Your Say • Nothing beats walking, talking, listening if you want to know 16 No Nο Have Response to comments: Your about the neighbourhood This Strategy aims to ensure we engage with the community in Say a range of settings. Have No Nο Response to comments: It is too long Council has endeavoured to produce a strategy that is clear and Your • Unclear as to what are the specific changes which are proposed Say concise and expresses our strategic direction. Have Yes Nο Noted Your Say Have Yes It appears to cover the bases in gaining feedback from the Nο No change, comments noted Your community Say Fmail Nο Information provision needs to be more than online and is Nο Response to comments: 20 Council regularly reviews its publications and reporting, and important to support input. Suggest revitalising a publication produced previously by Council which included an overview of aims to provide the community with a number of different demographics, Council services, Council structure and facilities, avenues for receiving information, that includes both online and offline options. An annual satisfaction survey is completed for how to contact Council and other community information. Also suggest a revamp of Glen Eira News and an annual satisfaction residents who receive services such as Home and Community survey for service receivers (such as HACC clients) Care and Commonwealth Home Support Program, Maternal and Child Health and Child Care. The feedback received in

RESPONSES RECEIVED IN RESPONSE TO PUBLIC EXHIBITION PERIOD FOR COMMUNITY ENGAGEMENT STRATEGY						
#	Have Your Say	Support for		Change to		
	or Email	Plan?	Summary of comments made	Strategy?	Proposed changes to strategy & suggested responses	
			Need to review customer service at Glen Eira		satisfaction surveys informs service initiatives.	
			<ul> <li>Need to ensure that all engagements are cost effective and accountable (report back)</li> <li>Council needs to be transparent and accountable</li> </ul>		A Customer Experience at Glen Eira survey has been competed which was available online via the Have Your Say website, and in person at Town Hall. Results of this survey will inform new customer service standards.	
					Reporting on the efficiencies and effectiveness of Council's engagement projects will happen on a project by project basis, and in Council's overall annual reporting. The strategy aims to ensure that Council implements feedback loops to contributors as well as the general community, and that Council's decision making is open, transparent and accountable.	

### 9.8 ROAD MANAGEMENT PLAN (RMP) AMENDMENT

Author: Paul Samaratunge, Manager Infrastructure Assets

*Trim No:* 18/1106802

Attachments: 1. Council report on MP review May 2017 Attachment 1

2. 22 May 2018 - OCM Road Management Plan Amendment - Attachment

2

3. Copy of Defect Intervention Response Time Feb 2018 Attachment 3

#### **PURPOSE AND SUMMARY**

To seek endorsement of the amended Road Management Plan.

#### **RECOMMENDATION**

That Council:

- endorses the attached amended Road Management Plan (RMP) (Attachment 2) for public exhibition.
- notifies the community of proposed amendments to the RMP in accordance with Road Management (General) Regulations 2016, (Regulation 10) and invite submissions within 28 days of a notice published in the Government Gazette, a daily newspaper, and the Council's web site
- 3. considers a further report on this matter after the conclusion of the public exhibition.

### **BACKGROUND**

At its meeting of 23 May 2017, Council resolved that it:

- 1. Notes the findings and conclusions of a review report on the RMP. (Attachment 1)
- 2. Authorises officers to commence a process to consider amendments to the RMP

Accordingly, the RMP has been amended (**Attachment 2**) following the Council adopted review report with the amendments highlighted in red text.

Intervention levels and response times were benchmarked with neighbouring Councils. (Attachment 3)

Council's Road Management Plan (RMP) sets minimum standards by which Council inspects, maintains and repairs roads, laneways and footpaths that it manages.

Council adopted its first RMP in 2004 in response to the new legislation. The standards nominated at the time were a best guess as to what was achievable. Since then Council has updated the RMP in 2006 and in 2014 to reflect knowledge at the time about what is achievable and Council's changing circumstances.

Provided that Council sets standards and complies with them, the Plan is Council's legal policy defence under the *Road Management Act 2004* (the Act). Liability for damage would arise only if Council failed to comply with the standards in the RMP<sup>1</sup>.

The biggest risk for Council in setting performance standards through the RMP is not meeting those standards, exposing Council to potential claims for damages. Council must not however; set standards that no other road authority in Council's position, acting reasonably, would set (section 39(5) of the Act).

#### **ISSUES AND DISCUSSION**

Proposed amendments to the RMP

The review report (**Attachment 1**) confirmed that Council's RMP meets its obligations and that the standards and priorities given to inspecting, maintaining and repair of Council roads, footpaths and laneways are generally appropriate.

The review also identified areas for improvements, clarifications and enhancements to Council's RMP for consideration and endorsement prior to public exhibition.

As a result of the review, it is proposed that Council amend the RMP. (As per the discussion below).

Further, to ascertain if proposed changes would comply with section 39(5) of the Act, the proposed amended RMP was benchmarked against that of the neighbouring Councils. The benchmarking found that the amended RMP complies and the Council's standards are equal to or better. Reference is made to the benchmarked key standards for intervention levels and response times (**Attachment 3**) and the discussion below.

Key proposed amendments:

#### Routine and Reactive Defect Inspections

Routine scheduled defect inspections are now separated from the reactive inspection requests received from the community. Further distinction is made through the customer request system of Emergency and Non – Emergency reactive inspections.

Customer Service staff will consider the following reported events within the road reserve as requiring an emergency response:

- Oil spills
- Flooded road
- Sunken/collapsed road
- Fallen/damaged tree blocking traffic movement or pedestrians
- Object on road interfering the safe movement of public on the road reserve
- Footpath fall event

This triage process will avoid the pressure on field staff to treat customer considered emergencies as urgent when it is not an actual emergency.

GLEN EIRA CITY COUNCIL

<sup>&</sup>lt;sup>1</sup> The Road Management Act 2004 allows Council this policy defense.

The distinction between what is emergency and non-emergency also prioritises the more urgent inspections in terms of risk management and meeting performance targets under the RMP.

#### Response Times

The inspection response times will be based on emergency or non- emergency assessed at the initial notification to customer service staff or after hour's service.

Only those reactive defects reported by the public that are termed as emergency and qualified as emergency defects by the customer service staff will qualify for an emergency inspection. All other reactive defects reported will be treated as non-emergency defects. This results in a more efficient response to actual reactive emergency inspections within the short time frames.

The inspections deemed non-emergency will be scheduled for inspection within 5 working days of receiving request, while emergency inspections will be inspected within the 24 working hours of recording of request and being qualified as emergency.

An additional response for inspection of potential insurance claims and footpath fall events has been added within an inspection time frame of 24 working hours due to the nature of liability.

The 24 working hours allowed for reactive emergency and any insurance claim inspections is considered reasonable. Emergency inspections at other neighbouring councils vary from 4 hours to 24 hours or immediate or no differentiation at all.

Very often the works depot and parks services do respond within the 24 hours if there is sufficient warning of impending storms or flash floods by mobilising extra resources.

A reference to the word immediate has been replaced with prompt actions in the emergency standards table. Prompt actions do not refer to the inspection response time, but Council acknowledgment and recording of the request.

#### Defect Intervention Levels

Standards relating to intervention levels and repair of defects for all assets under the Plan have been made clearer. Defects that have not reached intervention are not considered hazardous; however the defects which have potential to worsen, but not reached intervention may be addressed at the judgement of the inspecting officers, as is the current practice, for reasons of operational efficiency.

### Footpath Defect Intervention Levels

Temporary maintenance repairs in particular for footpaths are undertaken within the specified response times until a permanent repair can be completed. The treatment is usually an asphalt wedge as per current practice, but is made clearer in the amended Plan.

#### Pot holes in sealed roads

The pothole width dimension amended to include any width dimension greater than 300mm. The description of a diameter for a pot hole restricts defects which are wider and potential hazards. The depth remains the same.

#### General amendments

The tables under emergency response standards of section 5.5 have been amended to accord with the above.

The Council RMP system complex workflow diagram has been replaced with a simpler flowchart.

Appendix 1 on asset inspection details is amended to show demarcation among the 3 types of defect inspections namely reactive emergency, reactive non -emergency and scheduled inspection frequencies.

Appendix 2 is amended for both scheduled and reactive inspection response time frames.

All defect intervention levels and response times in the Appendix 3 will remain, except the pot hole dimension in sealed roads, as others are considered reasonable

#### Boundary Roads agreements

A separate review of the agreements with the neighboring councils indicates that the agreements are current and in force except that an agreement was prepared with Bayside City Council in alignment with the other boundary road agreements.

#### Rail Safety agreements

A separate review and update of Rail Safety Interface Agreements for asset ownership and maintenance responsibility has been conducted by Metro Trains as the responsible authority for these agreements under the legislation. An update for the crossings on the Dandenong rail corridor is to be undertaken by Metro Trains on completion of the sky rail project.

### FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

No implications for current resources given that the intervention levels and scheduled inspections frequencies for footpath and road defects are considered reasonable and are not being upgraded to a higher standard. Benchmarking of neighbouring councils suggest no significant variations in standards.

### POLICY AND LEGISLATIVE IMPLICATIONS

- Road Management Act 2004.
- The Road Management (General) Regulations 2016 (Vic)
- Road Management Codes of Practices

#### **COMMUNICATION AND ENGAGEMENT**

The RMP specifies minimum standards that Council must achieve all of the time (including times of peak workload). On a day to day basis however, Council typically responds much quicker and where appropriate, acts before intervention levels are reached.

Having regard to the above, the proposed changes from the old to the new RMP will not affect the average condition of Council road and footpath infrastructure or affect average response time to request for maintenance. Hence the proposed changes will have low impact on the community.

Due to the type and extent of the changes, prior to amending the RMP, there is a statutory requirement for public notification, Government Gazette advertisement, and advertisement in a daily newspaper circulating in the city of the proposed amended RMP for 28 days.

Public submissions to the amended RMP will be considered prior to the adoption of the amended RMP by Council.

The amended RMP will also be communicated to the community through Council's web site.

Link to Council and Community Plan

Theme 2: Accessible and Well Connected – A city that is easy to move around, full of safe travel options for pedestrians, cyclists and motorists and walkable neighborhoods

## 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 signifies the completion of Council's amendment of its Road Management Plan as required by the Road Management Act 2004 and associated Regulation 10. The amendments have considered the findings of the review report adopted by Council at its 23 May 2017 Ordinary Council Meeting.

Their report recommends Council considers endorsing the proposed amended RMP under the Road Management (General) Regulations 2016 (Vic) (Regulation 10) and invite public submissions with notification in the Government Gazette.

To amend the RMP the next steps would involve Council:

- Giving public notice in a daily newspaper circulating in the municipality, and Government Gazette of the amended proposed RMP and invite public submissions in accordance with Regulation 10 of the Road Management (General) Regulations 2016.
- Publishing the notice in a daily newspaper, and Council's web site.
- Consider public submissions prior to finalising the amended RMP.
- Adopting the amended RMP.

ITEM 9.15 ROAD MANAGEMENT PLAN (RMP) REVIEW

Author: Paul Samaratunge, Manager Infrastructure Assets

File No: 60/040/00033

Attachments: Nil

#### **PURPOSE AND SUMMARY**

To review Council's Road Management Plan as legislatively required after a general Council election.

### RECOMMENDATION

That Council:

1. Notes the report:

Authorises officers to commence a process to consider amendments to the 2014 Road Management Plan.

### **BACKGROUND**

Council's Road Management Plan (RMP) sets minimum standards by which Council inspects, maintains and repairs the roads, laneways and footpaths that Council manages.

The RMP is Council's legal policy defence should someone claim damages against Council in relation to use of road assets that Council manages<sup>1</sup>.

A copy of Council's RMP, which was last updated in 2014, is available on Council's website.

The Road Management (General) Regulations 2016 (Vic) (Regulations 8 & 9) include an obligation for each Council to review its Road Management Plan after a general Council election. Council has until 30 June 2017 to review its RMP.

# **ISSUES AND DISCUSSION**

Regulation 9 also requires that Council:

- In undertaking the review, ensures the standards and priorities given to inspection, maintenance and repair are appropriate.
- Reviews that the classes of road to which the RMP applies are appropriate.
- In having completed the review, produces a report summarising the findings and conclusions (this report).
- Makes the report available for copying or inspection on the Council website.

<sup>&</sup>lt;sup>1</sup> The Road Management Act 2004 allows Council this policy defence.

#### Review

Officers have reviewed the Plan with regard to standards and priorities given to inspection, maintenance and repair. The structure and contents was also reviewed in the context of the current case law precedence<sup>2</sup>. In undertaking the review officers relied on officers' experience in using the document, available resources, and an internal Audit facilitated by an independent consultant.

The review confirmed that Council's RMP meets its obligations and that the standards and the priorities given to inspecting, maintaining and repair of Council roads and footpaths are generally appropriate.

The review also identified areas for further improvements and enhancements to Council's RMP and it is proposed that these amendments be considered and implemented through due process in the next 12 months, and presented to Council.

Areas identified in the review for future improvement in the RMP for Council to consider include:

#### General

- Review the Road Asset Management Plan (RAMP) to confirm alignment with the RMP definitions of defects and defect intervention levels. The RAMP is an internal working document specific to road asset management business planning for the long term.
- Relate the RMP in the RAMP to avoid any conflicts in information and definitions in both documents.
- A clear distinction between emergency and non-emergency inspections. Develop a Q & A checklist protocol for customer service staff to qualify the emergency requests from the community.
- Develop a separate questionnaire for customer service footpath reports to prioritise inspection and responses to fall events, likely insurance claims and emergencies.
- The use of the words safety, make safe and hazard in the RMP is minimised to avoid subjective misinterpretation.
- · Complex tables are replaced with simple flow charts.

#### Inspections

- More clearly distinguish between scheduled inspections and reactive inspections.
- Clearer demarcation to separate reactive inspections as emergency or nonemergency.
- Include response times specific to insurance claim inspections.

#### Defects and Intervention Levels

 Amend pothole dimension to be more clear that it includes any dimension greater than 300mm (depth remains the same).

<sup>&</sup>lt;sup>2</sup> Kennedy vs Campaspe Shire

#### Response Times

- · Remove any reference to use of the word "immediate".
- · Set clear response times for emergency and non-emergency inspections.

Boundary Roads agreements and demarcation of responsibilities

- Undertake a separate review of the currency and status of the boundary road agreements.
- Undertake a separate review and update of Rail Safety Interface Agreements for asset ownership and maintenance responsibility on completion of the Level Crossing Removal Works.

# FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

No implications for current resources given that the intervention levels and scheduled inspections frequencies for footpath and road defects are considered reasonable and are not being upgraded to a higher standard. Benchmarking of similar councils suggest no significant variations in standards.

#### POLICY AND LEGISLATIVE IMPLICATIONS

- Road Management Act 2004.
- The Road Management (General) Regulations 2016 (Vic)
- · Road Management Codes of Practices

#### **COMMUNICATION AND ENGAGEMENT**

There is no legislative requirement for public notification of the review. Legislation requires that a copy of the review report (this report) be made available on the Council web site as per Regulation 9 of the Road Management (General) Regulations 2016 (Vic).

## LINK TO COUNCIL PLAN

Theme 7: Sustainable community assets and infrastructure – To enhance and develop sustainable community assets and infrastructure to meet the needs of 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

This report signifies the completion of Council's review of its Road Management Plan as required by the Road Management Act 2004 and associated Regulation 9.

A copy of this report must be made available for inspection on the Council website.

The review confirmed that Council's RMP meets its obligations and that the standards and the priorities given to inspecting, maintaining and repair of Council roads and footpaths are generally appropriate.

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Officers recommend that Council considers amending its RMP under the Road Management (General) Regulations 2016 (Vic) (Regulation 10) to include enhancements as identified in the review. This will require commencement of a new process.

To amend the RMP the next steps would involve Council:

- Considering a report on the RMP amended with the proposed changes.
- Giving public notice of the amended RMP and invite public submissions.
- Considering public submissions.
- · Adopting the amended RMP.

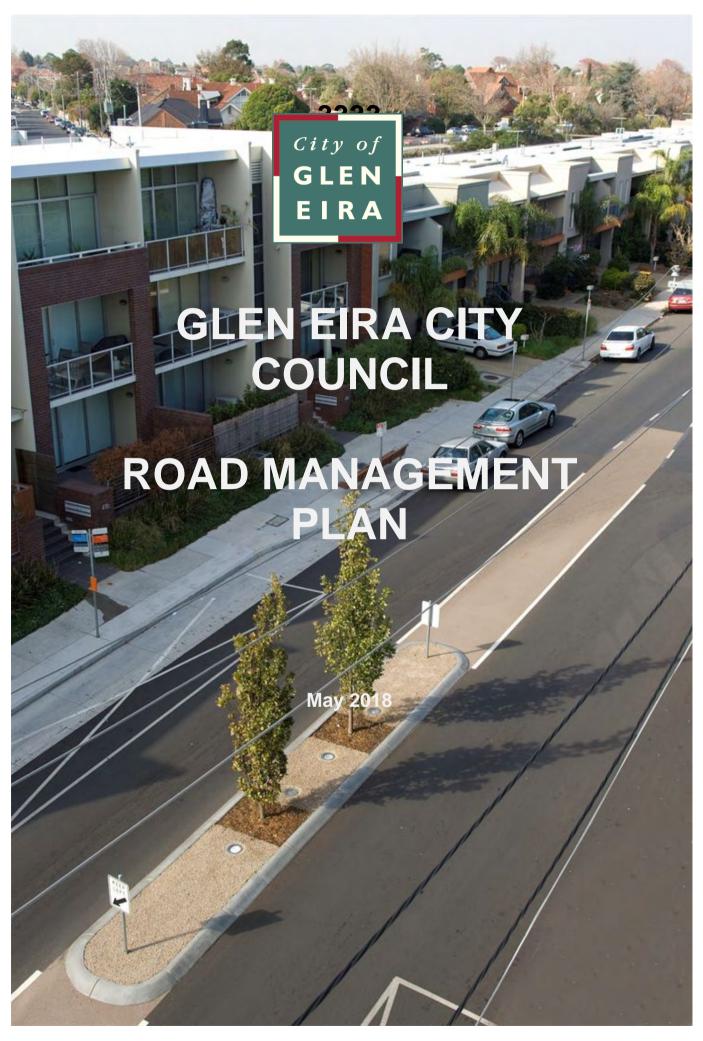
# Moved: Cr Davey

Seconded: Cr Esakoff

That Council:

- 1. notes the report;
- authorises officers to commence a process to consider amendments to the 2014 Road Management Plan.

# **CARRIED UNANIMOUSLY**



Version	Date	Comment	Reference
3	25 Nov 2014	Adopted by Council Resolution	
4	22 May 2018	Endorsed by Council Resolution	

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## 1 EXECUTIVE SUMMARY

The City of Glen Eira is custodian of an extensive range of assets. This includes the roads for which it has responsibility under the *Road Management Act 2004* (the "Act").

The road network within the City of Glen Eira consists of some:

- 498 kilometres of Council roads and constructed rights of way that include:
  - o 832 kms of kerb and channel; and
  - o 864 kms of Pathways
- 95 kilometres of arterial road carriageways which are the responsibility of, and managed by, VicRoads but for which Council maintains the Pathways.

The Act provides that Council, as a road authority under the Act, may publish and adopt a Road Management Plan:

- "(a) to establish a management system for the road management functions of a road authority which is based on policy and operational objectives and available resources; and
- (b) to set the relevant standard in relation to the discharge of duties in the performance of those road management functions."

This document is Council's Road Management Plan ("the Plan").

The Plan details the decisions Council has made as to how Council manages safety risks associated with the public roads and Pathways for which it is responsible.

In particular, the Plan sets out the times within which, and the standards to which, Council will:

- inspect for defects;
- maintain (appropriate temporary repair); and
- repair (appropriate permanent repair)

the roads and the Road (including Road-Related) Infrastructure for which Council is responsible.

The Plan balances the needs of road users against the limited resources available to Council, taking into account the many other services that Council, as a Local Government Authority, is required to deliver.

The Plan is otherwise based substantially on factors or constraints which are financial, economic, political, social or environmental.

Council uses the available resources to carry out inspections, Repairs and Maintenance under a number of programs. These can be divided into two main categories of Defect and Maintenance.

Details of these programs are set out in this Plan at section 2.7.

<sup>&</sup>lt;sup>1</sup> Section 50, Road Management Act 2004.

## 1.1 Responsibilities for Road Management Plan Implementation

The Chief Executive Officer has responsibility for assigning the roles and responsibilities of the appropriate Council officers for the purposes of implementing the requirements of the Road Management Act 2004 and this Plan.

## 1.2 Availability of the Plan

This Plan and Appendices are available for inspection, free of charge and in hard copy format, during office hours: 8:30 am to 5:00 pm each working day at:

**Customer Service Centre** 

Glen Eira City Council Municipal Offices,

Corner of Glen Eira and Hawthorn Roads,

Caulfield, Victoria.

Phone 9524 3333 or email mail@gleneira.vic.gov.au

This Plan is also available for download from the Council's website: www.gleneira.vic.gov.au.

## 1.3 Queries and Comments

Any queries or comments in relation to this Road Management Plan should be directed to:

Manager Infrastructure Assets

Glen Eira City Council

PO Box 42

Caulfield South 3162

Further information is also available on the Council's website: www.gleneira.vic.gov.au.

## 2 GENERAL

# 2.1 Obligations of Road Users

All road users have a duty of care under the *Road Management Act* 2004 (section 106) and the *Road Safety Act* 1986 (section17A). Section 17A of the *Road Safety Act* 1986 sets out that all road users have certain obligations:

## "17A Obligations of road users

- (1) A person who drives a motor vehicle on a highway must drive in a safe manner having regard to all the relevant factors, including (without limiting the generality) the
  - physical characteristics of the road;
  - prevailing weather conditions;
  - level of visibility;
  - condition of the motor vehicle;
  - prevailing traffic conditions;
  - relevant road laws and advisory signs; and
  - physical and mental condition of driver.
- (2) A road user other than a person driving a motor vehicle must use a highway in a safe manner having regard to all the relevant factors.
- (3) A road user must—
  - have regard to the rights of other road users and take reasonable care to avoid any conduct that may endanger the safety or welfare of other road users;
  - (b) have regard to the rights of the community and infrastructure managers in relation to road infrastructure and non-road infrastructure on the road reserve and take reasonable care to avoid any conduct that may damage road infrastructure and non-road infrastructure on the road reserve; and
  - (c) have regard to the rights of the community in relation to the road reserve and take reasonable care to avoid conduct that may harm the environment of the road reserve.

## 2.2 Purpose of the Plan

In accordance with section 50 of the Act, the purposes of this Plan are to:

- establish a management system for the road management functions of the Council which is based on policy and operational objectives and available resources; and
- set the relevant standard in relation to the discharge of duties in the performance of those road management functions.<sup>2</sup>

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<sup>&</sup>lt;sup>2</sup> Section 50, Road Management Act 2004.

## 2.3 Legislative Basis for the Plan

### 2.3.1 Provisions of the Act

This Plan is prepared in accordance with Division 5, sections 49-55 of the Act.

This Plan also reflects the purposes and objectives of the Council as specified under sections 3A and 3C of the *Local Government Act 1989*. Other legislation which relates to this Plan includes the *Road Safety Act 1986* and the *Transport Act 1983*, and further, Council's *Local Law 2009*.

## 2.3.2 Documents Developed Under Other Legislation

This Plan is consistent with other Council documents developed under other legislation (especially the *Local Government Act 1989*) including:

- Glen Eira Council and Community Plan;
- Adopted Annual Budgets;
- Asset Management Policy and Strategy; and
- Asset Management Plans.

#### 2.3.3 Codes of Practice

The following Codes of Practice which exist under the Act will be complied with by Council to the extent they are relevant to Council:

- Operational Responsibility for Public Roads this Code provides guidance in determining the physical limits of operational responsibility between road authorities for the different parts or elements within the Road Reserve of public roads;
- Management of Infrastructure in Road Reserves this Code provides guidance for road authorities and utilities in planning and managing their infrastructure in Road Reserves, e.g. gas, water, electricity, telecommunications, etc;
- Worksite Safety Traffic Management this Code provides guidance on how to conduct any works on a road in Victoria and supports the engagement of appropriately trained and qualified persons to carry out the works or direct traffic;
- Code of Practice for Road Management Plans this code provides practical guidance to road authorities in the making of road management plans; and
- Any new Code of Practice established under the Act.

#### 2.4 Content of the Plan

In accordance with section 52 of the Act, this Plan incorporates:

- the relevant standards determined by Council<sup>3</sup> in relation to the discharge of Council's duties in the performance of its road management functions; and
- details of the management system that Council has implemented and proposes to implement in the discharge of its duty to:
  - inspect for defects that have reached intervention,
  - maintain to provide temporary repair; and
  - repair to provide permanent repair

<sup>&</sup>lt;sup>3</sup> Section 51 of the Act provides that Council may determine standards by including them in this Plan.

those public roads for which Council is the coordinating or responsible road authority.

## 2.5 Effect of Road Management Plan

Section 39(4) of the Act sets out that, by including provisions in the Plan relating to the performance of road management functions, Council is to be taken to have made a policy or policy decision in respect of those road management functions.

Section 103 of the Act provides:

## "103 Policy defence

For the purposes of any proceeding to which this Division applies, an act or omission which is in accordance with a policy –

. . .

(b) determined by the relevant road authority under section 39 does not constitute a wrongful exercise or failure unless the policy is so unreasonable that no road authority in that road authority's position acting reasonably could have made that policy."

## 2.6 Meaning of Terms

This Plan uses within it a number of words and terms the meaning of which needs to be understood. These words and terms are defined below. Where a word or term is defined in the Act, this is indicated by a footnote, and the word or term has the same meaning in this Plan as in the Act:

**Ancillary Area**<sup>4</sup> means an area designated as an ancillary area by the coordinating road authority under section 18 of the Act, for example car parks.

## Example

Any area which is a "park and ride" carpark, rest stop or scenic lookout could be designated as an ancillary area.

Day means a normal working day (ie Monday to Friday, excluding public holidays).

**Defect** means a localised failure or imperfection in an asset. Examples are a pothole in a road surface or a crack in the surface of a concrete Pathway. Defects may be below the specified Intervention Level for the type of defect in the particular type of asset or may have reached the Intervention Level<sup>5</sup>. A defect does not include the design of the asset or the construction of an asset in accordance with the design, whether or not such design is of a type currently used or allowed by Council and whether or not such design could be said to be deficient compared to current designs.

**Routine Defect Inspection** is an inspection undertaken in accordance with a formal inspection schedule (as set out in Appendix 2 - Defect Inspection Frequencies) necessary to determine if an asset has reached an Intervention Level specified in this Plan. The nominated time is not precise. A 10% margin is allowable.

**Reactive Defect Inspection** is a Defect Inspection in response, for example, to a report by a member of the public or a Council employee or contractor. It is conducted in order to ascertain (a) whether the asset in question is the responsibility of Council (b) whether a Defect exists and (c) if so, whether it has reached an Intervention Level specified in this Plan.

It is central to this Plan that roads, Pathways and other road infrastructure are not perfect or free of all hazards. Defects will not be rectified unless they have reached the Intervention Level specified in this Plan.

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<sup>&</sup>lt;sup>4</sup> Sections 3 and 18, Road Management Act 2004.

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**Emergency Defect Inspection** is a Defect Inspection, Reactive where a person telephones, notifies on the City Watch App, or attends the Council's Customer Service Centre and reports that a Defect is a safety threat to the public or property. Alternatively, reports that something is blocking traffic on Link or Collector road listed on Council's Register of Public Roads.<sup>6</sup>

Only those reactive defects that are termed as emergency and qualified as emergency defects by the Customer Request Staff shall be deemed to qualify for an Emergency Inspection. All other reactive defects will be treated as non-emergency defects.

Customer Service staff shall consider the following reported events as requiring an emergency response:

- Oil spills
- Flooded road
- Sunken/collapsed road
- Fallen/damaged tree blocking traffic movement
- Object on road interfering the safe movement of public on the road reserve
- Footpath fall event

**Emergency Works** mean works required in respect of a Defect that presents an immediate threat of personal injury or property damage to members of the public or the blocking of traffic on a link or collector road or other source of immediate danger to the public or a section of the public.

# Infrastructure Manager<sup>7</sup> means:

- (a) in relation to road infrastructure, the responsible road authority under section 37 of the Act; or
- (b) in relation to non-road infrastructure, the person or body that is responsible for the provision, installation, Maintenance or operation of the non-road infrastructure.

Intervention Action means any action to conduct a temporary or permanent repair.

**Intervention Level** means the level at which the standards set out in this Plan require Intervention Action to be taken.

**Maintenance** (as that term is used in this Plan) means the process of temporary repair of an asset as distinct from the permanent Repair of a specific Defect.

Month means a calendar month.

**Pathway**<sup>7</sup> means a footpath, bicycle path or other area constructed or developed by a responsible road authority for use by members of the public other than with a motor vehicle but does not include any path:

- (a) which has not been constructed by a responsible road authority; or
- (b) which connects to other land.

#### **Examples**

A footpath or bicycle path constructed on a road reserve by a responsible road authority for use by the general public would be a pathway.

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A member of the public may contact Customer Service Centre via telephone or in person during business hours. After-hours, the telephone number diverts to relevant after-hours telephone. Council does not constantly monitor other forms of communication (eg email, faxes and internal telephone numbers) so they cannot be relied upon for an emergency response.
Section 3, Road Management Act 2004.

A foot trodden track over roadside land or a path that connects from a roadway or footpath to privately owned land would not be a pathway.

Register means Council's Register of Public Roads as kept under section 19 of the Act.

**Repair**<sup>7</sup> means the taking of any action to remove or reduce a risk arising from a Defect in a Roadway, Pathway or Road-Related Infrastructure, including:

- (a) reinstating a road to its former standard following works to install any infrastructure;
- (b) reinstating a road to its former standard following deterioration or damage;
- (c) providing a warning to road users of a Defect in a Roadway, Pathway or Road-Related Infrastructure.
- (d) providing a barricade

but does not include the upgrading of a Roadway, Pathway or Road-Related Infrastructure.

#### Example

Filling in a pothole in a roadway, resurfacing the roadway and erecting a warning sign would be actions to repair the road.

**Response Time** is the time in which the standards set out in this Plan require Intervention Action to be undertaken. A Response Time is measured from the time the Defect is inspected by a nominated Council inspector and the inspector deems the defect to be at or beyond intervention. The nominated time is not precise. A 10% margin is allowable.

**Road Infrastructure** relevantly means the infrastructure which forms part of a Roadway or Pathway and includes structures forming part of the Roadway or Pathway and materials from which a Roadway or Pathway is made.

**Road Pavement** means that part of a road which is sealed and intended for the use of motor and other vehicles.

**Road-Related Infrastructure**<sup>7</sup> (which is a part of the Road Infrastructure) means infrastructure which is installed or constructed by the relevant road authority (being Council or its predecessors) for road-related purposes to:

- (a) facilitate the operation or use of the Roadway or Pathway; or
- (b) support or protect the Roadway or Pathway.

## **Examples**

A traffic control sign, traffic light, road drain or embankment would be road-related infrastructure.

A noise wall, gate, post or board installed on the road reserve by the relevant road authority for road-related purposes would be road-related infrastructure.

**Road Register** means the list of public local roads and Ancillary Areas contained in the Register to which this Plan applies. This includes sealed roads, unsealed road surfaces, car parks, sealed rights of way and sealed laneways which are reasonably required for general public use.

**Road Reserve**<sup>7</sup> means all of the area of land that is within the boundaries of a road.

**Roadside**<sup>7</sup> means any land that is within the boundaries of a road (other than the shoulders of the road) which is not a Roadway or a Pathway and includes the land on

which any Vehicle Crossing or Pathway which connects from a Roadway or Pathway on a road to other land has been constructed.

# Roadway<sup>7</sup> means:

- in the case of a public road, the area of the public road that is open to or used by members of the public and is developed by a road authority for the driving or riding of motor vehicles; and
- (b) in the case of any other road, the area of the road within the meaning of "road" in section 3(1) of the *Road Safety Act 1986*,

but does not include a driveway providing access to the public road or other road from adjoining land.

**Vehicle Crossing**<sup>8</sup> means the driveway and Pathway which connects from a Roadway or Pathway on a road to other land.

# 2.7 Council's Road-Related Programs

Council has a number of different, but concurrent, programs operating or scheduled to operate in relation to roads and Road-Related Infrastructure. Not all of these programs are the subject of this Plan.

The programs operating are detailed in the following sections.

# 2.8 Defect Inspections – The Inspection Programs

This section of the Plan lists the programmed or scheduled Defect Inspections carried out in respect of Road-Related Infrastructure, which are then actioned within the Response Times allowed for in this Plan.

# 2.8.1 Defect Inspections - Roads

The first table in Appendix 2 - Defect Inspection Frequencies sets out the inspections which are carried out in relation to roads in order to identify Defects in:

- Road Pavement;
- kerb and channel;
- drainage pits; and
- regulatory signs.

# 2.8.2 Defect Inspections - Pathways

The second table in Appendix 2 - Defect Inspection Frequencies sets out the inspections which are carried out for Pathways in roads and in some Ancillary Areas.

## 2.9 The Repair Programs – Defect Intervention Levels

## 2.9.1 Road Repair Program and Surface Reinstatements

These repair programs are ongoing on a daily basis and cover:

- pothole patching;
- Repairs to bituminous surfacing; and
- Repairs to laneway surfacing,

as described in

<sup>8</sup> Contained within the definition of "Roadside" in Section 3 of the *Road Management Act 2004*.

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Appendix 3 - Defect Intervention Levels.

### 2.9.2 Kerb and Channel Repairs Program

This program covers Repairs to kerb and channel as again described in

Appendix 3 - Defect Intervention Levels.

The focus of the kerb and channel program is to reduce the risk to the community to a reasonably acceptable and affordable level. Hence, the emphasis and priority of this program is to Repair Defects that may affect the public interest by causing injury or loss to persons or their property. For this reason, Defects which result in a displacement of one kerb and channel segment relative to another are generally given a higher priority for Repair than sections of kerb and channel that are holding some water. Displacement Defects are considered undesirable as they may result in damage to parking vehicles. Water retention in the kerb and channel is common and is typically caused by underlying soil conditions or nature strip trees. This Plan recognises the importance of street trees and the environment to the community, and hence it is not proposed to rectify kerb and channel or to remove street trees, where it is considered the retention of water does not constitute a health issue or compromise the long term integrity of the Road Pavement.

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## 2.9.3 Ancillary Item Repairs Program

Appendix 3 - Defect Intervention Levels also describes the Repairs carried out to:

- drainage pits, including pit frames and insert lids; and
- regulatory signs

### 2.9.4 Pathway Repair Program

Appendix 3 - Defect Intervention Levels also describes the Repairs carried out to Pathways under this program.

### 2.10 Maintenance / Reconstruction / Renewal – the Maintenance Programs

Road-related Maintenance, reconstruction and renewal programs are typically carried out under Council's capital works programs. The extent to which Repair, such as pothole patching, has been carried out (along with many other factors) is considered when determining the projects that are to be included in the capital works programs.

The fact that reconstruction is carried out on a multi-year cycle does not mean that any particular road or Pathway will be reconstructed within any particular year. It means that it will be included in Council's prioritising process, but will not be attended to if it achieves a lesser priority rating than other reconstructions upon which Council's budgetary and resource allocation decisions are made each year.

# 2.11 Plan Does Not Always Require Action on Part of Council

Not all areas or all assets within the Road Reserve are the responsibility of Council. Other areas or assets are not regarded as requiring intervention by Council for the purposes of this Plan. This Plan provides as follows:

2.11.1 "Roadside" – nature strips, parking signs, street trees, street lighting and Vehicle Crossings, excluding the pathway section of vehicle crossings, not subject to inspection or Repair

Section 107 of the Act provides:

## "107 Liability of road authority

A road authority does not have a statutory duty or a common law duty to perform road management functions in respect of a public highway which is not a public road or to maintain, inspect or repair the roadside of any public highway (whether or not a public road)."

Because Council does not have a duty to maintain, inspect or Repair "Roadside" (see definition in section 2.6), "Roadside" generally and nature strips, parking signs, street trees, street lighting, Vehicle Crossings, in particular, and also public highways which are not public roads within the meaning of the Act are not included for inspection or Repair under this Plan.

2.11.2 Council is <u>not</u> responsible for assets of or works by utility authorities or other authorities

Authorities other than Council own and control assets within Road Reserves.

Many openings to the surface of the Road Pavement or Pathway are the result of utility or other authority related works. In many instances, Council does not need to issue consent for the works to commence, and will only receive advice (if it receives advice at all) from the works manager of the authority on completion of the permanent reinstatement. Council will not be aware of most "works in progress" jobs. Council is not responsible for the safety of the work site or the reinstatement of a road-related asset which is owned or controlled by the relevant utility.

Other Infrastructure Managers with assets located within the Road Reserve include:

- Water authorities sewer pits trenches and pipes, water supply valves, hydrants, pipelines and signage;
- Gas authorities pits, pipelines and signage;
- Electricity authorities poles, overhead electric cables, sub stations and pits;
- Road authority (VicRoads) Road Pavements and surfaces, kerb and channel and signage;
- Rail authority (VicTrack) railway tracks, crossings and signage;
- Tramways tracks, overhead wires and tram shelters, hardstand areas and signage;
- Telecommunications authority (Telstra) poles, overhead cables, pits and payphones;
- Telecommunications authority (Optus) poles, overhead cables, and pits; and
- Department of Transport, Planning and Local Infrastructure bus stops / shelters, hardstand areas and signage.

This Plan does not make Council responsible for the assets of other authorities or works of other authorities within Council assets.

If during a scheduled defect inspection or through a reactive defect inspection, Council inspectors identify a defect at or beyond intervention, then Council will do everything reasonable to advise the 'other authorities/utilities' and 'provide temporary repair to a reasonable level'. Permanent repair and reinstatement is responsibility of the other authority.

## 2.11.3 Council is not responsible for private assets or works

A number of private assets exist within or adjacent to roads in respect of which Council does not have an obligation, and this Plan does not impose any obligation. These assets include:

- private or illegal landscaping works;
- private roads, driveways, laneways and car parks associated with private developments; and
- storm water drains or connections from private properties.

If during a scheduled defect inspection or through a reactive defect inspection, if Council inspectors identify a defect at or above intervention on a private asset adjacent to roads or footpaths then Council will do everything reasonable to advise the 'private entity/resident' and 'provide temporary repair to a reasonable level'. Permanent repair and reinstatement is responsibility of the other private entity or resident.

### 2.11.4 Plan does not require asset to be upgraded simply to change existing design

The definition of "Defect" notes that it "does not include the design of the asset or the construction of an asset in accordance with the design whether or not such design is of a type currently used or allowed by Council". Accordingly, this Plan does not require the upgrading of an asset simply to make it comply with a later or current design. Where an asset is upgraded, the upgrade will be in accordance with the then current standard.

### 2.11.5 Roads and rights of way not listed in Register

Those municipal roads and unconstructed rights of way or those rights of way which Council does not regard as being reasonably required for general public use are not included in the Register in accordance with Council's Policy on *Register of Public Roads* and are therefore discretionary and not subject to this Plan (see section 2.12).

### 2.12 Roads and Ancillary Areas Subject to the Plan

## 2.12.1 Council is a road authority

Under the Act, Glen Eira City Council is the "Co-ordinating Road Authority" for municipal roads within the City of Glen Eira as set out in Council's *Register of Public Roads* – see section 2.12.2 of this Plan.

Council is also the "Responsible Road Authority" for some areas and assets on VicRoads' arterial roads.

#### 2.12.2 Roads covered by this Plan

This Plan applies to those public roads listed in the Register<sup>9</sup>. The Register (and the Road Register) are as described in section 3 of this Plan. The Council 'Register of Public Roads' is not an 'incorporated document' in this Plan, and is available on the Council website.

This Plan also applies to parts of arterial roads, where Council is the responsible road authority for some areas and assets (such as Pathways). Highways and arterial roads may also contain some Ancillary Areas that are the responsibility of Council.

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<sup>&</sup>lt;sup>3</sup> Council's *Register of Public Roads* forms the "asset register" for the purposes of clause 7.2 of the *Code of Practice for Road Management Plans*.

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### 2.12.3 Car parks, rights of way, laneways and unsealed road surfaces

Car parks included within the Register are those that the public has access to and for which Council is responsible. The standards are consistent with those applicable to access roads. Council maintained car parks may be Ancillary Areas to arterial roads.

Off-road car parks and access roads generally are not included in the Register and hence this Plan is not applicable to the way Council manages and controls them.

Laneways and unsealed surfaces are not proactively inspected and Council responds to customer requests as per Appendix 3 – Defect Intervention Levels.

#### 3 **CLASSIFICATION**

#### 3.1 **Requirement to List Classification**

The Act provides that a Register must include: 10

#### "1 Matters which must be included in a register of public roads

The register must include:

. . .

(d) the classification, if any, of the public road.

..."

#### 3.2 Information in Council's Register of Public Roads

#### 3.2.1 Classification of roads

The Register records the name and classification of road assets for which the Council is responsible. The classifications are used in this Plan to differentiate standards for:

- Inspection frequencies,
- Response Times.

(Council may also designate certain areas adjacent to a public road as 'Ancillary Areas' and these areas are recorded in the Register.)

### 3.2.2 Other road authorities

The Register also records roads in respect of which Council has agreements in place for the management of roads that are the responsibility of other road authorities such as State highways, arterial roads and municipal boundary roads. Details of the agreements between the Council and the other road authorities, made pursuant to section 15 of the Act, are also included in the Register and are referred to in section 3.5 of this Plan.

## 3.2.3 Changes to Register

Council's Director Infrastructure, Environment & Leisure and Manager Infrastructure Assets are empowered under delegation to make additions, deletions and other amendments to the Register.

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<sup>&</sup>lt;sup>10</sup> Section 1(d) of Schedule 1, Road Management Act 2004.

### 3.3 Road Classifications

Roads listed in the Register for which Council is the coordinating road authority have been classified as follows:

Classification	Description
Link:	Roads of this classification primarily provide a linkage between significant residential, industrial and commercial nodes and / or the declared road network. These roads have an identifiable origin and destination (e.g. suburbs, industrial areas or places of significance).
Collector:	Roads of this classification primarily provide a route between and through residential, industrial and commercial areas and convey traffic to the urban link or arterial road network system.
Access:	A road, street, court or laneway that primarily provides direct access for abutting residential, industrial and commercial properties to their associated collector and link roads.

The Glen Eira Local Road Map, which is included in the Register, shows the location and classification of those local roads listed in the Register.

The Glen Eira Local Road Map also shows the highways and arterial roads within the City for which VicRoads is the coordinating road authority.

## 3.4 Pathway Classifications

Pathways and Ancillary Areas are also listed in the Register.

Council has developed a Pathway classification as follows:

Classification	Description
High:	Generally areas of high pedestrian use, for example, major activity centres.
Medium:	Generally areas of moderate pedestrian use, for example, neighbourhood activity centres, links, and collectors.
Low:	Generally areas of low pedestrian use, for example, access roads and local shopping centres.

The Pathway Classification Map, which is included in the Register, shows the location and classification of Pathways.

Council is also responsible for the inspection, Repair and Maintenance of Pathways on roads where VicRoads is the coordinating road authority. These Pathways may be classified as high, medium or low depending on use.

# 3.5 Boundary Roads and Agreements

Boundary roads maintained by Council on behalf of adjoining municipalities are maintained to the standards set out in this Plan. Roads covered by "Agreements and Memorandum of Understandings" are:

Boundary Roads	Adjoining Council
Hotham Street	Port Phillip City
Inkerman Road	Port Phillip City
Orrong Road	Port Phillip City
Poath Road	Monash City
Thomas Street	Bayside City

Council is able to enter into agreements with other road authorities and utilities where the other parties have an interest or have assets that are located in a road for which Council is responsible. "Agreements" made between Council and any other party can be found in Council's *Register of Agreements*.

### 4 STANDARDS

# 4.1 Council May Determine Standards

- 4.1.1 Section 41 of the Act provides that Council may determine the standard to which Council will:
- construct;
- inspect;
- maintain; and
- Repair

the items of infrastructure which are the subject of this Plan, namely:

- Roadways;
- Pathways;
- Road Infrastructure; and
- Road-Related Infrastructure.

The standards can apply to quality, measurement (e.g. size of Defects), time (e.g. of response) or any other act, matter or thing.

## 4.2 Council Must Consider/Have Regard to Certain Matters

- 4.2.1 In determining these standards, Council is required to have regard to the following factors:<sup>11</sup>
  - the principal object of road management, which is to ensure that a safe and
    effective network of roads is provided primarily for travel and transport and that
    Road Reserves are available for other appropriate uses;<sup>12</sup>
  - the relevant works and infrastructure management principles, being:<sup>13</sup>
    - o the minimisation of road safety hazards:
    - the avoidance or minimisation of damage or disruption to infrastructure on roads;
    - the avoidance or minimisation of disruption to plans for the development of road infrastructure and non-road infrastructure:
    - o the avoidance or minimisation of disruption to traffic;
    - the avoidance or minimisation of disruption to the effective and efficient delivery of utility services; and
    - the efficient use of resources of road authorities and Infrastructure Managers and the minimisation of cost to the community of infrastructure and services.
  - any relevant direction made by the Minister under section 22 of the Act (at the time of this Plan, there are no relevant directions);
  - any relevant Code of Practice (relevant Codes of Practice are set out in section 2.3.3 of this Plan); and

13 Section 20(2), Road Management Act 2004.

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<sup>&</sup>lt;sup>11</sup> Not all factors apply to all standards but to assist clarity, all factors are considered together in this Plan.

<sup>12</sup> Section 20(1), Road Management Act 2004.

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- any relevant policy or policy decision under section 39 of the Act (Council's decisions are contained within and supported by this Plan).
- 4.2.2 In respect of inspections, Council is required to consider: 14
  - the type of road infrastructure and the volume and nature of public road usage;
  - the scope of inspection;
  - community expectations;
  - any relevant risk factors; and
  - the resources available and the competing demands for those resources.
- 4.2.3 Additionally, in respect of standards for Repair and Maintenance, Council must consider<sup>14</sup>:
  - the use of temporary measures and warning systems to warn road users of hazards;
  - potential impacts on utility infrastructure and utility providers; and
  - environmental and cultural factors.

## 4.3 Council Has Had Regard to Requirements

In determining the standards defined in this Plan, Council has had regard to all of those considerations listed in clause 4.2.

In particular, in respect of the requirements of 4.2.2, Council has had regard to:

- 4.3.1 The type of road infrastructure and the volume and nature of public road usage:
  - the classification of roads and Pathways adopted by this Plan is based on consideration of the type of infrastructure concerned;
- the volume of usage determined in some instances by specific data and in others by assumptions based on the type and location of the infrastructure; and
- the nature of the usage, for example, whether vehicle and pedestrian traffic is concentrated in a major area or exists only in respect of local properties.

## 4.3.2 The scope of the inspection

Appendix 1 - Asset Inspection Details sets out the scope of inspections for Defects. This scope has been determined having regard to the following:

- virtually all public roads within the City of Glen Eira are sealed;
- the speed limit for the majority of Council's local roads is 50kph;
- all public roads, except rights of way, have street lighting;
- Council does not have a responsibility to inspect non-Council assets; and
- residential properties abut nearly all public roads and Council's customer request system facilitates the reporting of Defects to Council.

In determining the frequency of inspections, Council has regard to:

- road and Pathway asset classification;
- the degree of use of an asset; and

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<sup>&</sup>lt;sup>14</sup> Section 7.4, The Code of Practice for Road Management Plans 2004.

- the visibility of the Defect.
- 4.3.3 The use of temporary measures and warning systems to warn road users of hazards
  - Where it is not possible to rectify within the Response Times shown in Appendix 3 (due to the nature of the Repair required, level of resources required or workload), appropriate warning of the Defect is to be provided until the Repair can be completed; and
  - Appropriate warning could include, for example, provision of warning signs, traffic control action, diverting traffic around the site, lane closure, road closure, and barricading or asphalt wedging of defective footpaths.
- 4.3.4 Environmental and cultural factors are considered as follows:
  - environmental issues are considered when developing work procedures;
  - heritage protections are provided by Council's Planning Scheme; and
  - other considerations such as Council's Street Tree Strategy have been taken into account.

### 5 THE STANDARDS DETERMINED BY COUNCIL

Taking all appropriate considerations into account, Council has determined the following standards to apply under this Plan:

## 5.1 Standards Relating to Construction (and Reconstruction)

#### 5.1.1 Roads

The municipality of Glen Eira is fully developed. There are very limited opportunities for the new construction of roads. Where roads are constructed or reconstructed, they will be fully formed and fully sealed and constructed as far as practicable in accordance with all applicable Council and VicRoads standard designs.

#### 5.1.2 Pathways

Pathways are constructed or reconstructed in accordance with Council's standard designs adopted from time to time and available for inspection at Council's offices.

#### 5.1.3 Other Assets

Other assets within this Plan are constructed or reconstructed in accordance with Council's standard designs which, where applicable, are in accordance with Australian Standards and/or VicRoads standards as specified from time to time.

## 5.2 Standards Relating to Defects (All Assets under this Plan)

### 5.2.1 Frequency of Inspection Standards for Defects

**Appendix 2** - Defect Inspection Frequencies, sets out the frequency with which Defect Inspections are conducted for different classifications of assets.

## 5.2.2 Intervention Level Standards for Defects

**Appendix 3** - Defect Intervention Levels, sets out the Intervention Levels which will trigger a Repair of Defect for the different classifications of roads and Pathways.

# 5.2.3 Standards for Repair of Defects

**Appendix 3** - Defect Intervention Levels, also sets out in the column titled "Defect Action" particulars of the type of Repair required for the type of Defect and the standard to which this Repair will be carried out based on the objective of the Repair.

It must be noted that, in addition to the specific Repair actions identified in the Appendix, the definition of "Repair" in the Act<sup>15</sup> also includes any temporary action eg barricades, signs and warnings may be used when required. In particular, Council will undertake a discretionary repair called asphalt wedging on footpaths where there is a trip hazard or displacement of the footpath joint. This discretionary decision is experience based and will occur mostly on high pedestrian routes where there is a high likelihood of an event.

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<sup>&</sup>lt;sup>15</sup> See Section 2.6 of this Plan for definition.

#### 5.2.4 Standards for the timeframe for Repair of Defects

**Appendix 3** - Defect Intervention Levels, also sets out in the column titled "Response Times" the time within which Repairs will be carried out for particular Defects within particular classifications of assets.

The Response Times assumes that no *Force Majeure* or exceptional demand on Council's resources occurs, whether in relation to road management specifically or any other relevant activity of Council which impacts on the ability to achieve the stipulated Response Times. If such an event occurs, the Response Times will be measured from the resumption of normal levels of demand on the relevant resources.

## 5.3 Standards for the Inspection of Assets

**Appendix 1** on "ASSET Inspection Details" sets out Council's inspection requirements under this Plan.

# 5.4 Force Majeure

Council will make every endeavour to meet all aspects of this Plan.

However, in the event of natural disasters and other events including, but not limited to, fires, floods, droughts, and the like, together with human factors, such as lack of Council staff or suitably qualified contractors, and noting the principles set out in section 83 of the *Wrongs Act 1958*, as amended, Council reserves the right to suspend compliance with this Plan.

In the event that the Chief Executive Officer (CEO) of Council, pursuant to the principles set out in section 83 of the above Act, has to consider the limited financial resources of Council and its other conflicting priorities, meaning Council's Plan cannot be met, the CEO will write to the Director of Assets and Facilities of its Road Management Plan and inform that person that some, or all, of the timeframes and Response Times are to be suspended.

### 5.5 Emergency Response Standards

In addition to the scheduled defect Inspections and the works that flow from them as listed in section 5.2 above, Council will also provide an Emergency Response in circumstances where an Emergency Inspection is warranted as follows.

Action	Response Time	Intervention Level (i.e. action required if:)	Intervention Standard
A member of the public telephones, notifies on the City Watch App or attends Council's Customer Service Centre and reports a potential threat to safety of pedestrians, or property or obstructions and substances blocking traffic on a Link or Collector road.	Prompt acknowledgement		
Customer Service Centre or after-hours	Prompt recording		

Action	Response Time	Intervention Level (i.e. action required if:)	Intervention Standard
officer records report			
Assess from any available material whether Council responsibility	Prompt preliminary assessment	If asset is not Council's responsibility, advise works or Infrastructure Manager responsible for asset (if practicable)	
Initial inspection by Council	Inspection carried out within 24 working hours of recording of request and being qualified as an emergency		
Determine if asset involved is responsibility of Council <sup>16</sup>	At time of initial inspection	If asset is not Council's responsibility, advise works or Infrastructure Manager responsible for asset (if practicable)	
Assess whether emergency situation exists	At time of initial inspection	If exceeds Defect Intervention Level for the type of asset involved (or equivalent if Defect not of type listed) and presents an immediate threat to the public property; or something prevents the flow of traffic on a Link or Collector road and (if relevant) it is apparent relevant Infrastructure Manager will not respond <sup>17</sup>	Repair or rectify if feasible by reinstatement or provide appropriate warning with barricades and/or signs
Follow up inspection	At regular intervals consistent with degree of risk	If initial Repair included erection of barricades and/or signs	Ensure ongoing effectiveness of barricades and/or signs
Follow up Repair	Within Response Time for Repair of Defect within asset(s) of type affected - Appendix 3 - Defect	If not reinstated on initial inspection	Repair to standard specified in this Plan for asset(s) of type affected
	Intervention Levels		

Council is not responsible for providing an after-hours or emergency response service for utility companies, their agents, or private contractors.

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However, where Council becomes aware of an emergency or dangerous situation on a road, it may take action to mitigate the risk to the community, and then seek reimbursement of costs from the appropriate party.

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## **6 MANAGEMENT SYSTEM**

# 6.1 Legislative Provision

Section 52 of the Act provides:

# "52. Contents of a road management plan

(1) A road management plan—

...

(b) may include details of the management system that a road authority proposes to implement in the discharge of its duty to inspect, maintain and repair public roads for which the road authority is the coordinating road authority or the responsible road authority."

This section of the Plan summarises the current Council Management System.

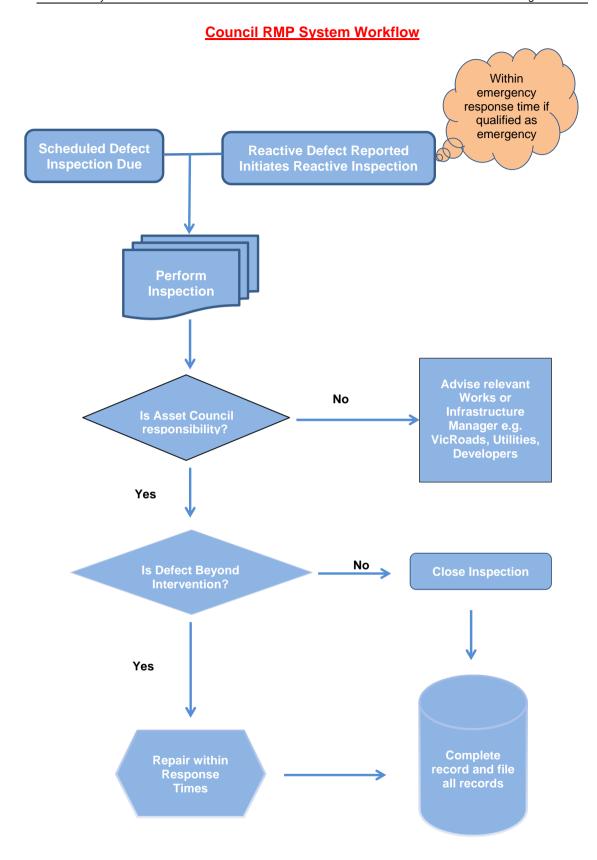
# 6.2 The Management System

Council has established a reliable and robust IT based system for the management, tracking and traceability of the Defect Inspections and rectifications. It includes the receiving of customer complaints and documentation and issue of works orders.

The following flow chart is a schematic representation of the management system process.

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### 7 SUPPORTING DOCUMENTS

The following supporting documents, whilst complementing the Plan, do not form a part of this Plan.

#### 7.1 Technical Guides

- i. Asset Management Improvement STEP Program Road Asset Management Plan Framework 2003, Municipal Association of Victoria;
- ii. International Infrastructure Management Manual, International Edition 2015, Institute of Public Works Engineering Australia;
- iii. Local Government Records, General Records Authority, Version 2002, Public Records Office Victoria;
- iv. Road Reserve Risk Management Statement of Principles 2002, Civic Mutual Plus;
- vi. Risk Management Guidelines, VicRoads; and
- v. Risk Management Standard, AS/NZS ISO 31000:2009.

### 7.2 Council Documents and Procedures

Relevant Council engineering drawings and standards for design and construction are listed in the appropriate Asset Management Plan.

Other relevant Council documents and procedures include:

- (a) Glen Eira Council and Community Plan;
- (b) Glen Eira Adopted Budget;
- (c) Policy No. 8.2 Asset Management;
- (d) Policy No. 8.14 Traffic Management Plans;
- (e) Local Law 2009; and
- (f) Asset Management Strategy.

# 7.3 Asset Management Plans

Council produces asset management plans for all major categories of infrastructure assets, including road-related assets. These asset management plans are developed and updated in accordance with the guidelines of the *International Infrastructure Management Manual, International Edition (2015).* 

#### 8 **APPENDICES**

Appendix 1 - Asset Inspection Details Appendix 2 - Defect Inspection Frequencies

Appendix 3 - Defect Intervention Levels

# **APPENDIX 1 - ASSET INSPECTION DETAILS**

Inspection Type <sup>18</sup>		Trigger(s)	Purpose	Recording Requirements Standard
DEFECT	Reactive Defect Inspection – Non Emergency	Customer Request Report from field staff	Conducted in order to ascertain (a) whether the asset in question is the responsibility of Council (b) whether a Defect exists and (c) if so, whether it has reached an Intervention Level specified in this Plan.	Recording to identify specific Defect, time first reported, time inspected and by whom, subsequent action and time of completion.
DEFECT	Reactive Defect Inspection - Emergency	Customer Request	Reactive Defect Inspection where the person reporting the Defect qualifies the defect as emergency based on Council's Pathways customer request system checklist.	Recording to identify specific Defect, time first reported, time inspected and by whom, subsequent action and time of completion.
DEFECT	Scheduled Defect Inspection -	Inspection Schedule	Inspection undertaken in accordance with a formal inspection schedule to identify Defects and determine if they have reached an Intervention Level specified in this Plan.	A record of each street / road is to be completed detailing the name of the inspector, the inspection date, and street / road name and a description of any Defects found that have reached the specified Intervention Levels defined this Plan.  In addition, a notation must be
				recorded of any street/road inspected where no Defect was apparent.

Version 04 - 25 - May 2018

<sup>18</sup> See Definitions at Section 2.6.

## **APPENDIX 2 - DEFECT INSPECTION FREQUENCIES**

<u>Reactive Emergency Inspections</u>: Responded within 24 working hours of recording of request and being qualified as emergency.

Insurance claim inspections: Responded within 24 working hours of receiving request

<u>All other Reactive Non- Emergency Inspections</u>: Responded within 5 working days of receiving request.

# Scheduled Defect Inspection Frequency for Roads and Rights of Way

	DEFECT INSPECTION FREQUENCY – ROADS AND RIGHTS OF WAY				
ASSET	LINK & COLLECTOR ROAD	ACCESS ROADS	RIGHTS OF WAY		
	DEFECT INSPECTION	DEFECT INSPECTION			
Pavement	Annually	6 years	Reactive Inspection		
Kerb and Channel	Annually	6 years	Reactive Inspection		
Drainage Pits	Annually	6 years	Reactive Inspection		
Regulatory Signs	Annually	6 years	Reactive Inspection		

# **Scheduled Defect Inspection Frequency for Pathways**

	DEFECT INSPECTION FREQUENCY - PATHWAYS			
ASSET	PATHWAY CLASSIFICATION			
	HIGH	MEDIUM	LOW	
All Pathways in Road Reserves, shopping and activity centres	6 Months	Annually	6 years	

The Pathways Classification Map is generated from the council asset management system CONFIRM and the GIS.

A list of Pathways is also included in the Asset Management Plan for Pathways. This list contains details on the location, type and quantity of Pathways in Road Reserves.

Glen Eira City Council Road Management Plan

# **APPENDIX 3 - DEFECT INTERVENTION LEVELS**

Defect Type	Defect Intervention Level	Diagram	Road Classification	Response Times
ROAD PAVEMENT				
SEALED ROAD SURFACE DEFECT	than 50 mm and any dimension greater	>300 <sub>mm</sub> >50mm	Link	Within 5 Days
			Collector	Within 5 Days
			Access	Within 10 Days
UNSEALED ROAD SURFACE DEFECT	Pothole depth greater than 100 mm.	5-100mm	Access	Within 20 Days

Glen Eira City Council Road Management Plan

Defect Type	Defect Intervention Level	Diagram	Road Classification	Response Times
RIGHT OF WAY SURFACE DEFECT	Any abrupt and significant distortion in surface level of a height differential of greater than 150 mm.	>150mm >150mm	Access	Within 30 Days
KERB AND CHANNEL				
KERB AND CHANNEL ALIGNMENT DEFECT	Step or misalignment greater than 100 mm.	<sup>2</sup> 100mm	Link	Within 10 Days
			Collector	Within 10 Days
			Access	Within 60 Days

Glen Eira City Council Road Management Plan

Defect Type	Defect Intervention Level	Diagram	Road Classification	Response Times
ANCILLIARY ITEMS				
WATER ON ROAD	Blocked pits causing water to pond on traffic lane greater than		Link	Within 5 Days
	100mm.		Collector	Within 5 Days
			Access	Within 5 Days
DAMAGED DRAINAGE PIT LID OR GRATE	Grate or lid dislodged or failed		All	Within 2 Days
	Pit lid missing		All	As per Emergency Works
REGULATORY SIGN MISSING Includes missing STOP and GIVEWAY signs. It	Sign missing or facing the wrong way.		Link	Within 5 Days
does not include non-regulatory signs such parking signs or line marking.	The wrong way.	Colle	Collector	Within 5 Days
			Access	Within 5 Days

Glen Eira City Council Road Management Plan

Defect Type	Defect Intervention Level	Diagram	Road Classification	Response Times
TRAFFIC SIGNAL FAULTY	One or more signals not working or facing the wrong way.		All	Within 1 Day
PATHWAYS			Pathway Classification	
PATHWAY DEFECT	Step or misalignment greater than 25mm.	255mm	High	Within 10 Days
			Medium	Within 20 Days
			Low	Within 60 Days

#### **DEFECT INTERVENTION LEVELS AND RESPONSE TIMES**

#### ATTACHMENT 3

ATTACHIVIENT 3								
DESCRIPTION	INDICATOR	GLEN EIRA COUNCIL Proposed (2018)	MONASH COUNCIL	KINGSTON COUNCIL	BAYSIDE COUNCIL	PORTPHILIP COUNCIL	STONNINGTON COUNCIL	BOROONDARA COUNCIL
Sealed Road Surface Defect	Intervention Level	Depth>50mm Any dimensions>300mm	Depth>50mm Dia/Width>300mm	Depth>50mm Dia/Width>300mm	Depth>50mm Dia/Width>300mm	Depth>50mm Dia/Width>300mm	Depth>50mm Dia/Width>300mm	Depth>50-100mm Dia/Width>300mm
	Response Time	5 to 10 days	5 to 20 days	14 to 45 days	7 to 45 days	2 days	5 days	14 to 42 days
Unsealed Road Surface Defect	Intervention Level	Pothole depth >100mm	Pothole depth>150mm Length>3m	Pothole depth>100 or Corrugations/distress >75%	Not specified	Not specified	Not specified	Depth>200mm Dia/Width>750mm
	Response Time	20 days	10 to 60 days	360 days	. Tot specifica	rrot speamed		28 days
Right Of Way Surface Defect	Intervention Level	Height difference>150mm	Not specified	Damaged or settled area level difference >150mm	Height difference >100mm	Depth>75mm and Area<5m2	Height difference >100mm	Height difference >50mm Width>300mm
mgm of may our race Defect	Response Time	30 days	Not specified	90 to 180 days	7 to 45 days	2 days	20 days	14 to 42 days
Kerb and Channel Alignment Defect	Intervention Level	Height difference>100mm	Height difference>50mm	Vertical displacement>50mm	Height difference >50mm	Length<6m	Depth>25mm Length >300	Height difference>75mm
ners and channer, ingrinient beleat	Response Time	10-60 days	5 to 180 days	90 to 180 days	7 to 45 days	2 days	5 to 20 days	14-42 days
Water on Road	Intervention Level	Water on road >100mm	Water through lane > 50mm	Drain or pit becomes non functional	Water on through lane	Not Specified	Water on traffic lane	Water on road
water on Road	Response Time	5 days	5 to 180 days	90 days	1 to 90 days		10 days	14 days
Damaged Pit Lid or Grate	Intervention Level	Disloged,failed or missing	Pit lid failed or missing	Missing	Missing or severally damaged	Missing or damaged	Broken or missing	Broken or missing
<b>6</b>	Response Time	4 working hours to 2 days	1 to 30 days	5 days	1 to 45 days	2 days	5 to 10 days	14 days
Regulatory Sign Missing	Intervention Level	Missing	Missing, damaged or illegible	Missing or damaged	Damaged	Not specified	Damaged	Damaged or Illegible
regulator y organ missing	Response Time	5 days	5 to 30 days	14 days	2 to 45 days		10 to 20 days	14 days
Traffic Signal Fault	Intervention Level	Not working	Not working or damaged	Not working or fault	Not specified Not	Not Specified	Non functional or damaged	Not specified
	Response Time	1 day	Same day to 10 days	4 hours to 45 days			10 days	
Pathway Defect	Intervention Level	Displacement>25mm	Displacement >10-30mm	Vertical displacement> 15-20mm	Displacement>25mm	Displacement>50mm	Displacement>25mm	Displacement>20 to 30mm
· allina, Delete	Response Time	10 to 60 days	5 to 90 days	15 to 90 days	7 to 60 days	2 days	5 to 20 days	14 days
Reactive Emergency Inspections	Response Time	Make safe within 24 working hours	ASAP	Make safe within 4 hours	Immediately	Make safe within 2 to 24 hours	Not specified	Make safe within 24 hours
Reactive Non emergency Inspections	Response Time	Within 5 working days						
Insurance claim inspections	Response Time	Within 24 Working hours						

9.9 VICTORIAN LOCAL GOVERNANCE ASSOCIATION

**Author:** Janice Pouw, Coordinator Councillor Business

*Trim No:* 18/1103309

Attachments: Nil

#### **PURPOSE AND SUMMARY**

To consider Council's membership with the Victorian Local Governance Association (VLGA) for the 2018/19 financial year.

#### **RECOMMENDATION**

That Council:

1. continues its membership with the Victorian Local Governance Association for 2018/19

Or

2. cancels its membership with the Victorian Local Governance Association.

#### **BACKGROUND**

Council at its 15 August 2017 meeting endorsed becoming a member of the Victorian Local Governance Association for the 2017/18 financial year. A review of Council's membership is to occur prior to membership renewal for the 2018/19 financial year.

#### **ISSUES AND DISCUSSION**

At the Assembly of Councillors on 24 April 2018, Councillors were advised of the upcoming membership renewal with the VLGA.

The review includes the matters of:

- advocacy to peak bodies;
- submissions made to state and federal government representing the issues facing local government; and
- training opportunities and support to Councillors and Council, received over the 9 month membership period.

The above factors can be compared against other memberships of Council and whether they meet Council's expectations and obligations to the community.

#### FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

The annual membership fee with the VLGA is \$36,364.00.

#### POLICY AND LEGISLATIVE IMPLICATIONS

There are no policy or legislative implications associated with this report.

#### **COMMUNICATION AND ENGAGEMENT**

There was no communication and engagement associated with this report.

#### LINK TO COUNCIL AND COMMUNITY PLAN

Theme Five: 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**

Council to make a decision if it's membership with the VLGA is to be renewed for 2018/19.

9.10 QUARTERLY SERVICES PERFORMANCE REPORT

Author: Jenny Priest, Corporate Performance and Reporting Coordinator

*Trim No:* 18/1118431

Attachments: 1. Quarterly Services Performance Report January to March 2018

#### **PURPOSE AND SUMMARY**

Glen Eira City Council Quarterly Service Performance Report has been developed to provide a reporting structure that is meaningful, progressive and based on business intelligence principles.

The newly developed Quarterly Service Performance Report provides trend analysis and insights on the effectiveness and efficiency of Council services from July to March 2018.

#### **RECOMMENDATION**

That Council notes the attached Quarterly Service Performance Report for the period January to March 2018.

#### **BACKGROUND**

The State Government's introduction of the 'Know Your Council' website has raised residents' expectation of the information provided by councils. Residents have an increasing expectation of being provided fast, accurate and meaningful reporting of Council's progress. This was reinforced through recent community consultation as part of the development of the 2017–2021 Council and Community Plan.

#### **ISSUES AND DISCUSSION**

Some items of note for this quarter include:

- The Bentleigh, Carnegie and Elsternwick Structure Plans were adopted by Council in February 2018;
- Construction works for the redevelopment of the Duncan Mackinnon Athletics track and netball courts commenced:
- The downward trend from 2016-17 levels of the number of VCAT appeals demonstrates that our decision making is increasingly finding a balance between various stakeholder expectations; and
- Works to improve our Recreation and Open Spaces were carried out at: East Caulfield Reserve; Wingate and Brady Roads Reserve; Bailey Reserve; Bentleigh Hodgson Reserve; and Halley Park.

#### FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

The level of activity undertaken by Council is not always apparent from financial information. Statistical information complements monthly financial reporting and provides more detailed information on the diverse range of activities undertaken by Council. Regular reporting can provide an indication of where productivity or efficiency gains have been made along with identifying trends that will assist in decision making and resource allocation.

#### POLICY AND LEGISLATIVE IMPLICATIONS

The Quarterly Service Performance Report ensures compliance with statutory requirements legislated under:

GLEN EIRA CITY COUNCIL

- Local Government Act;
- · Victoria Auditor General's office (VAGO); and
- Service specific quality and assessment standards.

#### **COMMUNICATION AND ENGAGEMENT**

The new Quarterly Service Performance Report has been developed in consultation with the Community Consultation Committee and Councillors to provide consistent and transparent information on Council's commitments to its community.

#### LINK TO COUNCIL AND COMMUNITY PLAN

Theme One: 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

Glen Eira Council's Quarterly Service Performance Report aims to respond to community's expectation of providing a clear and transparent snapshot of Council's progress for the year to date.





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This report uses the best available information. While care has been taken to ensure the content in the report is accurate, it cannot be guaranteed at time of publication. There may be errors and omissions or it may not be wholly appropriate for your particular purposes. In addition, the publication is a snapshot in time based on historic information which is liable to change.

QUARTERLY SERVICE PERFORMANCE REPORT

# CHIEF EXECUTIVE OFFICER'S OVERVIEW



I'm pleased to share with you our latest Quarterly Performance Report - for the third quarter of 2017-18. This report provides an overview of how we are tracking against key performance measures, and provides transparency on the progress made in delivering our commitments to community in the 2017–2021 Council and Community Plan.

Council is a complex business providing over 120 different services, to our population of 147,000 residents. Every year we receive approximately 260,000 phone calls and raise more than 167,500 service requests. Through this report we want you to feel informed about the things that are important to you, and have the confidence that we are delivering on our promises.

As you will read in the coming pages, our financial position year to date remains healthy, and income continues to track ahead of budget forecasts. We anticipate that capital works expenditure will continue to pick up pace now that we are well into the second half of the financial year and the preparatory work needed to design and tender works for many of the projects is complete. At this stage we anticipate spending just over \$40m on capital works projects in this financial year.

Progress worthy of noting this quarter includes:

- Construction works for the redevelopment of the Duncan Mackinnon Athletics track and netball courts commenced. Weather dependent these works are currently scheduled for completion in June 2018.
- The Bentleigh, Carnegie and Elsternwick Structure Plans were adopted by Council in February 2018. We had over 5,000 community responses contributing to the development of the Structure Plans, through attendance at community meeting, written feedback and online interactions. The Structure Plans establish a new future vision for these important centres and outline a realistic plan to achieve this vision.
- It has been pleasing to note that our number of VCAT appeals continues to indicate a downward trend from 2016-17
  levels. The number of appeals in quarter 3 has reduced by a third when compared to the previous year. This
  demonstrates that our decision making is increasingly finding a balance between various stakeholder expectations.
- It was really pleasing to see so many community members enjoying our public events: Approximately 7,000 people attended Party in the Park at Princes Park; 6,000 people attended Party in the Park and Pet Expo at Allnutt Park; 3,000 people attended Party in the Park Under the Stars at Packer Park; and 6,500 people attended Groove and Graze at Halley Park;
- · We have also been busy improving our Recreation and Open Spaces. Works this quarter have included:
  - East Caulfield Reserve, Caulfield East. New playground equipment was installed, including timber framed combination unit, slides, climbing nets, swings, rocker and orbit spinner. Works also included new concrete edging around the playspace.
  - Wingate and Brady Roads Reserve, Bentleigh East. New playground equipment was installed including climbers, slides and swings.
  - Bailey Reserve, Bentleigh East. Has seen an upgrade of existing carpark and pathway lights including energy efficient LED light fittings.
  - Bentleigh Hodgson Reserve, Bentleigh. Has received an upgrade of existing carpark and pathway lights including energy efficient LED light fittings.
  - Halley Park, Bentleigh. The scout hall was demolished and the resultant area was grassed and returned to passive open space.

# CHIEF EXECUTIVE OFFICER'S OVERVIEW



These are just some of the services, events, projects and programs delivered by Council this quarter that improve the community's daily lives and contribute to the City of Glen Eira being a great municipality in which to live, work and raise a family.

I hope you find the information in this report helpful in understanding the work of Council, and tracking our progress in delivering our priorities. As it's only the second time that we have produced this report we are still keeping its design and content under review. If you have feedback please don't hesitate to email me at <a href="mail@gleneira.vic.gov.au">mail@gleneira.vic.gov.au</a>

Regards,

Rebecca McKenzie

Chief Executive Officer,



At the end of March 2018, the performance against budget from ordinary activities showed a positive variance of \$7.44 million, due to higher than anticipated income of \$4.02 million and favourable variance in operating expenditure of \$3.42 million. The year to date financial performance was better than budget mainly due to: better than anticipated income received for statutory fees and fines of \$2.01 million, government grants of \$694,000, user fees of \$598,000, \$312,000 in interest received and open space contributions of \$278,000. Favourable variances in expenditure items including: contractors \$1.65 million, employee costs \$993,000, materials and consumables \$744,000 and utility services \$524,000.

The overall forecast result expected for the financial year is an operating surplus of \$27.48 million compared with the original adopted 2017–18 Annual Budget of \$17.22 million. Please note that this favourable variance includes a consideration of \$5.23m recognising Council's appointment as Committee of Management for land on the corner of Kambrook, Glen Eira and Booran Roads in East Caulfield. Council was appointed as Committee of Management by the State Government for this land

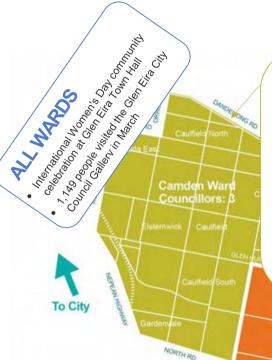
Council's current asset ratio, a measurement of our financial strength, remained at 1.20. This means for every \$1 of current liabilities, Council had \$1.20 in current assets to meet those commitments. Council remains financially well positioned and the 2017–18 surplus provides further financial flexibility to meet the city's future infrastructure and service delivery needs.

The table below details Council's forecast performance based on the Victorian Auditor-General Financial Sustainability Risk Indicators.

FINANCIAL SUSTAINABILITY RISK INDICATORS	Objective	2016-2017 Actuals	2017-18 Annual Budget as at 30 June 2018	2017-18 Annual Forecast As at 30 June 2018	2017-18 Risk Based on Annual Forecast as at 30 June 2018	COMMENT
Net Result	Generating surpluses consistently of greater than 0%.	16.76%	10.00%	15.19%	Low	Council is generating positive surpluses.
Underlying Result (%)	Generating surpluses consistently of greater than 0%.	16.00%	9.00%	12.63%	Low	Council is generating positive surpluses.
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	1.20	Low	Council's forecast to 30 June 2018 indicates a Liquidity Ratio of greater than 1.0.
Indebtedness	Lower than 40% relates to the ability to repay debt from own-source revenue.	15.72%	13.08%	12.90%	Low	Council is operating at a ratio of lower than 40%, therefore has the ability to repay debt from own-source revenue.
Internal Financing	Generating enough cash from operations to fund new assets. The indicator is to be greater than 100%.	157.42%	111.07%	102.97%	Low	Council is generating enough cash from operations to fund new assets.
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	2.02	Low	Council operates at a low level of risk with respect to capital replacement.
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.

# WHAT'S BEEN HAPPENING AT A LOCAL LEVEL





#### **CAMDEN WARD**

- A new lease between Caulfield Park Sports Club, Council and DELWP has been executed
- The Elsternwick Structure Plan was endorsed by Council
- Pop up trailer recruitment for our Community Voice Panel was held at Caulfield Park
- Community Grants Information sessions held at Glen Eira Town Hall and Caulfield Park
- A new playground was constructed at East Caulfield Reserve
- In preparation for the Caulfield Park Master Plan consultation, a feature survey on the entire park was undertaken
- 7,000 people attended Party in the Park at Princes Park in February

Rosstown Ward Councillors: 3

icker W

#### **TUCKER WARD**

- Community piano painted by community members and installed at Bentleigh Rotunda
- Bentleigh Structure Plan endorsed by Council
- Pop up trailer recruitment for Community Voice at Bentleigh Station, Allnut Park and GESAC
- Reconciliation Action Plan community awareness raising at Allnutt Park
- Community grants information session at Moorleigh Community Village
- The pathway and car park lighting units at Bailey Reserve were upgraded to low energy, low emission LED fittings
- The pathway and car park lighting units at Bentleigh Hodgson Reserve were upgraded to low energy, low emission LED fittings
- Consultation on the proposed sports ground lighting upgrade at McKinnon Reserve.
- A new playground was constructed at Wingate Road & Brady Road Park
- The Halley Park scout hall was demolished with the area grassed and returned to Open Space
- Construction works for the redevelopment of the main oval at Bailey Reserve commenced
- 6,000 people attended Party in the Park and Pet Expo at Allnutt Park in March
- 6,500 people attended Groove and Graze at Halley Park in March

#### **ROSSTOWN WARD**

- EE Gunn Reserve Scout Hall was surrendered by Scouts Victoria on 30 March 2018 to make way for sporting facilities at the reserve. The Hall has been demolished.
- Officers are working with Melbourne Water to formalise their temporary occupation and reinstatement works as part of the Murrumbeena Main Drain upgrade project
- Carnegie Structure Plan endorsed by Council
- Community grants information session held at Duncan MacKinnon Pavilion
- Children and parents visioning for the Family and Children's Services Reconciliation Action Plan at Carnegie and Murrumbeena Early Learning Centres
- Construction works for the redevelopment of the Duncan Mackinnon Athletics track and netball courts commenced
- 3,000 people attended Party in the Park Under the Stars in January
- Babytime/Storytime attendance was 7,339 at Carnegie Library

QUARTERLY SERVICE PERFORMANCE REPORT

### **MAJOR PROJECT UPDATES**



#### 1. Duncan Mackinnon Reserve

#### **Netball Court Extension**

- Project Status: Construction Phase.
- **Key achievements:** In the third quarter of 2017-18, demolition and early works were completed and major construction in progress. In-ground services and root barriers have been installed. Ground slab preparation in progress.
- Planned activities for the next quarter: Completion of construction.

#### **Athletics Track Upgrade**

- Project Status: Construction Phase.
- Key achievements: In the third quarter of 2017–18, demolition and early works were completed and major construction
  in progress. In-ground services and surface and sub-surface drainage has been installed, track base and asphalt works
  completed in preparation of rubber surfacing.
- Planned activities for the next quarter: Completion of Construction

#### Master Plan Implementation - Stage 2 Landscape

- Project Status: Currently in the design stage.
- **Key achievements:** In the third quarter of 2017-18, the preliminary concept and cost plans were completed. Quotations were undertaken for reconstruction of the track access stairs.
- Planned activities for the next quarter: Complete the track access stair construction, finalise the concept and commence detailed design and associated cost planning. Commence construction staging/planning.



Athletics Track works in progress



Netball Courts works in progress





#### 2. Lord Reserve and Koornang Park

#### Carnegie Swim Centre Redevelopment

- · Project Status: Currently in Feasibility Phase.
- **Key achievements:** In the third quarter of 2017–18, preliminary architectural concepts were prepared including preliminary cost planning and business plan.
- Planned activities for the next quarter: Further refinement and additional concepts and inclusions requested by Council to be developed prior to the next phase of community consultation.

#### Carnegie Precinct Master Plan (Lord Reserve and Koornang Park)

- · Project Status: Currently in Feasibility and Concept Phase.
- Key achievements: In the third quarter of 2017–18, initial master plan concepts were prepared in conjunction with the
  architectural concepts for the Carnegie Swim Centre.
- Planned activities for the next quarter: Further refinement and additional concepts and inclusions requested by Council to be developed prior to the next phase of community consultation.







Existing Photos of Carnegie Swim Centre, Lord Reserve and Koornang Park

#### 3. Bailey Reserve

#### **Skate Park Redevelopment**

- Project Status: Construction Phase.
- Key achievements: In the third quarter of 2017–18, the construction contract was awarded by Council on the 28
  February 2018. Early works activities were completed including temporary crossing installation for site access and
  service connections for water and electricity.
- Planned activities for the next quarter: Commence main construction works.



Existing Photo of Bailey Reserve Skate Park

QUARTERLY SERVICE PERFORMANCE REPORT





#### **Bailey Reserve Oval No.1 Upgrade**

- Project Status: Construction Phase.
- **Key achievements:** In the third quarter of 2017–18, construction commenced. Main drainage lines and surface drains were completed. The existing ground was stripped and formation and grading of the new surface is in progress.
- · Planned activities for the next quarter: Complete construction.



Bailey Reserve Oval Upgrade in progress

#### 4. Elsternwick Community Hub

- Project Status: Feasibility of new community hub including library in Elsternwick commenced.
- Key achievements: Elsternwick Structure Plan endorsed by Council.
- Planned activities for the next quarter: Develop brief for feasibility study planned to be undertaken in 2018-19 to inform future concepts for community consultation, in line with Elsternwick Structure Plan.



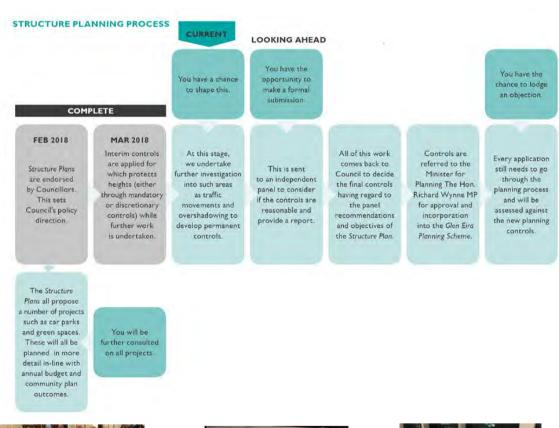


Existing Photos of Elsternwick Library

### **MAJOR PROJECT UPDATES**

- 5. Preparation and implementation of structure plans for Carnegie, Elsternwick and Bentleigh and Quality Design Guidelines for Glen Eira.
- **Project Status:** Stage 6 The Bentleigh, Carnegie and Elsternwick *Structure Plans* were adopted by Council in February 2018 and the Quality Design Guidelines were adopted by Council in March 2018.
- **Key achievements:** Over 5,000 community responses contributed to the development of the *Guidelines* and *Structure Plans*, through attending community meetings, providing written feedback or interacting online. The *Structure Plans* establish a new future vision for these important centres and outline a realistic plan to achieve this vision. The *Quality Design Guidelines* set a new standard for future developments in our municipality.
- Planned activities for the next quarter: Develop an implementation plan for Council to deliver the series of important
  capital projects. Develop the planning controls that achieve the intent of the three Structure Plans and Quality Design
  Guidelines.

#### **LOOKING AHEAD**





Elsternwick community forum



Bentleigh community forum



Carnegie community forum

### **PERFORMANCE AT A GLANCE**

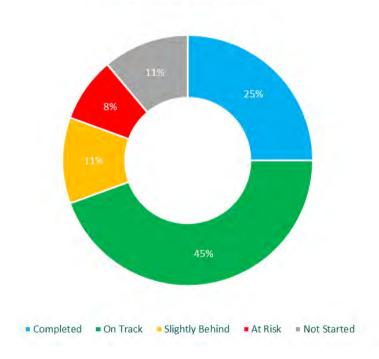


The Council Plan 2017–2022 sets out five themes where Council will focus its efforts to enhance community experience over the next five years. These themes were developed in consultation with the community.

# PROGRESS AGAINST GLEN EIRA COUNCIL AND COMMUNITY PLAN COMMITMENTS

TOTAL NUMBER OF COMMITMENTS FOR 2017-18	36
Number of activities completed to the required standard of performance:	9
Number of activities on track or ahead of schedule:	16
Number of activities slightly behind schedule:	4
Number of activities at risk of not being delivered on time or to the standard required:	3
Number of activities not yet commenced:	4

#### Performance At a Glance



Pages 10 to 37 provide an update on the Council and Community Plan 2017–2021 commitments and related service performance indicators for each of the five themes.

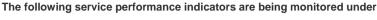
### LIVEABLE AND WELL DESIGNED

#### A WELL PLANNED CITY THAT IS A GREAT PLACE TO BE

COMMITMENT	PERFORMANCE MEASURE	TARGET DATE	PROGRESS UPDATE AS AT 31 March 2018	STATUS
We will deliver detailed structure plans for Bentleigh, Carnegie and Elsternwick, which address development, open space, business and	Adopt structure plans for Bentleigh, Carnegie and Elsternwick.	Mar-18	Structure Plans for Bentleigh, Carnegie and Elsternwick adopted 27 February.	
transport, and an Activity Centre, Housing and Local Economy Strategy for all our centres.	Adopt Activity Centre, Housing and Local Economy Strategy for all our centres.	Dec-17	The revised Activity Centre, Housing and Local Economy Strategy was adopted by Council on 25 July 2017.	
We will commence community consultation and a feasibility study to develop a new vibrant	Commence community consultation for the Elsternwick community hub.	Mar-18	Initial consultation undertaken as part of the Elsternwick Structure Plan community engagement. The project timing has been revised in the Strategic Resource Plan. Further detailed consultation will be undertaken in 2018-19.	
community hub in Elsternwick.	Undertake feasibility study for the Elsternwick community hub.	Jun-18	The project timing has been revised in the Strategic Resource Plan. The brief for the scope of works for the feasibility study will be completed in 2017-18. The feasibility study will commence in 2018-19.	
We will update and refresh a	Open Space Strategy refreshed.	Jun-18	Preliminary analysis work well underway. Awaiting updated population / dwelling forecasts which have come through Elsternwick, Carnegie and Bentleigh Structure Plans.	
minimum of three key Council community infrastructure strategies relating to recreation, open space and facilities.	Council endorses <i>Tennis</i> Strategy.	Jun-18	Initial consultation completed. The Draft Strategy is currently being prepared to be presented to Council for consideration and further community consultation.	
	Council endorses Pavilion Strategy.	Dec-17	Council endorsed a new <i>Pavilion Strategy</i> on 25 July 2017.	
We will develop and implement policies and controls that protect heritage, and the character of our residential areas.	Adopt Heritage Policy.	Dec-17	Heritage Policy to be presented to Council for adoption 10 April following minor heritage review. Major heritage review to be undertaken in 2018.	
We will invest a minimum of \$30M through Council's Capital Works Program.	\$30M spent on Capital Works Program for 2017–18.	Jun-18	Actual spend as at 31 March 2018 is \$22.22 million. Annual forecast as at 30 June 2018 is projected to be \$44.96 million.	
We will develop concepts for Lord Reserve, Carnegie Swim Centre, and Koornang Park to create a community focused multi-use recreation precinct.	Concept plan developed for Carnegie Swim Centre.	Mar-18	Preliminary concepts were prepared based on initial community consultation. Council has requested further concepts which will be reported in June 2018, prior to the next phase of community consultation.	
	Master Plan developed for Lord Reserve and Koornang Park.	Jun-18	Consultants have been appointed to develop concept options for Council's consideration. Preliminary concepts being prepared in conjunction with Carnegie Swim Centre project.	
We will develop a statement of commitment on housing affordability and work with neighbouring councils to develop a regional perspective.	Development of policy statement (of commitment) endorsed by Council.	Jun-18	Statement currently being prepared and will be presented to Council on 12 June.	
Completed	On Track Sligh	tly behind	At risk Not st	arted

QUARTERLY SERVICE PERFORMANCE REPORT

## SERVICE PERFORMANCE INDICATORS — PLANNING



Theme 1 - Liveable and Well Designed

#### PLANNING APPLICATIONS RECEIVED AND DECIDED

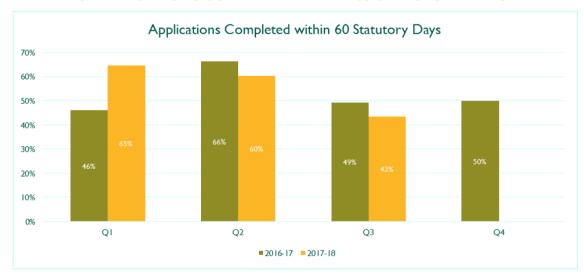


#### Comment:

We continue to reduce our backlog of applications and are determining more applications than we receive. The total number of Active Applications continues to be lower than the previous financial year. This trend is likely to continue as the benefits of planning office process improvements are realised.

Decisions made in each quarter involve some applications lodged in the previous quarter.

#### PLANNING APPLICATIONS COMPLETED WITHIN 60 STATUTORY DAYS



#### Comment:

The percentage of applications determined within 60 days has fallen in quarter 3. The information needs further verification as the average statutory days per determination is 60 days suggesting that our average should be higher. This is a manual process and the Town Planning Department is undertaking a verification exercise to ensure accuracy. In addition, a new system workflow is nearing completion that will automate the statutory timeframe calculation.

QUARTERLY SERVICE PERFORMANCE REPORT

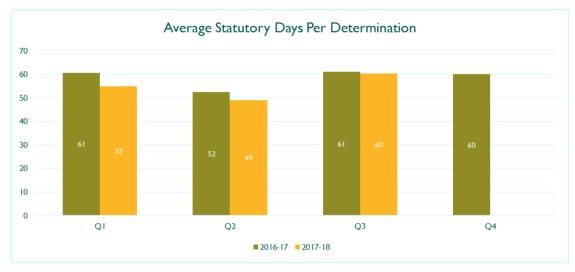
## SERVICE PERFORMANCE INDICATORS — PLANNING



The following service performance indicators are being monitored under

Theme 1 - Liveable and Well Designed

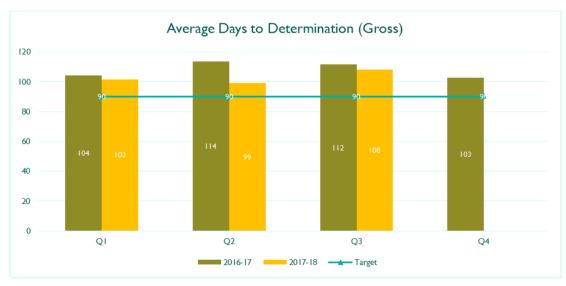
#### **AVERAGE STATUTORY DAYS**



#### Comment:

The average statutory days per determination is consistent with last financial year. The department is currently building a "statutory clock" within its application database to enable a better capture of this KPI.

#### **AVERAGE GROSS DAYS**



#### Comment:

The average gross days to determination is reducing which is a positive trend. It reflects improved monitoring of gross days as a performance measure within the team.

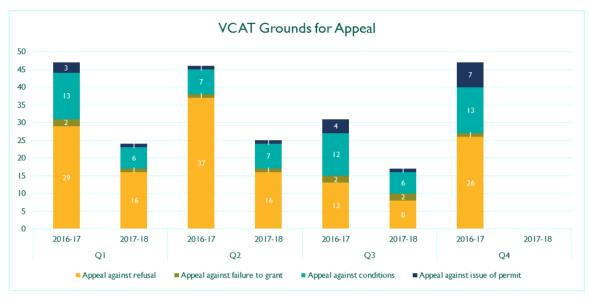
Note: This measurement is in calendar days, not statutory days. It is extracted from the State Government Planning Permit Activity Reporting Systems (PPARS).

QUARTERLY SERVICE PERFORMANCE REPORT





#### **VCAT APPEALS AND REASONS FOR APPEALS**

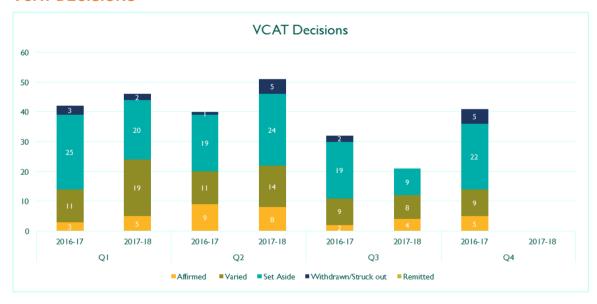


#### Comment:

The number of appeals in quarter 3 has reduced compared to the previous year. This demonstrates that our decision making is finding a balance between various stakeholder expectations.

Data source: Planning Permit Activity Reporting Systems (PPARS) - DELWP

#### **VCAT DECISIONS**



#### Comment:

There has been a significant drop in the number of decisions that have been set aside (overturned) by the Tribunal. Over the past year the percentage of applications that have not been set aside by the Tribunal has improved from 37% to 57%.

QUARTERLY SERVICE PERFORMANCE REPORT





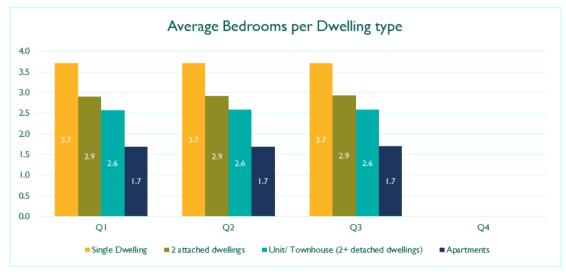
#### **DIVERSITY IN AVAILABLE HOUSING STOCK**



#### Comment:

The reduction in the number of single dwellings is a result of the redevelopment of land for other housing types including townhouses and apartments.





#### Comment:

The majority of housing continues to be apartments of 1 or 2 bedrooms. Council's Structure Plans seek to counter this imbalance and provide a greater diversity of housing across the municipality.

QUARTERLY SERVICE PERFORMANCE REPORT

# SERVICE PERFORMANCE INDICATORS — PLANNING



#### **ESTIMATED VALUE OF PLANNING PERMITS LODGED**

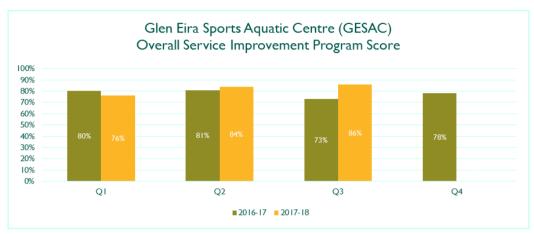


#### Comment:

The estimated cost of permits issued is down on last year and this has followed the trend in each quarter this year. There has been a slight reduction in the number of planning permit applications and a corresponding reduction in the estimated cost of permits issued.

#### SERVICE PERFORMANCE INDICATORS — GESAC

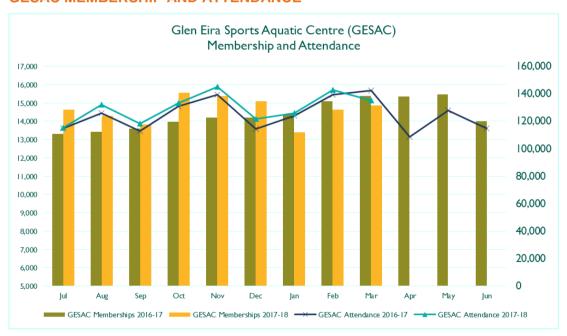
#### **OVERALL SERVICE IMPROVEMENT PROGRAM SCORE — GESAC**



#### Comment:

Service Improvement Program Score at GESAC has lifted in every service area, with the lifeguards receiving their highest score ever at 92%. We use a variety of methods to measure our performance against the service criteria. These include: observation of individuals in person; observation of the team in person; phone calls to individuals; reviews of safety; OH&S continuous reviews of our website and electronic communication; assessment of our café (sub contracted); and mini surveys of our patrons.

#### **GESAC MEMBERSHIP AND ATTENDANCE**



#### Comment:

Attendances were down only by a fraction in comparison to last year. This correlates with memberships being slightly down in comparison as well. Given GESAC has reached its maturity phase it will start to plateau now, however there is definitely room to grow the Swim School Program following 2016/17's recent review and reallocation of lanes.

QUARTERLY SERVICE PERFORMANCE REPORT

# ACCESSIBLE AND WELL CONNECTED



# A CITY THAT IS EASY TO MOVE AROUND, WITH SAFE TRAVEL OPTIONS AND WALKABLE NEIGHBOURHOODS

COMMITMENT	PERFORMANCE MEASURE	TARGET DATE	PROGRESS UPDATE AS AT 31 March 2018	STATUS
We will develop a new Integrated Transport Strategy, which identifies and sets the City's goals for various transport modes, with a focus on creating safer and walkable neighbourhoods.	Council endorses Integrated Transport Strategy.	Jun-18	Community consultation received on the draft Integrated Transport Strategy is currently being reviewed and updated - final Strategy will be presented to Council for adoption in May 2018.	
We will complete a municipal- wide Car Parking Strategy.	Develop and adopt Car Parking Strategy.	Jun-18	The Car Parking Strategy will be developed following the adoption of the Integrated Transport Strategy. Expected to be finalised in November.	
We will update our Walking Strategy with particular focus on improving pedestrian safety around schools, and creating incentives for our community to use sustainable forms of transport.	Update and endorse Walking Strategy.	Jun-18	The Walking Strategy will be incorporated with the Integrated Transport Strategy. Final Strategy will be presented to Council for adoption in May.	
We will revise our approach to implementing or amending parking restrictions to ensure that affected residents are consulted in all circumstances in advance of any changes being implemented.	A Car Parking Policy to be developed as part of Council's Integrated Transport Strategy.	Apr-18	The Car Parking Policy is being developed in parallel with the <i>Integrated Transport Strategy</i> above.	
We will enhance our footpath renewal and upgrade programs to deliver more small area footpath improvement projects and also construct a number of missing link footpaths throughout the municipality.	Construct five per cent of our missing link footpaths.	Jun-18	New footpath installation works well under way and will be completed by the end of June 2018. The program is 40% complete	
Completed	On Track Slightl	y behind	At risk Not sta	rted

## SERVICE PERFORMANCE INDICATORS — TRAFFIC AND SAFETY

The following performance indicators are being monitored under

Theme 2 - Accessible and Well Connected

#### TRAFFIC AND PARKING COMPLAINTS RESPONDED TO WITHIN FIVE DAYS



#### Comment:

Council experienced a slight decrease in traffic and parking investigations from Q2 to Q3. However, when compared to the same time last year there were 299 more investigations. This is mainly due to the increase in construction work throughout the municipality. Many residents are requesting traffic engineering investigations of parking restrictions either during construction or post construction. In addition, the Level Crossing Removal Works have also generated increased investigations. Unfortunately this has put a significant strain on resources and has led to an increase in the number of days taken to respond. Council plans to invest in more resources for this area in the new budget year.

#### **COMMUNITY SAFETY AUDITS**

An independent road safety auditor was appointed to carry out the audits. The audits were completed in December 2017. Business cases have been prepared for the various traffic management treatments recommended by the auditor.

Traffic conditions were audited around the following schools:

- 1. St Anthony's Primary School
- 2. Glen Huntly Primary School
- 3. McKinnon Secondary College

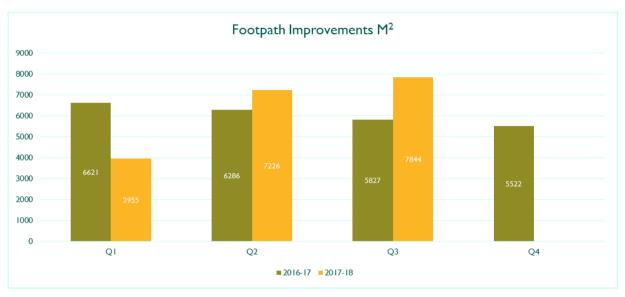
Traffic conditions were audited around the following shops:

- 1. McKinnon Shopping Centre
- 2. South Road Shops, Bentleigh

# SERVICE PERFORMANCE INDICATORS — FOOTPATHS



#### **FOOTPATH IMPROVEMENTS**



#### Comment:

Footpath replacement is currently ahead of budget and we expect to fully spend the budget ahead of time.

### SAFE, HEALTHY AND INCLUSIVE

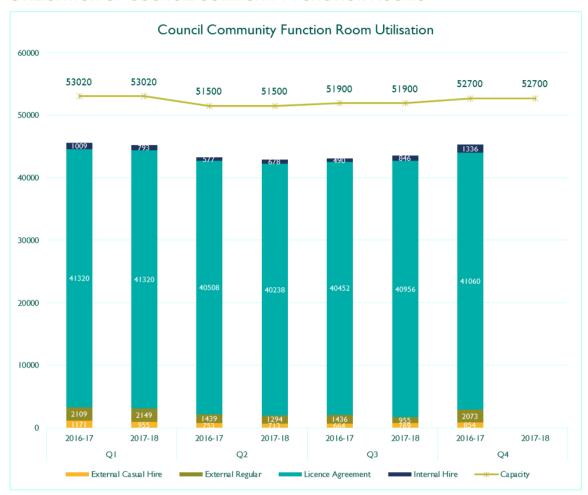
# A STRONG AND SAFE COMMUNITY THAT BRINGS PEOPLE TOGETHER AND ENHANCES HEALTH AND WELLBEING

COMMITMENT	PERFORMANCE MEASURE	TARGET DATE	PROGRESS UPDATE AS AT 31 March 2018	STATUS
We will establish a Community Safety Committee with representation from Victoria Police, key stakeholder organisations, and community members.	Establish Community Safety Committee with key stakeholders.	Dec-17	Terms of Reference endorsed in November 2017. Meetings of the Community Safety Committee have been held in December 2017 and January 2018.	
We will develop a comprehensive community safety plan in collaboration with the community that includes a range of crime prevention strategies.	Develop a comprehensive community safety plan and endorsed by Council.	Jun-18	Draft Community Safety Plan currently on public exhibition commencing 22 March.	
We will develop a transparent and prioritised program towards all-abilities access in all Council managed community facilities, aligned with Council's Disability Access Plan.	Develop a prioritised program towards all-abilities access in Council facilities.	Dec-17	Contractors engaged to inspect sites and cost works identified in the audit conducted in 2012. Works will commence in late April early May 2018	
We will incorporate the needs and feedback from our community consultation into the feasibility study for a vibrant, multi-functional hub in Elsternwick.	Community Consultation feedback incorporated in feasibility study.	Jun-18	Initial consultation undertaken as part of the Elsternwick Structure Plan community engagement. The project timing has been revised in the Strategic Resource Plan. Further detailed consultation will be undertaken in 2018-19 and incorporated into the feasibility study.	
Completed	On Track Slight	y behind	At risk Not sta	ted

## SERVICE PERFORMANCE INDICATORS — COUNCIL FACILITIES

The following performance indicators are being monitored under Theme 3 – Safe, Healthy and Inclusive

#### **UTILISATION OF COUNCIL COMMUNITY FUNCTION ROOMS**



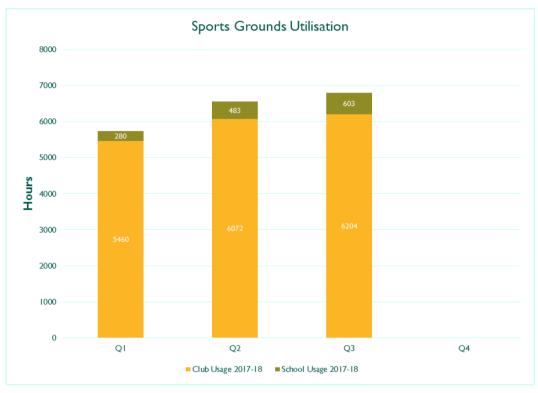
#### Comment:

- Figures above represent the monthly bookings of Council's eleven Community Function Rooms: Bentleigh McKinnon Youth Centre, Caulfield Park Pavilion and Community Room, DC Bricker Function Room, Duncan Mackinnon Reserve Social Room, East Caulfield Function Room, Glen Huntly Park Function Room, McKinnon Public Hall, Murrumbeena Function Room, Packer Park Function Room, Moorleigh Function Room and the Moorleigh Community Village Centre.
- Users consist of a mix of community casual hire, regular hire (e.g. judo, ballet, gymnastics and Pilates groups), licence agreements and internal Council bookings.
- Licence agreements are in place for rooms at Moorleigh Community Village Centre, Bentleigh McKinnon Youth Centre (YMCA Victoria) and DC Bricker Pavilion (Sandringham Dragons).
- Figures exclude the Town Hall and Carnegie Library Rooms.
- At venues other than our licence agreement venues, there is capacity and opportunity to increase casual hire and external regular hire usage.

# SERVICE PERFORMANCE INDICATORS — COUNCIL FACILITIES



#### **SPORTS GROUND USAGE**



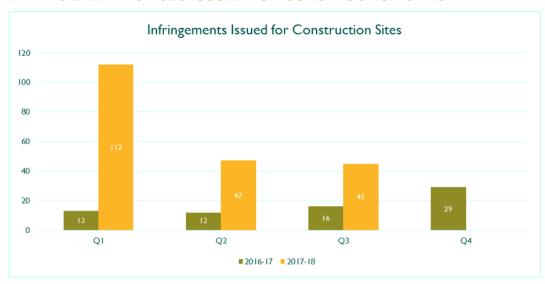
#### Comment:

- The slight increase to usage and capacity is predominantly due to Q2 and Q3 containing an 11 week period vs Q1 with a 10 week period.
- Summer sports usage is higher than winter sports usage. i.e. Cricket usage allows two teams to be allocated to a timeslot in summer Fri PM, Sat AM, Sat PM, Sun AM and Sun PM.
- EE Gunn Reserve Ovals two and three were closed in winter 2017 for reconstruction and reopened early November. Oval 1 at Bailey Reserve closed in quarter's 2 and 3.
- School usage and passive (dog walking and active play) usage is not calculated as part of the weekly allocated hours per sports ground.

# SERVICE PERFORMANCE INDICATORS — LOCAL LAWS



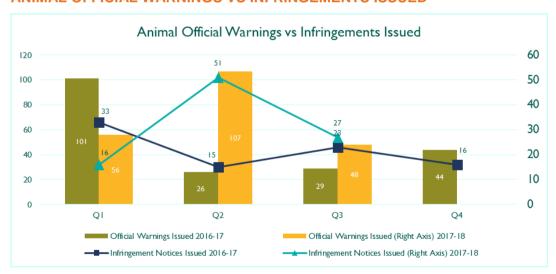
#### INFRINGEMENT NOTICES ISSUED FOR CONSTRUCTION SITES



#### Comment:

Infringements remain high, which correlates with the high level of building activity in the municipality.

#### ANIMAL OFFICIAL WARNINGS VS INFRINGEMENTS ISSUED

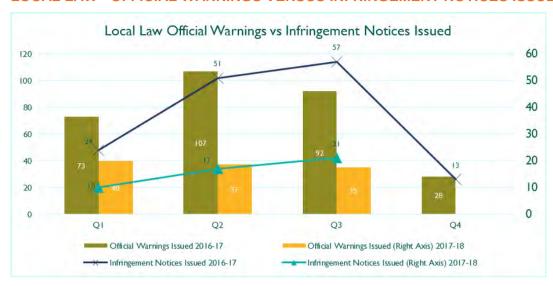


#### Comment:

Infringements and official warnings remain steady as a result of concentrated park and street patrols targeting dogs offleash. Our priority is to educate the animal owner on responsible pet ownership. Unfortunately, the issuing of infringements is often necessary.

# SERVICE PERFORMANCE INDICATORS — LOCAL LAWS

#### LOCAL LAW - OFFICIAL WARNINGS VERSUS INFRINGEMENT NOTICES ISSUED



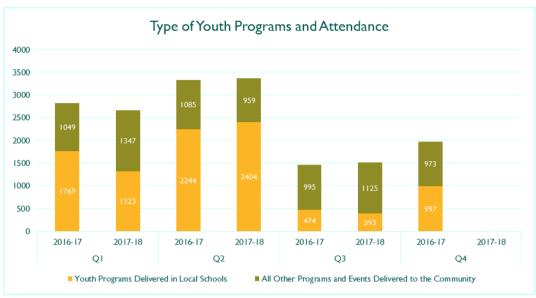
#### Comment:

Pursuing enforcement through Planning legislation rather than Local Law for building sites is proving to be an effective approach in the current environment of high construction activity.





#### NUMBER OF YOUNG PEOPLE ATTENDING PROGRAMS



#### Comment:

Youth Services' Healthy Relationship program was our most requested school based program over term one, focusing on empathy, consent and the signs of an unhealthy relationship. Council's community based programs continued to have a strong attendance with Glen Eira Pride hosting a new movie night event for LGBTQI young people and local support groups.

#### **FOOD SAFETY INSPECTIONS**



#### Comment:

A failed inspection in this instance uses the same definition as the LGPRF critical and major non-compliance definitions. It is when a deficiency is found by a Council officer that poses an immediate serious threat to public health and must be followed up by the Council. This includes situations where there is a serious risk of food being sold that is unsafe to eat.

QUARTERLY SERVICE PERFORMANCE REPORT

# SERVICE PERFORMANCE INDICATORS — COMMUNITY SERVICES



#### MATERNAL AND CHILD HEALTH SERVICES

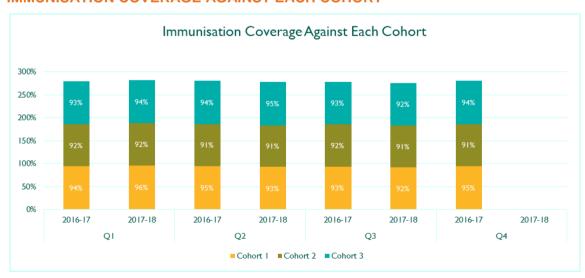


#### Comment:

The Maternal and Child Health Service offers consultations for all children living in Glen Eira to review children's health, growth and development. It is recommended that children attending Maternal and Child Health Services at two, four and eight weeks; at four, eight, 12 and 18 months; and at two and three and a half years of age. This is a state wide program cofunded by the State Government.

Visit numbers each quarter are dependent upon when children are born each year and when scheduled visits fall. There are approximately 1,850 births in Glen Eira each year.

#### **IMMUNISATION COVERAGE AGAINST EACH COHORT**



#### Comment:

Cohort 1 - Children must receive all required vaccines by the age of one year and three months; Cohort 2 - Children must receive all required vaccines by the age of two years and three months; Cohort 3 - Children must receive all required vaccines by the age of five years and three months.

QUARTERLY SERVICE PERFORMANCE REPORT

## SERVICE PERFORMANCE INDICATORS — COMMUNITY SERVICES



#### IN HOME AND SOCIAL SUPPORT



#### Comment:

No waiting list for service provision indicates that all requested hours are being met. There have been some adjustments to targets as a result of advice from the Commonwealth. A further variation has been requested so adjustments may occur as resources are shifted to areas of service demand.

#### **LIBRARY LOANS**



#### Comment:

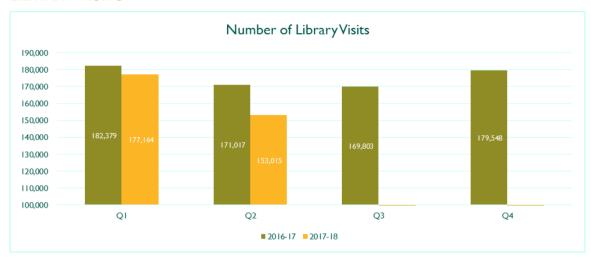
Physical loans fell by 5% in Q3 compared to same period last year. Digital loans increased by 23% to comprise 8% of all loans in Q3 2017-18.

QUARTERLY SERVICE PERFORMANCE REPORT

## SERVICE PERFORMANCE INDICATORS — COMMUNITY SERVICES



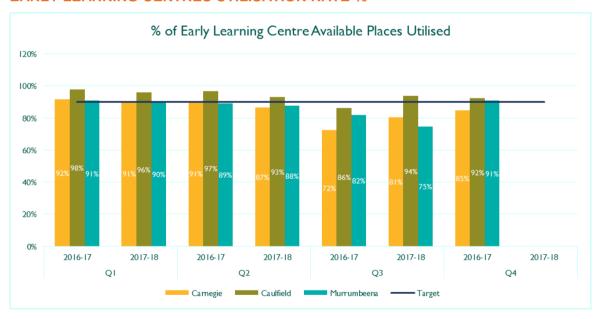
#### LIBRARY VISITS



#### Comment:

Overall visits are down 9% between Q3 2017-18 and Q3 2016-17, partially attributable to half the Easter holidays falling in March, and continuing rail works in Carnegie.

#### **EARLY LEARNING CENTRES UTILISATION RATE %**



#### Comment:

Council operates three early learning centres that provide a total of 118 places.

The percentage utilisation for each centre shown in the graph provides a representation of the percentage of places that are being utilised by the community. A target of 90% has been set for each Early Learning Centre.

QUARTERLY SERVICE PERFORMANCE REPORT

29

# CLEAN AND SUSTAINABLE



## AN ATTRACTIVE AND SUSTAINABLE ENVIRONMENT FOR FUTURE GENERATIONS

COMMITMENT	PERFORMANCE MEASURE	TARGET DATE	PROGRESS UPDATE AS AT 31 March 2018	STATUS
We will continue to implement our <i>Open Space Strategy</i> priority actions, including	Delivery of improvements to Spring Road Reserve in Caulfield South.	Jun-18	Spring Road Reserve community consultation completed. This project is currently in the detailed design stage. The construction program has been extended to enable the upgrade of an underground drain in close proximity to this reserve. The project will be completed in early 2018-19.	
improvements to Spring Road Reserve in Caulfield South; a new sensory garden at Rosanna Street Reserve in Carnegie; and commencing the	Delivery of new sensory garden at Rosanna Street Reserve in Carnegie.	Jun-18	Community consultation completed. Project is currently in the tender stage.	
implementation of the EE Gunn Reserve Masterplan in Ormond.	Commencement of the implementation of the EE Gunn Reserve Masterplan in Ormond.	Jun-18	Construction of a new cricket and baseball practice training net facility. This project is the construction of new training nets including civil, drainage, irrigation and landscape works. The project is currently in procurement stage, with construction planned to commence in late 2017-18.	
We will increase the amount of community open space in Joyce Park.	Construction of new open space area in Joyce Park.	Jun-18	Joyce Park new open space project community consultation completed. This project is currently in the detailed design stage, with construction planned in early 2018-19.	
Five per cent of the capital budget for all new and large refurbishment building projects will be allocated to sustainability measures, over and above the minimum required standards.	Five per cent allocation of capital works budgets to sustainability measures for new and large refurbishment building projects.	Jun-18	Incorporated into major projects design. Each project includes a line item in the Quantity Surveyor's estimate so the allocation can be tracked and monitored.	
We will develop masterplans for Caulfield Park and the Lord Reserve; Carnegie Swim Centre; and Koornang Park precinct.	Master Plan developed for Caulfield Park and Lord Reserve; Carnegie Swim Centre; and Koornang Park precinct.	Jun-18	Caulfield Park Masterplan refresh underway. Leisure Needs Study completed. Landscape architect appointed for Lord/Koornang Masterplan in collaboration with swim centre redevelopment. Outer Circle Railway Management Plan and Murrumbeena Park Masterplan also being refreshed establishment meetings were held in late March.	
Completed	On Track Sligh	tly behind	At risk Not sta	rted

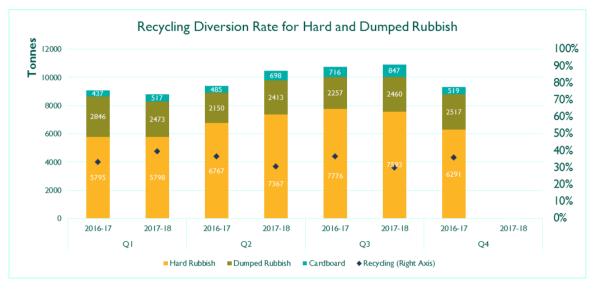
QUARTERLY SERVICE PERFORMANCE REPORT

## SERVICE PERFORMANCE INDICATORS — RECYCLING



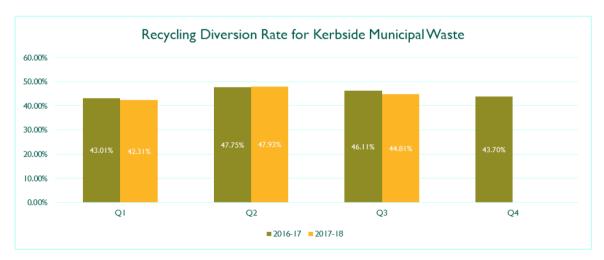
The following performance indicators are being monitored under Theme 4 - Clean and Sustainable

#### **RECYCLING DIVERSION**



#### Comment:

The proportion of waste recycled decreased over the quarter compared to the previous year. The recycling diversion rate is being monitored to ensure that opportunities for further recycling are identified and implemented.



#### Comment:

The recycling diversion rate decreased slightly over the quarter compared to last year. This is due to a decrease in total tonnages of green organics waste that was recycled, which is a result of less rainfall and subsequently less plant growth.

## SERVICE PERFORMANCE INDICATORS — PARKS



#### STREET TREES



#### Comment:

Tree removals slightly up for this quarter however a downward trend over the year demonstrating the impact of better management practices. No tree planting occurred Jan - Mar due to the hot and dry weather conditions.

### **INFORMED AND ENGAGED**

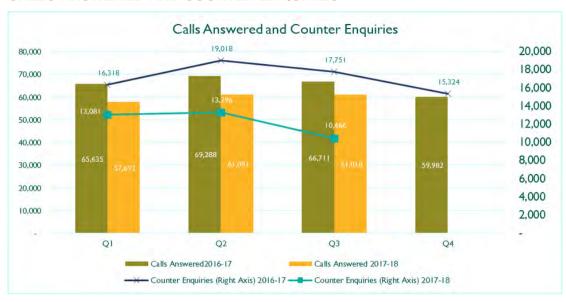


COMMITMENT	PERFORMANCE MEASURE	TARGET DATE	PROGRESS UPDATE AS AT 31 March 2018	STATUS
We will review and enhance our Community Engagement	Complete/update Community Engagement Strategy.	Mar-18	Draft Community Engagement Strategy was released for public exhibition on 6 March.	
Strategy and develop a new Youth Consultation Strategy.	Complete/update Youth Consultation Strategy.	Dec-17	Draft Youth Consultation Strategy to be presented to Council in May 2018.	
We will establish an online consultation group of approximately 400 residents who are willing to be involved and provide opinions and feedback on Council's programs and strategies.	Create a community panel of approximately 400 residents.	Jun-18	Community Voice online panel of 400 registered residents has now been established.	
We will provide greater online options for residents by ensuring that half of our requests and payment services	Implement ePlanning online lodgment and payment module.	Jun-18	The majority of planning applications and requests are now available to be lodged online. Council is now actively promoting this service, seeking feedback and will refine and embed processes for a full move to online processing by mid-2018.	
are available via Council's website.	Fifty per cent of requests and payment services to be available via Council's website.	Jun-18	More than fifty percent of requests and payment services now available online for community to access. Council currently receives 60% payments and about 60% applications online. Council's digital team is continuously adding more transactions on the Council website.	
We will receive an unqualified audit opinion in relation to the completed 2016–17 Financial Report and Performance Statement and year on year thereafter.	Completion on 2016–17 annual accounts with unqualified audit opinion.	Sep-17	The 2016-17 Financial Report and Performance Statement was completed by 30 September 2017 with an unqualified audit opinion.	
We will develop an Advocacy Strategy which informs the community of our Advocacy Program and outlines our advocacy goals.	Develop and endorse an Advocacy Strategy.	Dec-17	A draft <i>Advocacy Strategy</i> has been developed and was endorsed by Council 19 December 2017.	
We will demonstrate our commitment to transparency by increasing the amount of information that is available to the public via our website.	Quarterly service performance report for the community; online Council meetings (webcast).	Quarterly	This commitment has been fully implemented. Webcasting was implemented on 19 December 2017 and Quarterly performance reports are now posted on the website for community to access.	
We will report quarterly to the community on our progress against all of our promises outlined in this <i>Plan</i> .	Quarterly reporting to Council on progress against Glen Eira Council and Community Plan commitments 2017–18.	Quarterly	Third Quarterly update to be tabled at the May Council meeting.	
Completed	On Track Sligh	tly behind	At risk Not sta	rted

## SERVICE PERFORMANCE INDICATORS — SERVICE CENTRE

The following performance indicators are being monitored under Theme 4 - Informed and Engaged

#### **CALLS ANSWERED AND COUNTER ENQUIRIES**



#### Comment:

The volume of telephone calls and counter enquiries can vary due to the timing of certain Council business activities such as rate installment and dog registration deadlines. The daily average of calls answered is approximately 900 - 1,000 and has decreased on average by about 100 calls per day against the same period last year, suggesting that residents/customers are conducting more of their Council business online. Counter enquiries have also decreased against the same period last year by approximately 11%.

#### **AVERAGE QUEUE WAIT TIME**



#### Comment:

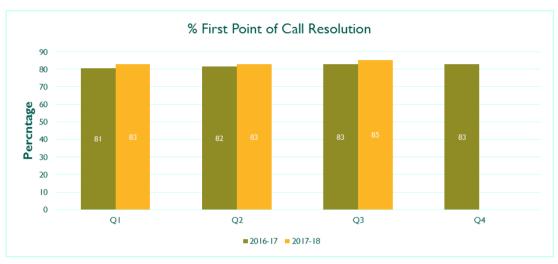
Telephone response times are dependent on the monthly level of customer activity which can be affected by business seasonality factors, staffing levels and also telephony and system issues. In the quarter ended March our average queue wait time was 44 seconds. The main reasons for this were that staff were unable to log requests and had e-mail issues on a couple of days during the quarter. This was due to hardware related issues covering the telephone and e-mail systems. These issues were rectified within a couple of hours, but impacted the average queue wait time for the quarter. In the month of March we also experienced a large number of calls after a heavy wind storm that contributed to the increased queue wait time.

QUARTERLY SERVICE PERFORMANCE REPORT

## SERVICE PERFORMANCE INDICATORS — SERVICE CENTRE



#### PERCENTAGE FIRST POINT OF RESOLUTION

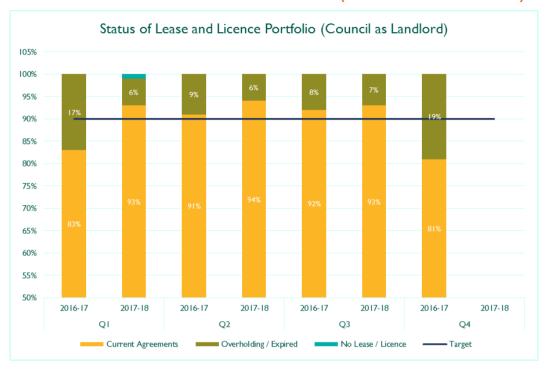


#### Comment:

Service Centre staff are able to answer most customer enquiries at first point of contact. Calls are answered immediately, or tracked through Council's customer tracking system (Pathways), or directed to Council officers to return customers' calls. Customers are advised of a reference number for further follow-up, in the event they need to call back.

## SERVICE PERFORMANCE INDICATORS — **BUILDING AND PROPERTIES**

#### STATUS OF LEASE AND LICENCE PORTFOLIO (COUNCIL AS LANDLORD)



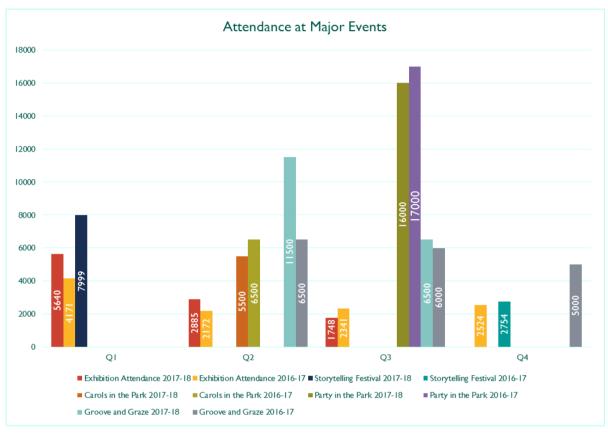
#### Comment:

Council currently administers 88 leases covering a variety of community and commercial tenancies. Our aim is to renew leases and licences ahead of their expiry. If they are not renewed they move to overholding or to a month by month basis. Reasons for agreements not being renewed may be due to detailed negotiation or consideration of long term strategic issues i.e. some leases are waiting on the outcome of the Tennis strategy (i.e. St Kevin's Primary School playground and tennis club, Caulfield Park Tennis Club). At the end of quarter 3 all occupiers of council land or buildings had a current agreement, with the proportion of leases which are current sitting at 93% and those in overholding 7%. Aside from those noted above, other agreements in overholding are with Glen Eira McKinnon Bowls, J-Air Community Radio and Telstra (Town hall rooftop). These are expected to be finalised within the next quarter.

## SERVICE PERFORMANCE INDICATORS — EVENTS



#### ATTENDANCE AT MAJOR EVENTS



#### Comment:

There was a 28% increase in Exhibition attendance due to the Boyd Women exhibition held for the most part of quarter 2.

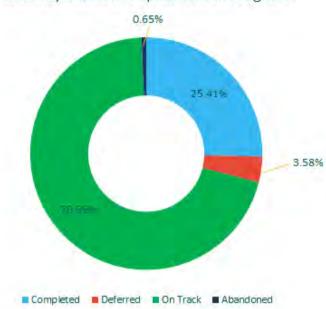
There was only one Groove and Graze event held in 2016/17 quarter 2 and 2 events held in 2017/18.

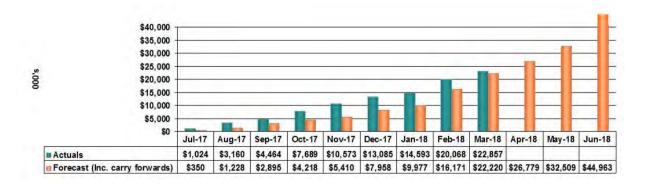
Carols attendances were down by 16% compared with 2016. This was more than likely due to the children's headline act not being as popular.



### PROJECTS COMPLETED THIS QUARTER

### Monthly Status of Capital Works Program





#### Comment:

Council's capital expenditure is ahead of forecast by \$637k mainly due to Road Rehabilitation \$1.7m. Offsetting this is Building Renewals \$966k and Park Lighting Energy Efficiency Upgrade \$103k which is behind forecast.

#### PROJECTS COMPLETED THIS QUARTER

Some of the projects completed in quarter 3 include:

#### **Recreation and Open Space Works**

- East Caulfield Reserve, Caulfield East. New playground equipment, including timber framed combination unit, slides, climbing nets, swings, rocker and orbit spinner. Works also included new concrete edging around the playspace.
- · Wingate and Brady Roads Reserve, Bentleigh East. New playground equipment including climbers, slides and swings.
- Bailey Reserve, Bentleigh East. Upgrade of existing carpark and pathway lights including energy efficient LED light fittings.
- Bentleigh Hodgson Reserve, Bentleigh. Upgrade of existing carpark and pathway lights including energy efficient LED light fittings.
- Halley Park, Bentleigh. The scout hall was demolished and the resultant area was grassed and returned to passive
  open space.



East Caulfield Reserve Playground

BEFORE: FEBRUARY 2018



Wingate and Brady Roads Reserve Playground

AFTER: MARCH 2018



Bailey Reserve LED lighting conversion



QUARTERLY SERVICE PERFORMANCE REPORT

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### PROJECTS COMPLETED THIS QUARTER

#### **Road Resurfacing Works**

Asphalt resurfacing works at the following locations:

Road Name	Section	Suburb
ALLNUTT STREET	PATTERSON to MORTIMORE	BENTLEIGH
ANDERSON STREET	PATTERSON to ARDWICK	BENTLEIGH
MORTIMORE STREET	JASPER to ALLNUTT	BENTLEIGH
BRIAR STREET	RICHARD to CONNIE	BENTLEIGH EAST
CASTLEWOOD STREET	MACKIE to GARDENERS	BENTLEIGH EAST
CHESTERVILLE ROAD	ADRIAN to HOUSE NO. 366	BENTLEIGH EAST
DEAKIN STREET	EAST BOUNDARY to MARLBOROUGH	BENTLEIGH EAST
DELMA STREET	WAMBA to ABBIN	BENTLEIGH EAST
GOWRIE ACCESS ROAD	PALOMA to GOWRIE	BENTLEIGH EAST
GOWRIE STREET	LYONS to DEAD END	BENTLEIGH EAST
HOPETOUN COURT	DEAKIN to DEAD END	BENTLEIGH EAST
KESWICK STREET	BARRANI to BLENHEIM	BENTLEIGH EAST
LATHAM STREET	CURTIN to TAMBET	BENTLEIGH EAST
MELBALL STREET	ABBIN to DENGA	BENTLEIGH EAST
PARKMORE ROAD	EAST BOUNDARY to MARLBOROUGH	BENTLEIGH EAST
VALERIE STREET	HINKLER AVE to SOUTH & CNR OF VALERIE & WAMBA RD	BENTLEIGH EAST
WATT STREET	BLENHEIM to NORTH	BENTLEIGH EAST
CROTONHURST AVENUE	KOOYONG to LANGDON	CAULFIELD NORTH
DUNBAR AVENUE	GARRELL to ROSE HILL	CAULFIELD NORTH
KINROSS AVENUE	BALACLAVA to DEAD END	CAULFIELD NORTH
JUPITER STREET	HOUSE NO. 16 to KOOYONG	CAULFIELD
GLEN HUNTLY ROAD	NEPEAN to KOOYONG (NORTH & SOUTH SIDE)	ELSTERNWICK
INNELLAN ROAD	ARDYNE to BUTE	MURRUMBEENA
WAHROONGAA CRESCENT	DEAD END to WEEROONA	MURRUMBEENA
WAHROONGAA ROAD	HOBART to DEAD END	MURRUMBEENA
LEWIS STREET	HALL to JASPER	ORMOND
FLOWERS STREET	BAMBRA to GRIFFITHS	CAULFIELD SOUTH
ELM GROVE	HAWTHORN to MCKINNON	MCKINNON
MCKINNON ROAD	WATTLE to GLEN ORME AVENUE	MCKINNON
LATROBE STREET	ROTHSCHILD To AMELIA	CAULFIELD SOUTH
AMELIA STREET	LATROBE to KEAN	CAULFIELD SOUTH
INKERMAN ROAD	KOOYONG ROAD to HOUSE NO. 1/635	CAULFIELD NORTH
HUME ROAD	KOOYONG to LUMEAH	CAULFIELD NORTH

#### **Drainage Upgrade Works**

- Lancaster Street, Bentleigh East. Catchment Stage 3A works in McKinnon Road and Gladwyn Avenue with large scale 1,500mm diameter detention system pipes installation.
- Bealiba Road, Caulfield South. Stage 2A works in Bealiba Road and Maryland Street with large scale 1,500mm diameter detention system pipe installation, sections of new kerb and channel and road pavement reinstatement.

QUARTERLY SERVICE PERFORMANCE REPORT

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### PROJECTS COMPLETED THIS QUARTER

#### **Transport Safety Works**

• Tucker Road, Bentleigh. New pedestrian operated signal installation. Works include improvements to traffic and pedestrian safety, new kerb and channel, sections of road replacement, new underground drains and road surface.







#### **Building and Property Works**

• Town Hall HVAC Upgrade, Caulfield. Upgrade of HVAC plant and equipment including new chiller unit and ducting to improve energy efficiency. Replacement of unsafe plant platform.







#### **UPCOMING PROJECTS IN THE NEXT QUARTER**

In the next quarter, the following projects are due to be completed:

#### **Road Reconstruction Works**

- Thomas Street Reconstruction, Brighton East. Project will be undertaken in partnership with Bayside City Council.
   Between Centre Road and Nepean Highway, works include kerb and channel replacement, full depth road pavement replacement and road resurfacing. Installation of 51m of underground drainage.
- Pental Road, Caulfield North. Works include kerb and channel replacement, sections of road pavement and footpath replacement and road resurfacing. Installation of 306m of underground drainage up to 375mm diameter.

#### **Building and Property Works**

 Scout Hall demolition at EE Gunn Reserve, Ormond. Demolition of Scout Hall building to make way for the construction of new cricket nets.

# COMMUNITY ENGAGEMENT UPDATE



Across Council there are four key areas of activity that drive community engagement.

Council engages with the community via information sessions, workshops, e-newsletters and events.

In the period January to March 2018 Council conducted 38 consultations with the community and approximately 2,368 community members participated.

DRIVER FOR ENGAGEMENT	CONSULTATIONS CONDUCTED	RESPONSES RECEIVED
Community and Corporate Planning	7	188*
Facilities management	2	277
Planning and environment	7	53
Service delivery satisfaction feedback (incl. info sessions, workshops and events)	22	1850*

<sup>\*</sup> Figures are not final – consultation in progress













## COMMUNITY ENGAGEMENT UPDATE



#### WHAT DID THE COMMUNITY TELL US?

50:50 mode share is a great goal and I love the solutions=benefits page. I like the lay-out, it is quite concise for a Council plan and is nice to look at.

Member of the community responding to Council's Draft Integrated Transport Strategy Brilliantly designed and easy to read, in particular love the way GEC will 'Design, Plan, Do and Design'! Excellent!

Member of the Community responding to Council's Draft Community Engagement Strategy

as Boon Wurrung are traditional custodians of this land in Glen Eira and it is crucial that they have a voice in how we use the land, care for it as current custodians, and ensure it is healthy for future generations. I would like to see more ways in which community can engage with Boon Wurrung traditional owners such as through land care, plant use, and care for our water ways.

Member of the Community engaging with Council on the *Reconciliation*Action Plan development

We can all be together and be kind in this world, this place is for everyone.

Children contributing toward building a *Reconciliation Action Plan* for Council's Family and Children's Services

I would absolutely love one. I'm really keen to build things as I have spent years of getting skills but I have nowhere to use them.

Member of the Community responding to Council's survey on whether there should be a Men's Shed in Glen Eira Continue investment in bringing people together through activation of public realm and providing opportunities', 'It's important to improve the physical accessibility of local shops and public spaces so people feel safe to go out.

Members of the community providing ideas to Council to how we can make our community accessible to people of all abilities

QUARTERLY SERVICE PERFORMANCE REPORT

## COMMUNITY ENGAGEMENT UPDATE



#### **OVERVIEW**

#### **UPCOMING PROJECTS IN THE NEXT QUARTER**

#### **Community Voice First Survey**

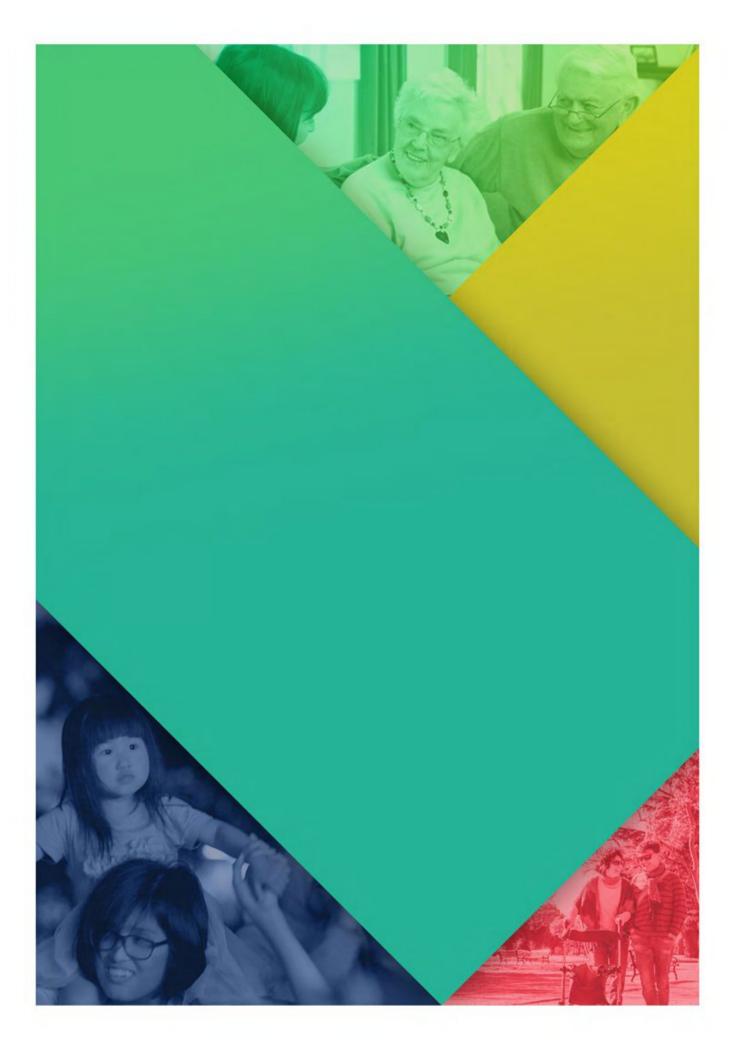
After a huge response from local residents, Community Voice, Council's online Panel of community members has been established, with the first survey to be delivered to members in April 2018. Members will be invited to participate in up to eight engagements per year, with insights shared by the Panel helping to shape Council's decision making and actions.

#### **Biodiversity Report Implementation Plan**

The Biodiversity report prepared for Council examines the health and extent of native flora and fauna in the municipality. Council has developed a plan to implement the report and recommendations and will be seeking feedback from the community on these in April and May 2018. Consultation will close on 18 May 2018.

#### Community garden and Men's Shed for Glen Eira

In June, Council will be progressing to the next stage of our engagement with the community on two projects, a community garden and Men's Shed, to be established at Moorleigh Community Village, in Bentleigh East. A community workshop is planned for Sunday 3 June 2018, with further details available on Council's website closer to the date.



#### 9.11 INSTRUMENTS OF APPOINTMENT AND AUTHORISATION

Author: Tienyi Long, Legal and Governance Officer

*Trim No:* 18/1106444

Attachments: 1. Instruments of Appointment and Authorisation

#### **PURPOSE AND SUMMARY**

To appoint Council Officers by resolution as authorised officers for the purpose of enforcing the *Planning and Environment Act 1987* (**Act**).

#### **RECOMMENDATION**

That Council in the exercise of the powers conferred by section 147(4) of the *Planning and Environment Act* 1987 (Vic) resolves that:

- the staff members referred to in the attached Instruments be appointed and authorised as set out in the Instruments:
- the Instruments come into force immediately when the common seal of Council is affixed to the Instruments, and remain in force until Council determines to vary or revoke it:
- 3. any existing Instruments of Appointment and Authorisation under the *Planning and Environment Act* 1987 to the staff members referred to in the attached Instruments be revoked effective immediately upon the Instruments referred to in paragraph numbered 1 above coming into effect; and
- 4. the Instruments be signed and sealed.

#### **BACKGROUND**

Authorisations are required for members of staff whose duties require them to enforce the Act. The Act provides in s147(4) for Council to appoint officers by resolution, and the authorisation may, where relevant, include the general appointment provision in section 232 of the *Local Government Act* 1989 (Vic) to commence proceedings in Council's name.

The attached Instruments reflect changes in the Planning department, including a name change from "Town Planning" to "Urban Planning" and the appointment of new staff members. Corresponding changes in Council delegations to Planning staff are also submitted for Council approval as a separate item on this Council Agenda.

#### **ISSUES AND DISCUSSION**

Not applicable.

#### FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

Not applicable.

#### POLICY AND LEGISLATIVE IMPLICATIONS

The attached Instruments are made under the *Planning and Environment Act* 1987 (Vic) and, in the case of officers authorised to commence proceedings in Council's name, the *Local Government Act* 1989 (Vic).

#### **COMMUNICATION AND ENGAGEMENT**

Not applicable.

#### LINK TO COUNCIL AND COMMUNITY PLAN

Theme Five: 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**

Councillors are asked to approve the appointment of the staff members referred to in the attached Instruments as authorised officers in accordance with the Instruments.

In this Instrument "officer" means -

#### Paul Wood, Manager Urban Planning

#### By this Instrument of Appointment and Authorisation Glen Eira City Council -

- 1. under section 147(4) of the *Planning and Environment Act 1987* appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under the Act.
- 2. under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings and represent Council in proceedings for offences against the Acts and regulations described in this instrument.

#### It is declared that this Instrument -

- (a) comes into force immediately upon its execution; and
- (b) remains in force until varied or revoked, or the officer ceases to be an employee of Glen Eira City Council.

This Instrument is authorised by a resolution of Glen Eira City Council on 22 May 2018.

	Councillor
	Chief Executive Officer
Date:	

In this Instrument "officer" means -

#### Susan Stearn, Coordinator Urban Planning

#### By this Instrument of Appointment and Authorisation Glen Eira City Council -

- 1. under section 147(4) of the *Planning and Environment Act 1987* appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under the Act.
- 2. under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings and represent Council in proceedings for offences against the Acts and regulations described in this instrument.

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This Instrument is authorised by a resolution of Glen Eira City Council on 22 May 2018.

	Councillor
	Chief Executive Officer
Date:	

In this Instrument "officer" means -

#### Madeleine Snell, Coordinator Urban Planning

#### By this Instrument of Appointment and Authorisation Glen Eira City Council -

- 1. under section 147(4) of the *Planning and Environment Act 1987* appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under the Act.
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	Councillor
	Chief Executive Officer
Nate:	

In this Instrument "officer" means -

#### Kristian Cook, VCAT Coordinator

#### By this Instrument of Appointment and Authorisation Glen Eira City Council -

- 1. under section 147(4) of the *Planning and Environment Act 1987* appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under the Act.
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	Councillor
	Chief Executive Officer
Date:	

In this Instrument "officer" means -

#### **Anthony Adams, Principal Urban Planner**

#### By this Instrument of Appointment and Authorisation Glen Eira City Council -

under section 147(4) of the *Planning and Environment Act 1987* appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under the Act.

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	Councillor
	Chief Executive Officer
Date:	

In this Instrument "officer" means -

#### Catherine Zhou, Principal Urban Planner

#### By this Instrument of Appointment and Authorisation Glen Eira City Council -

under section 147(4) of the *Planning and Environment Act 1987* appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under the Act.

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	Councillor
	Chief Executive Officer
Date:	

In this Instrument "officer" means -

#### **Brooke Mathews, Principal Urban Planner**

#### By this Instrument of Appointment and Authorisation Glen Eira City Council -

under section 147(4) of the *Planning and Environment Act 1987* appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under the Act.

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	Councillor
	Chief Executive Officer
	Ciliei Executive Officer
Date:	

In this Instrument "officer" means -

#### Oscar Orellana, Principal Urban Planner

#### By this Instrument of Appointment and Authorisation Glen Eira City Council -

under section 147(4) of the *Planning and Environment Act 1987* appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under the Act.

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	Councillor
	Chief Executive Officer
Date:	

In this Instrument "officer" means -

#### Stella Kokkinos, Senior Planning Customer Experience Officer

#### By this Instrument of Appointment and Authorisation Glen Eira City Council -

under section 147(4) of the *Planning and Environment Act 1987* appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under the Act.

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	Councillor
	Chief Executive Officer
Date:	

In this Instrument "officer" means -

#### Nicky McNeilage, Principal Urban Planner (Subdivisions)

#### By this Instrument of Appointment and Authorisation Glen Eira City Council -

under section 147(4) of the *Planning and Environment Act 1987* appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under the Act.

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	Councillor
	Chief Executive Officer
Date:	

In this Instrument "officer" means -

#### Jessie Wu, Senior Urban Planner

#### By this Instrument of Appointment and Authorisation Glen Eira City Council -

under section 147(4) of the *Planning and Environment Act 1987* appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under the Act.

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	Councillor
	Chief Executive Officer
Date:	

In this Instrument "officer" means -

#### Julian Brezins, Senior Urban Planner

#### By this Instrument of Appointment and Authorisation Glen Eira City Council -

under section 147(4) of the *Planning and Environment Act 1987* appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under the Act.

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	Councillor
	Chief Executive Officer
Date:	

In this Instrument "officer" means -

#### Ramsay Jurdi, Senior Urban Planner

#### By this Instrument of Appointment and Authorisation Glen Eira City Council -

under section 147(4) of the *Planning and Environment Act 1987* appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under the Act.

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	Councillor
	Chief Executive Officer
Date:	

S11A Instrument of Appointment and Authorisation	(Planning and Environment Act
1987)	

In this Instrument "officer" means -

#### Michael Dowel, Urban Planner

#### By this Instrument of Appointment and Authorisation Glen Eira City Council -

under section 147(4) of the *Planning and Environment Act 1987* appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under the Act.

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	Councillor
	Chief Executive Officer
Date:	

In this Instrument "officer" means -

#### Alistair Dunlop, Urban Planner

#### By this Instrument of Appointment and Authorisation Glen Eira City Council -

under section 147(4) of the *Planning and Environment Act 1987* appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under the Act.

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	Councillor
	Chief Executive Officer
Date:	

In this Instrument "officer" means -

#### Alison Orwin, Urban Planner

#### By this Instrument of Appointment and Authorisation Glen Eira City Council -

under section 147(4) of the *Planning and Environment Act 1987* appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under the Act.

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	Councillor
	Chief Executive Officer
Date:	

# S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

In this Instrument "officer" means -

#### Madeleine Grimes, Urban Planner

#### By this Instrument of Appointment and Authorisation Glen Eira City Council -

under section 147(4) of the *Planning and Environment Act 1987* appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under the Act.

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	Councillor
	Chief Executive Officer
Date:	

# S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

In this Instrument "officer" means -

#### Zac Van Grondelle, Urban Planner

#### By this Instrument of Appointment and Authorisation Glen Eira City Council -

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This Instrument is authorised by a resolution of Glen Eira City Council on 22 May 2018.

	Councillor
	Chief Executive Officer
Date:	

S11A Instrument of Appointment and Authorisation	(Planning and Environment Act
1987)	

In this Instrument "officer" means -

#### Mimi Nuciforo, Urban Planner

#### By this Instrument of Appointment and Authorisation Glen Eira City Council -

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	Councillor
	Chief Executive Officer
Date:	

S11A Instrument of Appointment and Authorisation	(Planning and Environment Act
1987)	

In this Instrument "officer" means -

#### Phoebe Hanna, Urban Planner

#### By this Instrument of Appointment and Authorisation Glen Eira City Council -

under section 147(4) of the *Planning and Environment Act 1987* appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under the Act.

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	Councillor
	Chief Executive Officer
	Ciliei Executive Officer
Date:	

9.12 ADMINISTRATIVE UPDATE TO DELEGATIONS UNDER THE PLANNING AND ENVIRONMENT ACT 1987

**Author:** Tienyi Long, Legal and Governance Officer

*Trim No:* 18/1106607

Attachments: 1. Proposed Amendments to S6 Instrument of Delegations

2. Proposed Amendments to S6 Instrument of Delegations showing

tracked changes

#### **PURPOSE AND SUMMARY**

To make minor amendments to the Instrument of Delegation from Council to staff relating to powers, duties and functions under the *Planning and Environment Act* 1987 (Vic).

#### **RECOMMENDATION**

That Council, in exercise of the powers conferred by section 98(1) of the *Local Government Act* 1989 and section 188 of the *Planning and Environment Act* 1987, resolve that:

- 1. there be delegated to specific Council staff the powers, discretions and authorities set out in the attached Instrument of Delegation (refer Attachment 1);
- the existing Instrument of Delegation to Council staff be revoked effective immediately upon the Instrument of Delegation referred to in paragraph (1) coming into effect;
- the powers, discretions and authorities conferred on the specified Council staff by the Instrument of Delegation must be exercised in accordance with the delegations, procedures and limitations set out in the Instrument of Delegation and in accordance with any guidelines or policies that Council may from time to time adopt;
- 4. the Instrument of Delegation be sealed; and
- 5. the Instrument of Delegation:
  - a) comes into force immediately when the seal of Council is affixed to it; and
  - b) remains in force until Council determines to vary or revoke it.

#### **BACKGROUND**

The attached amendments (refer Attachment 2 are Instruments of Delegation with tracked changes) are administrative and reflect changes in the Planning department, including a new department name (from Town Planning to Urban Planning) and new position titles for staff within that department. Other minor changes reflect changes to the law and practice.

Corresponding changes to Instruments of Appointment and Authorisation for Planning staff are submitted for approval in a separate item on this Council agenda.

#### **ISSUES AND DISCUSSION**

NA

FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

NA

#### POLICY AND LEGISLATIVE IMPLICATIONS

The attached Instrument is made pursuant to section 98(1) of the Local Government Act 1989 and section 188 of the Planning and Environment Act 1987.

#### **COMMUNICATION AND ENGAGEMENT**

NA

#### LINK TO COUNCIL AND COMMUNITY PLAN

Theme Five: 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**

That Council approves the amendments to the attached Instrument of Delegation in accordance with the Recommendation.

### **Attachment 1**

## **Glen Eira City Council**

## **Instrument of Delegation**

to

Members of Council Staff – Planning and Environment Act 1987

#### Glen Eira City Council

#### INSTRUMENT OF DELEGATION

#### **Members of Council Staff**

In exercise of the powers conferred by section 188 of the Planning and Environment Act 1987 and section 98(1) of the Local Government Act 1989, Glen Eira City Council (Council):

- 1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
- records that references in the Schedule are as follows: 2.

'CCSPP' means Coordinator City Strategy and Place Planning;

'CPBC' means Coordinator Planning and Building Compliance;

'CUP' means Coordinator Urban Planning;

'CUPV' means VCAT Coordinator;

'DIEL' means Director Infrastructure, Environment and Leisure;

'DPP' ' means Director Planning and Place;

'ESC' means Engineering Services Coordinator;

'MCF' means Manager City Futures;

'MCSC' means Manager Community Safety and Compliance;

'MIA' means Manager Infrastructure Assets;

'MUP' means Manager Urban Planning; 'PBCM' means Planning and Building Compliance Manager;

'PCESO means Planning Customer Experience and Support Officer and Coordinator Planning Customer Experience and Support:

'TO' means; Technical Officer;

'PUP' means Principal Urban Planner:

'PUPS' means Principal Urban Planner (Subdivisions);

'SPCEO' means Senior Planning Customer Experience Officer;

'Specific Planning Officers' means CUP, CUPV, CCSPP, DPP, MCSC, MUP, MCF, PBCM, PUP, PUPS, SPCEO, SUP, StratP, SStratP and UP; 'SUP' means Senior Urban Planner;

'StratP' means Strategic Planner;

'SStratP' means Senior Strategic Planner; and

'UP' means Urban Planner.

#### 3. declares that:

- 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 22 May 2018; and
- 3.2 the delegation:
  - comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
  - 3.2.2 remains in force until varied or revoked;
  - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3 and the Schedule: and

- 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
- 3.3 the delegate must not determine the issue, take the action or do the act or thing:
  - 3.3.1 if the issue, action act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
  - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
    - (a) policy; or
    - (b) strategy adopted by Council; or:
  - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful decision, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
  - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

Γhe seal of Glen Eira City Council was affixed hereto i	)
he presence of:	)
(	Councillor
(	Chief Executive Officer

### SCHEDULE

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.4B	Power to prepare an amendment to the Victoria Planning Provisions.	Specific Planning Officers	If authorised by the Minister.
s.4G	Function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister.	Specific Planning Officers	
s.4H	Duty to make amendment to Victoria Planning Provisions available.	Specific Planning Officers	
s.4I	Duty to keep Victoria Planning Provisions and other documents available.	Specific Planning Officers	
s.8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s.8A.	Specific Planning Officers	
s.8A(3)	Power to apply to the Minister to prepare an amendment to the planning scheme.	Not delegated	
s.8A(5)	Function of receiving notice of the Minister's decision.	Specific Planning Officers	
s.8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days.	DPP MUP MCF	
s.8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district.	Not delegated	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons.	Specific Planning Officers	
s.12A(1)	Duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s.19 of the <i>Planning and Environment (Planning Schemes) Act</i> 1996).	Specific Planning Officers	
s.12B(1)	Duty to review planning scheme.	DPP MUP MCF	
s.12B(2)	Duty to review planning scheme at direction of Minister.	DPP MUP MCF	
s.12B(5)	Duty to report findings of review of planning scheme to Minister without delay.	DPP MUP MCF	
s.14	Carry out duties of the Responsible Authority as set out in subsections (a) to (d).	Specific Planning Officers	
s.17(1)	Duty of giving copy amendment to the planning scheme.	Specific Planning Officers	
s.17(2)	Duty of giving copy s.173 agreement.	Specific Planning Officers	
s.17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days.	Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.18	Duty to make amendment etc available.	Specific Planning Officers	
s.19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to take any other steps necessary to tell anyone who may be affected by the amendment about its preparation.	DPP MUP MCF	
s.19	Function of receiving notice of preparation of an amendment to a planning scheme.	Specific Planning Officers	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or
			where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s.20(1)	Power to apply to Minister for exemption from the requirements of s.19.	Specific Planning Officers	
s.21(2)	Duty to make submissions available.	Specific Planning Officers	
s.21A(4)	Duty to publish notice in accordance with section.	Specific Planning Officers	
s.22	Duty to consider all submissions.	Specific Planning Officers	
s.23(1)	After considering submissions, change amendment, refer to a panel or abandon amendment.	Not delegated	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel.	Specific Planning Officers	
s.23(2)	Power to refer to a panel submissions which do not require a change to the amendments.	Not delegated	
s.24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s.96D).	Specific Planning Officers	
s.26(1)	Power to make report available for inspection.	Specific Planning Officers	
s.26(2)	Duty to keep report of panel available for inspection.	Specific Planning Officers	
s.27(1)	Duty to consider panel's report.	Not delegated	
s.27(2)	Power to apply for exemption if panel's report not received.	Not delegated	
s.28	Duty to advise the Minister if abandoning an amendment.	Specific Planning Officers	The power to make a decision to abandon an amendment cannot be delegated.
s.29	Power to adopt amendment	Not delegated	
s.30(4)(a)	Duty to say if amendment has lapsed.	Specific Planning Officers	
s.30(4)(b)	Duty to provide information in writing upon request.	Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.32(2)	Duty to give more notice if required.	Specific Planning Officers	
s.33(1)	Duty to give more notice of changes to an amendment.	Specific Planning Officers	
s.36(2)	Duty to give notice of approval of amendment.	Specific Planning Officers	
s.38(5)	Duty to give notice of revocation of an amendment.	Specific Planning Officers	
s.39	Function of being a party to a proceeding commenced under s.39 and duty to comply with determination by VCAT.	Specific Planning Officers	
s.40(1)	Function of lodging copy of approved amendment.	Specific Planning Officers	
s.41	Duty to make approved amendment available.	Specific Planning Officers	
s.42	Duty to make copy of planning scheme available.	Specific Planning Officers	
s.46AS(ac)	Power to request the Victorian Planning Authorityto provide advice on any matter relating to land in Victoria or an objective of planning in Victoria.	Not delegated	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GF	duty to comply with directions issued by the Minister	DPP	
		MUP	
		MCF	
s.46GG	duty to include a condition in a permit relating to matters set	DPP	
	out in s.46GG(c) and (d)	MUP	
		MCF	
s.46GH(1)	power to require the payment of an amount of infrastructure levy to be secured to Council's satisfaction	DIEL	where council is a collecting agency
		DPP	
		MIA	
		MUP	
		MCF	
s.46GH(2)	power to accept the provision of land, works, services or facilities in part or full satisfaction of the amount of	DIEL	where council is a collecting agency
		DPP	
	infrastructure levy payable	MIA	
		MUP	
		MCF	
s.46GH(3)	duty to obtain the agreement of the relevant development	DIEL	where council is a collecting agency
	agency or agencies specified in the approved infrastructure contributions plan before accepting the provision of land,	DPP	
	works, services or facilities by the applicant	MIA	
		MUP	
		MCF	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GI(1)	duty to keep proper accounts of any amount of infrastructure	DIEL	must be done in accordance with Local
	levy paid to it as a collecting agency or a development agency	DPP	Government Act 1989
	under Part 2 of the Planning and Environment Act 1987	MIA	
		MUP	
		MCF	
s.46GI(2)	duty to forward to a development agency any part of an infrastructure levy paid to council which is imposed for plan preparation costs incurred by development agency or for carrying out of works, services or facilities on behalf of the development agency	DIEL	
` ,		DPP	
		MIA	
		MUP	
		MCF	
s.46GI(3)	duty to apply levy amount only in accordance with s.46Gl(3) (a) and (b)	DIEL	
		DPP	
		MIA	
		MUP	
		MCF	
s46GI(4)	power to refund any amount of infrastructure levy paid to it as	DIEL	
	a development agency under Part 2 of the Planning and	DPP	
	Environment Act 1987 if satisfied that the development is not to proceed	MIA	
		MUP	
		MCF	

Column 1	Column 2 THING DELEGATED	Column 3	Column 4
PROVISION		DELEGATE	CONDITIONS & LIMITATIONS
s.46GI(5)	duty to take action described in s.46GI(5)(c) – (e) where	DIEL	
	s.46GI(5)(a) and (b) applies.	DPP	
		MIA	
		MUP	
		MCF	
s.46GL	power to recover any amount of infrastructure levy as a debt	DIEL	where council is a collecting agency
	due to Council	DPP	
		MIA	
		MUP	
		MCF	
s.46GM	duty to prepare report and give a report to the Minister	DIEL	where council is a collecting agency or development agency
		DPP	
		MIA	
		MUP	
		MCF	
s.46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy.	Specific Planning Officers	
s.46N(2)(c)	Function of determining time and manner for receipt of development contributions levy.	Specific Planning Officers	
s.46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy.	Specific Planning Officers	Power to reduce or waive infrastructure levy is limited to DIEL, DPP, MUP,MCF

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid or agreement is in place, prior to issuing building permit.	Specific Planning Officers	
s.46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy.	Specific Planning Officers	
s.46P(1)	Power to require payment of amount of levy under s.46N or s.46O to be satisfactorily secured.	Specific Planning Officers	
s.46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable.	DIEL DPP MIA	
		MUP MCF	
s.46Q(1)	Duty to keep proper accounts of levies paid.	Specific Planning Officers	
s.46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services or facilities on behalf of development agency or plan preparation costs incurred by a development agency.	Specific Planning Officers	
s.46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc.	Specific Planning Officers	

PLANNING A	PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4		
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS		
s.46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed.	DIEL DPP MUP	Only applies when levy is paid to Council as a development agency.		
		MCF			
s.46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the council or for the provision by the council of works, services or facilities in an area under s.46Q(4)(a).	DPP MUP MCF	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister.		
s.46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan.	Specific Planning Officers	Must be done in accordance with Part 3.		
s.46Q(4)(e)	Duty to expend that amount on other works etc.	DPP	With the consent of, and in the manner approved by, the Minister.		
s.46QC	Power to recover any amount of levy payable under Part 3B.	Specific Planning Officers			
s.46QD	duty to prepare report and give a report to the Minister.	DIEL DPP MIA MUP MCF	Where council is a collecting agency or development agency.		
s.49(1)	Duty to keep a register of all applications for permits and determinations relating to permits.	PCESO Specific Planning Officers			

PLANNING A	PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4		
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS		
s.49(2)	Duty to make register available for inspection.	PCESO			
		Specific Planning Officers			
s.50(4)	Duty to amend application.	Specific Planning Officers			
s.50(5)	Power to refuse to amend application.	Specific Planning Officers			
s.50(6)	Duty to make note of amendment to application in register.	PCESO			
		Specific Planning Officers			
s.50A(1)	Power to make amendment to application.	Specific Planning Officers			
s.50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given.	Specific Planning Officers			
s.50A(4)	Duty to note amendment to application in register.	PCESO			
		Specific Planning Officers			
s.51	Duty to make copy of application available for inspection.	PCESO			
		Specific Planning Officers			

PLANNING A	PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4		
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS		
s.52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person.	Specific Planning Officers			
s.52(1)(b)	Duty to give notice of the application to other municipal councils where appropriate.	Specific Planning Officers			
s.52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme.	Specific Planning Officers			
s.52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant.	Specific Planning Officers			
s.52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant.	Specific Planning Officers			
s.52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally affected.	Specific Planning Officers			
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant.	Specific Planning Officers			
s.52(3)	Power to give any further notice of an application where appropriate.	Specific Planning Officers			
s.53(1)	Power to require the applicant to give notice under section 52(1) to persons specified by it.	Specific Planning Officers			

PLANNING A	PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.53(1A)	Power to require the applicant to give the notice under section 52(1AA).	Specific Planning Officers		
s.54(1)	Power to require the applicant to provide more information.	Specific Planning Officers		
s.54(1A)	Duty to give notice in writing of information required under s.54(1).	Specific Planning Officers		
s.54(1B)	Duty to specify the lapse date for an application.	Specific Planning Officers		
s.54A(3)	Power to decide to extend time or refuse to extend time to give required information.	Specific Planning Officers		
s.54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s.54A(3).	Specific Planning Officers		
s.55(1)	Duty to give copy application, together with the prescribed information to every referral authority specified in the planning scheme.	Specific Planning Officers		
s.57(2A)	Power to reject objections considered made primarily for	DPP		
	commercial advantage for the objector.	MUP		
		MCF		
		CUP		
		CUPV		

PLANNING A	PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4		
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS		
s.57(3)	Function of receiving name and address of persons to who notice of decision is to go.	Specific Planning Officers			
s.57(5)	Duty to make available for inspection copy of all objections.	PCESO			
		Specific Planning Officers			
s.57A(4)	Duty to amend application in accordance with applicant's request, subject to s.57A(5).	Specific Planning Officers			
s.57A(5)	Power to refuse to amend application.	Specific Planning Officers			
s.57A(6)	Duty to note amendments to application in register.	PCESO Specific Planning Officers			
s.57B(1)	Duty to determine whether and to whom notice should be given.	Specific Planning Officers			
s.57B(2)	Duty to consider certain matters in determining whether notice should be given.	Specific Planning Officers			
s.57C(1)	Duty to give copy of amended application to referral	PCESO			
	authority.	Specific Planning Officers			

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.58	Duty to consider every application for a permit.	Specific Planning Officers		
s.58A	Power to request advice from the Planning Application Committee.	DPP MUP MCF		
s.60	Duty to consider certain matters.	Specific Planning Officers		
s.60(1A)	Power to consider certain matters before deciding an application.	Specific Planning Officers		
s.60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect.	Specific Planning Officers		

Column 1	Column 2 THING DELEGATED	Column 3	Column 4	
PROVISION		DELEGATE	CONDITIONS & LIMITATIONS	
s.61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application.	Specific Planning Officers	The exercise of this power is limited to the following circumstances: i) there have been no more than five objections lodged; and ii) the application/amending plan is generally in compliance with existing policy or guidelines; and iii) the application has not been referred to the Council or the Delegated Planning Forum for determination.  The power cannot be exercised where: i) an application is for use of land for a brothel; or ii) an application is for use of land for gaming machines; or  The permit must not be inconsistent with a cultura heritage management plan under the Aboriginal Heritage Act 2006.  The power to refuse a permit can only be exercised where the delegate considers that: i) the application is contrary to law; or ii) the application is inconsistent with policy or iii) a referral authority has directed refusal; or iv) the applicant has failed to carry out a direction pursuant to the Planning Scheme or Planning and Environment Act.	

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application.	DPP MUP CUP CUPV	The delegation must be exercised at a Delegated Planning Forum.  Exercise of the delegation is limited to the following circumstances: i) there has been more than five objections lodged; and ii) the application/amending plan is generally in compliance with existing policy or guidelines; and iii) the application has not been referred to the Council for determination.  The power cannot be exercised where: i) an application is for use of land for a brothel; or ii) an application is for use of land for gaming machines.  The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006.  The power to refuse a permit can only be exercised where the delegate considers that: i) the application is contrary to law; or ii) the application is inconsistent with policy; or the applicant has failed to carry out a direction pursuant to the Planning Scheme or Planning and Environment Act.	

PLANNING A	ND ENVIRONMENT ACT 1987		
Column 1	Column 1	Column 1	Column 1

PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit.	Specific Planning Officers	
s.61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to grant of permit.	Specific Planning Officers	
s.61(3)(b)	Duty to refuse to grant the permit without the Minister's consent.	Specific Planning Officers	
s.61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant.	Specific Planning Officers	
s.62(1)	Duty to include certain conditions in deciding to grant a permit.	Specific Planning Officers	
s.62(2)	Power to include other conditions.	Specific Planning Officers	
s.62(4)	Duty to ensure conditions are consistent with subsections (a), (b) and (c).	Specific Planning Officers	
s.62(5)(a)	Power to include a permit condition to implement an approved development contributions plan.	Specific Planning Officers	
s.62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with section 173 agreement.	Specific Planning Officers	
s.62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant.	Specific Planning Officers	

PLANNING A	PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 1	Column 1	Column 1		
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS		
s.62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with s.62(5) or s.46N.	Specific Planning Officers			
s.62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s.62(1)(a).	Specific Planning Officers			
s.63	Duty to issue the permit where made a decision in favour of the application (if no one has objected).	Specific Planning Officers			
s.64(1)	Duty to give notice of decision to grant a permit to applicant and objectors.	Specific Planning Officers			
s.64(3)	Duty not to issue a permit until after the specified period.	Specific Planning Officers			
s.64(5)	Duty to give copy of decision on an application that is exempt under planning scheme from the requirements of s.64(1), s.64(2) and s.64(3) to objectors.	Specific Planning Officers			
s.64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit.	PCESO Specific Planning Officers	This provision applies also to a decision to grant an amendment to a permit – see section 75A.		
s.65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s.57.	PCESO Specific Planning Officers			

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 1	Column 1	Column 1	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.66(1)	Duty to give notice under s.64 or s.65 and copy permit to relevant determining referral authorities.	PCESO		
		Specific Planning Officers		
s.66(2)	Duty to give a recommending referral authority notice of its	PCESO	If the recommending referral authority	
	decision to grant a permit.	Specific Planning Officers	objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority.	
s.66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit.	PCESO	If the recommending referral authority	
		Specific Planning Officers	objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit.	
s.66(6)	Duty to give a recommending referral authority a copy of any	PCESO	If the recommending referral authority did	
	permit which Council decides to grant and a copy of any notice given under s.64 or s.65.	Specific Planning Officers	not object to the grant of the permit or the recommending referral authority did not recommend a condition be included in the permit.	
s.69(1)	Function of receiving application for extension of time of permit.	PCESO		
		Specific Planning Officers		
s.69(1A)	Function of receiving application for extension of time to complete development.	PCESO		
		Specific Planning Officers		

Column 1	Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.69(2)	Power to extend time.	Specific Planning Officers	
s.70	Duty to make copy permit available for inspection.	PCESO	
		Specific Planning Officers	
s.71(1)	Power to correct certain mistakes.	Specific Planning Officers	
s.71(2)	Duty to note corrections in register.	PCESO Specific Planning Officers	

Column 1	Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.73	Power to decide to grant amendment subject to conditions.	Specific Planning Officers	The exercise of this power is limited to the following circumstances:  i) there have been no more than five objections lodged; and  ii) the application/amending plan is generally in compliance with existing policy or guidelines; and  iii) the application has not been referred to the Council or the Delegated Planning Forum (DPF) for determination.  The power cannot be exercised where:  i) an application is for use of land for a brothel; or  ii) an application is for use of land for gaming machines.

PLANNING A	PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 1	Column 1	Column 1		
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS		
s.73	Power to decide to grant amendment subject to conditions.	DPP MUP CUP CUPV	The delegation must be exercised at a Delegated Planning Forum  Exercise of the delegation is limited to the following circumstances: iv) there has been more than five objections lodged; and v) the application/amending plan is generally in compliance with existing policy or guidelines; and vi) the application has not been referred to the Council for determination.  The power cannot be exercised where: i) an application is for use of land for a brothel; or ii) an application is for use of land for gaming machines.		
s.74	Duty to issue amended permit to applicant if no objectors.	Specific Planning Officers			
s.76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit.	PCESO			
		Specific Planning Officers			
s.76A(1)	Duty to give relevant determining referral authorities copy of	PCESO			
	amended permit and copy of notice.	Specific Planning Officers			

PLANNING A	PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 1	Column 1	Column 1	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit.	PCESO Specific Planning Officers	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority.	
s.76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit.	PCESO Specific Planning Officers	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit.	
s.76A(6)	Duty to give a recommending referral authority a copy of any	PCESO	If the recommending referral authority did	
	amended permit which Council decides to grant and a copy of any notice given under s.64 or s.76.	Specific Planning Officers	not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit.	
s.76D	Duty to comply with direction of Minister to issue amended permit.	Specific Planning Officers		
s.83	Function of being respondent to an appeal.	Specific Planning Officers		
s.83B	Duty to give or publish notice of application for review.	PCESO Specific Planning Officers		

PLANNING A	PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 1	Column 1	Column 1		
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS		
s.84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit.	DPP MUP MCF CUP CUPV	The exercise of this power is limited to the following circumstances:  i) there have been no more than five objections lodged; and  ii) the application/amending plan is generally in compliance with existing policy or guidelines; and  iii) the application has not been referred to the Council or the Delegated Planning Forum (DPF) for determination.  The power cannot be exercised where:  i) an application is for use of land for a brothel; or  ii) an application is for use of land for gaming machines.		

PLANNING A	PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 1	Column 1	Column 1		
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS		
s.84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit.	DPP MUP MCF CUP CUPV	The delegation must be exercised at a Delegated Planning Forum.  Exercise of the delegation is limited to the following circumstances: i) there has been more than five objections lodged; and ii) the application/amending plan is generally in compliance with existing policy or guidelines; and iii) the application has not been referred to the Council for determination.  The power cannot be exercised where: i) an application is for use of land for a brothel; or ii) an application is for use of land for gaming machines.		
s.84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit.	Specific Planning Officers			
s.84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit.	Specific Planning Officers			
s.84(6)	Duty to issue permit on receipt of advice within 3 working days.	PCESO Specific Planning Officers			
s.86	Duty to issue a permit at order of VCAT within 3 working days.	PCESO Specific Planning Officers			

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 1	Column 1	Column 1	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.87(3)	Power to apply to VCAT for the cancellation or amendment of	DPP		
	a permit.	MCSC		
		MUP		
		MCF		
		PBCM		
		CUP		
		CUPV		
s.90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit.	Specific Planning Officers		
s.91(2)	Duty to comply with the directions of the VCAT.	Specific Planning Officers		
s.91(2A)	Duty to issue amended permit to owner if VCAT so directs.	Specific Planning Officers		
s.92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s.90.	Specific Planning Officers		
s.93(2)	Duty to give notice of VCAT order to stop development.	Specific Planning Officers		
s.95(3)	Function of referring certain applications to the Minister.	Specific Planning Officers		

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 1	Column 1	Column 1	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.95(4)	Duty to comply with an order or direction.	Specific Planning Officers		
s.96(1)	Duty to obtain a permit from the Minister to use and develop its land.	Specific Planning Officers		
s.96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land.	DPP		
s.96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment.	Specific Planning Officers		
s.96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s.96C.	Specific Planning Officers		
s.96F	Duty to consider panel's report under s.96E.	Not delegated		
s.96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s.23 of the <i>Planning and Environment (Planning Schemes) Act</i> 1996).	Specific Planning Officers		
s.96H(3)	Power to give notice in compliance with Minister's direction.	Specific Planning Officers		
s.96J	Power to issue permit as directed by the Minister.	Specific Planning Officers		

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 1	Column 1	Column 1	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.96K	Duty to comply with direction of the Minister to give notice of refusal.	Specific Planning Officers		
s. 96Z	duty to keep levy certificates given to it under ss. 47 or 96A for no less than 5 years from receipt of the certificate.	Specific Planning Officers		
s.97C	Power to request Minister to decide the application.	Not delegated		
s.97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application.	Specific Planning Officers		
s.97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister.	PCESO Specific Planning Officers		
s.97G(6)	Duty to make a copy of permits issued under s.97F available for inspection.	PCESO Specific Planning Officers		
s.97L	Duty to include Ministerial decisions in a register kept under s.49.	PCESO Specific Planning Officers		

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 1	Column 1	Column 1	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.97MH	Duty to provide information or assistance to the Planning	DPP		
	Application Committee.	MUP		
		MCF		
		CUP		
		CUPV		
s.97MI	Duty to contribute to the costs of the Planning Application	DPP		
	Committee or subcommittee.	MUP		
		MCF		
		CUP		
		CUPV		
s.970	Duty to consider application and issue or refuse to issue certificate of compliance.	Specific Planning Officers		
s.97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate.	Specific Planning Officers		
s.97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate.	Specific Planning Officers		
s.97Q(4)	Duty to comply with directions of VCAT.	Specific Planning Officers		
s.97R	Duty to keep register of all applications for certificate of	PCESO		
	compliance and related decisions.	Specific Planning Officers		

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.98(1)&(2)	Function of receiving claim for compensation in certain circumstances.	Specific Planning Officers	
s.98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed.	Specific Planning Officers	
s.101	Function of receiving claim for expenses in conjunction with claim.	Specific Planning Officers	
s.103	Power to reject a claim for compensation in certain circumstances.	DPP	
s.107(1)	Function of receiving claim for compensation.	Specific Planning Officers	
s.107(3)	Power to agree to extend time for making a claim.	DPP	
s.114(1)	Power to apply to VCAT for an enforcement order.	CPBC DPP	
		MCSC MUP	
		MCF	
		PBCM	
		CUP CUPV	
s.117(1)(a)	Function of making a submission to VCAT where objections are received.	Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 1	Column 1	Column 1	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.120(1)	Power to apply for an interim enforcement order where s.114	CPBC		
	application has been made.	DPP		
		MCSC		
		MUP		
		MCF		
		PBCM		
		CUP		
		CUPV		
s.123(1)	Power to carry out work required by enforcement order and recover costs.	DPP		
s.123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s.123(1).	DPP	Except Crown land	
s.129	Function of recovering penalties.	CPBC		
		DPP		
		MCSC		
		MUP		
		MCF		
		PBCM		
		CUP		
		CUPV		

Column 1	ND ENVIRONMENT ACT 1987  Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			CONDITIONS & LIMITATIONS
s.130(5)	Power to allow person served with an infringement notice further time.	CPBC	
		DPP	
		MUP	
		MCF	
		MCSC	
		PBCM	
		CUP	
		CUPV	
s.133	Power to appoint authorised officer to enter land to carry out specific functions.	DPP	
s.149A(1)	Power to refer a matter to VCAT for determination.	СРВС	
		CUP	
		DPP	
		MCSC	
		MUP	
		MCF	
		PBCM	
		CUPV	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.149A(1A)	Power to apply to VCAT for the determination of a matter	CCSPP	
	relating to the interpretation of a s.173 agreement.	CUP	
		CUPV	
		DPP	
		MUP	
		MCF	
		PUP	
s.156	Duty to pay fees and allowances (including a payment to the	DPP	
	Crown under subsection (2A)), and payment or	MUP	
	reimbursement incurred by the panel in carrying out its function unless the Minister directors otherwise under subsection (2B), power to ask for contribution under subsection (3) and power to abandon amendment or part of it	MCF	
474(0)(0	under subsection (4).	555	
s.171(2)(f)	Power to carry out studies and commission reports.	DPP	
s.171(2)(g)	Power to grant and reserve easements.	DPP	
s.173	Power to enter into agreement covering. matters set out in	DIEL	
	s.174	DPP	
		MUP	
		MCF	

Column 1	Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	Power to decide whether something is to the satisfaction of	СРВС	
	Council, where an agreement made under section 173 of the	DIEL	
	Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority.	DPP	
	,	ESC	
		MCSC	
		MIA	
		MUP	
		MCF	
		PBCM	
		CUP	
		CUPV	
	Power to give consent on behalf of Council, where an	CPBC	
	agreement made under section 173 of the <i>Planning and</i>	DIEL	
	Environment Act 1987 requires that something may not be done without the consent of Council or the Responsible Authority.	DPP	
		ESC	
		MCSC	
		MIA	
		MUP	
		MCF	
		PBCM	
		CUP	
		CUPV	

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 1	Column 1	Column 1	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.177(2)	Power to end a s.173 with the agreement of all those bound by	DIEL		
	an covenant in the agreement or otherwise in accordance with Division 2 of Part 9.	MCSC		
	Division 2 of Part 9.	MUP		
		MCF		
		PBCM		
s.178	Power to amend a s.173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9.	DIEL		
		DPP		
		MUP		
		MCF		
s.178A(1)	Function of receiving application to amend or end an agreement.	Specific Planning Officers		
s.178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1).	CUP		
. ,		DPP		
		MUP		
		MCF		
		PUP		
		PUPS		
		CUPV		

PLANNING A	PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 1	Column 1	Column 1		
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS		
s.178A(4)	Function of notifying the applicant and the owner as to	CUP			
	whether it agrees in principle to the proposal.	DPP			
		MUP			
		MCF			
		PUP			
		PUPS			
		CUPV			
s.178A(5)	Power to propose to amend or end an agreement.	DPP			
	The state of the pass of an analysis and any agreement	MUP			
		MCF			
s.178B(1)	Duty to consider certain matters when considering proposal to amend an agreement.	Specific Planning Officers			
s.178B(2)	Duty to consider certain matters when considering proposal to end an agreement.	Specific Planning Officers			
s.178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end.	Specific Planning Officers			
s.178C(4)	Function of determining how to give notice under s.178C(2).	Specific Planning Officers			
s.178E(1)	Duty not to make decision until after 14 days after notice has been given.	Specific Planning Officers			

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 1	Column 1	Column 1	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.178E(2)(a)	Power to amend or end the agreement in accordance with the	CUP	If no objections are made under s.178D.	
	proposal.	DPP	Must consider matters in s.178B.	
		MUP		
		MCF		
		PUP		
		CUPV		
s.178E(2)(b)	Power to amend or end the agreement in a manner that is not	CUP	If no objections are made under s.178D.	
	substantively different to the proposal.	DPP	Must consider matters in s.178B.	
		MUP		
		MCF		
		PUP		
		CUPV		
s.178E(2)(c)	Power to refuse to amend or end the agreement.	CUP	If no objections are made under s.178D.	
		DPP	Must consider matters in s.178B.	
		MUP		
		MCF		
		PUP		
		CUPV		
s.178E(3)(a)	Power to amend or end the agreement in accordance with the	CUP	After considering objections, submissions	
	proposal.	DPP	and matters in s.178B.	
		MUP		
		MCF		
		PUP		
		CUPV		

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 1	Column 1	Column 1	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.178E(3)(b)	Power to amend or end the agreement in a manner that is not	CUP	After considering objections, submissions	
	substantively different from the proposal.	DPP	and matters in s.178B.	
		MUP		
		MCF		
		PUP		
		CUPV		
s.178E(3)(c)	Power to amend or end the agreement in a manner that is	CUP	After considering objections, submissions	
	substantively different from the proposal.	DPP	and matters in s.178B.	
		MUP		
		MCF		
		PUP		
		CUPV		
s.178E(3)(d)	Power to refuse to amend or end the agreement.	CUP	After considering objections, submissions	
		DPP	and matters in s.178B.	
		MUP		
		MCF		
		PUP		
		CUPV		
s.178F(1)	Duty to give notice of its decision under s.178E(3)(a) or (b).	Specific		
		Planning Officers		
1705(0)	D	+		
s.178F(2)	Duty to give notice of its decision under s.178E(2)(c) or 3(d.)	Specific Planning		
		Officers		

PLANNING A	PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 1	Column 1	Column 1	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.178F(4)	Duty not to proceed to amend or end an agreement under s.178E until at least 21 days after notice has been given or until an application for review to VCAT has been determined or withdrawn.	Specific Planning Officers		
s.178G	Duty to sign amended agreement and give copy to each party	DPP		
	to the agreement.	MUP		
		MCF		
s.178H	Power to require a person who applies to amend or end an	DPP		
	agreement to pay the costs of giving notices and preparing the	MUP		
	amended agreement.	MCF CUP		
		CUPV		
s.178I(3)	Duty to notify, in writing, each party to the agreement of the	DPP		
	ending of the agreement relating to Crown land.	MUP		
		MCF		
s.179(2)	Duty to make available for inspection copy agreement.	DIEL		
		MIA		
		Specific Planning Officers		
s.181	Duty to apply to the Registrar of Titles to record the agreement	DIEL		
	and to deliver a memorial to Registrar-General.	DPP		
		MUP		
		MCF		

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.181(1A)(a)	Power to apply to the Registrar of Titles to record the	DPP	
	agreement.	MUP	
		MCF	
s.181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record	DPP	
	the agreement.	MUP	
		MCF	
s.182	Power to enforce an agreement.	СРВС	
		DIEL	
		DPP	
		MCSC	
		MUP	
		MCF	
		PBCM	
		CUP	
		CUPV	
s.183	Duty to tell Registrar of Titles of ending/amendment of	DIEL	
	agreement.	Specific	
		Planning Officers	
4045(1)			
s.184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make	DPP	
	a decision.	MUP	
		MCF	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.184F(2)	Duty not to amend or end the agreement or give notice of the	DPP	
	decision after an application has been made to VCAT for review of a failure to amend or end an agreement.	MUP	
	review of a failure to afficility of end all agreement.	MCF	
s.184F(3)	Duty to inform the principal registrar if the responsible	DPP	
	authority decides to amend or end an agreement after an application is made for the review of its failure to end or	MUP	
	amend the agreement.	MCF	
s.184F(5)	Function of receiving advice from the principal registrar that	DPP	
	the agreement may be amended or ended in accordance with Council's decision.	MUP	
		MCF	
s.184G(2)	Duty to comply with a direction of VCAT.	Specific	
		Planning Officers	
10.10(0)	D. J.		
s.184G(3)	Duty to give notice as directed by VCAT.	Specific planning	
		Officers	
s.198(1)	Function to receive application for planning certificate.	PCESO	
		Specific	
		Planning Officers	
		• • • • • • • • • • • • • • • • • • • •	
s.199(1)	Duty to give planning certificate to applicant.	PCESO	
		Specific Planning	
		Officers	

Column 1 PROVISION	Column 1	Column 1	
	THING DELEGATED	DELEGATE	
s.201(1)	Function of receiving application for declaration of underlying zoning.	PCESO Specific Planning Officers	
s.201(3)	Duty to make declaration.	Specific Planning Officers	

PLANNING A	ND ENVIRONMENT ACT 1987		
Column 1	Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
-	Power to make a decision relating to the conduct of a mediation before VCAT, including a decision to settle the mediation.	Specific Planning Officers	<ol> <li>Where Council is a party to a mediation before VCAT.</li> <li>If the matter has previously been subject to a determination by Council or Delegated Planning Committee or delegate at a Delegated Planning Forum, can only be exercised if, in the opinion of DPP, MUP, MCF, CUP or CUPV the matter being mediated is of a minor nature and the intent of the decision of the Council or Delegated Planning Committee or delegate at the Delegated Planning Forum is not compromised; or</li> <li>If the matter has previously been subject to a determination by a planning officer under delegation from Council, can only be exercised under direction of DPP, MUP, MCF, CUP or CUPV if the decision to settle the mediation involves a power, duty or function under the <i>Planning and Environment Act</i> 1987 that has not been delegated to the delegate.</li> </ol>
-	Determine that a matter be considered at a mediation before VCAT.	Specific Planning Officers	

Column 1	Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
-	Power to decide, in relation to any planning scheme or permit that a specified thing has or has not been done to the satisfaction of Council.	Specific Planning Officers	
-	Power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of consent.	Specific Planning Officers	
-	Power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit.	Specific Planning Officers	
-	Power to give written authorisation in accordance with a provision of a planning scheme.	Specific Planning Officers	
s.201UAB(1)	Function of providing the Victorian Planning Authority with information relating to any land within municipal district.	DPP MUP MCF CUP CUPV CCSPP	
s.201UAB(2)	Function to provide the Victorian Planning Authority with information requested under subsection (1) as soon as possible.	DPP MUP MCF CUP CUPV CCSPP	

Column 1 PROVISION	Column 1	Column 1 DELEGATE	
	THING DELEGATED		
s.224(8)	duty to provide information requested by Victorian Planning	DPP	
	Authority under s.201UAB(1) not yet provided to Planning	MUP	MUP
	Authority	MCF	
		CUP	
		CUPV	
		CCSPP	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r. 6	Function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme.	Specific Planning Officers	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r.21	Power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under s.54 of the Act.	Specific Planning Officers	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	Specific Planning Officers	Where Council is the responsible authority.
r.25(b))	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	Specific Planning Officers	Where Council is not the responsible authority but the relevant land is within Council's municipal district.
r.42	Function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application.	Specific Planning Officers	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.

#### PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016 Column 2 Column 3 Column 4 Column 1 **DELEGATE** THING DELEGATED **CONDITIONS AND LIMITATIONS** r.19 Power to waive or rebate a fee relating to an amendment of CUP a planning scheme. CUPV CCSPP DPP MUP MCF CUP r.20 power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme. CUPV CCSPP DPP MUP MCF CUP r.21 Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r.19 CUPV or r.20. CCSPP DPP MUP MCF

GLEN EIRA PLANN	ING SCHEME		
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
All provisions of the Glen Eira Planning Scheme unless otherwise identified	Exercise Council's powers, discretions and authorities, carry out Council's duties and perform Council's functions.	Specific Planning Officers	Delegate must comply with any conditions or limitations imposed by Council where the action involves exercising a power, duty or function delegated under the <i>Planning and Environment Act</i> 1987 or regulations under that Act.
43.04-1	Power to approve a development plan.	Not delegated	
43.04-3	<ul> <li>Power to allow a Development Plan to be prepared and implemented in stages.</li> <li>Power to amend a Development Plan.</li> </ul>	DPP MUP MCF CUP CUPV CCSPP	Power can only be exercised by delegate at Delegated Planning Forum or by Council.
52.03	Power to grant permit contrary to a provision under the specific sites and exclusions.	Not delegated	
52.06-1	<ul> <li>Power to reduce or waive car parking.</li> <li>Power to decide on an adequate number of car spaces to be provided for uses which are not specified in the table at Clause 52.06-5.</li> </ul>	Specific Planning Officers	The power to reduce or waive car parking specified in the table in Clause 52.06-5 is limited to a reduction of up to ten car spaces.  An application involving a reduction of more than ten car spaces may only be determined by DPP, MUP, CUP or CUPV
52.28	Power to grant permit for gaming machines.	Not delegated	

GLEN EIRA PLANN	GLEN EIRA PLANNING SCHEME		
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
52.46	Power to grant a permit for brothels	Not delegated	

## **Attachment 2**

# **Glen Eira City Council**

**Instrument of Delegation** 

to

Members of Council Staff – Planning and Environment Act 1987

### Glen Eira City Council

#### INSTRUMENT OF DELEGATION

#### **Members of Council Staff**

In exercise of the powers conferred by section 188 of the *Planning and Environment Act* 1987 and section 98(1) of the *Local Government Act* 1989, Glen Eira City Council (Council):

- 1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
- 2. records that references in the Schedule are as follows:

```
'CCSPP' means Coordinator City Strategy and Place Planning;
'CPBC' means Coordinator Planning and Building Compliance;
'CTPCUP' means Coordinator Town Urban Planning;
'CUPV' means VCAT Coordinator;
'CStratP' means Coordinator Strategic Planning;
'CPBC' means Coordinator Planning and Building Compliance;
'DIEL' means Director Infrastructure, Environment and Leisure;-
'DPP' ' means Director Planning and Place;
'ESC' means Engineering Services Coordinator;
<u>'MCF' means Manager City Futures;</u>
'MCSC' means Manager Community Safety and Compliance;
'MIA' means Manager Infrastructure Assets;
'MCSC' means Manager Community Safety and Compliance;
'MCF' means Manager City Futures;
'MTPMUP'-' means Manager Town Urban Planning;
'PBCM' means Planning and Building Compliance Manager:
'PSOPCESO' means Planning Support-Planning Customer Experience and Support Officer and
Coordinator Planning Customer Experience and Support;
'PTO' means Planning Technical Officer; Planning Technical Officer;
'PTPPUP' means Principal Town Urban Planner; 
'SP' PUPS' means Subdivision PlannerPrincipal Urban Planner (Subdivisions);
<u>'SPCEO' means Senior Planning Customer Experience Officer;</u>
'Specific Planning Officers' means <u>DPP</u>, <u>CUTP</u>, <u>CUPV</u>, <u>CStratPCCSPP</u>, <u>DPP</u>, <u>PBCM</u>, MCSC, MUTP, MCF, <u>PBCM</u>, <u>PTO</u>, <u>PUTP</u>, <u>SPPUPS</u>, <u>SPCEO</u>, <u>SUTP</u>, <u>StratP</u>, <u>SStratPSupP</u>, and <u>TPUP</u>;
'SUTP' means Senior Town Urban Planner;
'StratP' means Strategic Planner;-
'SStratP' means Senior Strategic Planner; and
SupP' means Supervising Planner; and
<u>'U</u>TP' means <u>Town Urban</u> Planner.
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- 3. declares that:
  - 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 17 October 2017 22 May 2018; and
  - 3.2 the delegation:
    - comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;

- 3.2.2 remains in force until varied or revoked;
- 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3 and the Schedule; and
- 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
- 3.3 the delegate must not determine the issue, take the action or do the act or thing:
  - 3.3.1 if the issue, action act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
  - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
    - (a) policy; or
    - (b) strategy adopted by Council; or:
  - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful decision, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
  - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

The seal of Glen Eira City Council was affixed hereto in) the presence of:	)
Coun	cillor
Chief	Executive Office

SCHEDULE

PLANNING A	ND ENVIRONMENT ACT 1987	T	
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.4B	Power to prepare an amendment to the Victoria Planning Provisions.	Specific Planning Officers	If authorised by the Minister.
s.4G	Function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister.	Specific Planning Officers	
s.4H	Duty to make amendment to Victoria Planning Provisions available.	Specific Planning Officers	
s.4I	Duty to keep Victoria Planning Provisions and other documents available.	Specific Planning Officers	
s.8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s.8A.	Specific Planning Officers	
s.8A(3)	Power to apply to the Minister to prepare an amendment to the planning scheme.	Not delegated	
s.8A(5)	Function of receiving notice of the Minister's decision.	Specific Planning Officers	
s.8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days.	DPP MTPMUP MCF	
s.8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district.	Not delegated	

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons.	Specific Planning Officers		
s.12A(1)	Duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s.19 of the <i>Planning and Environment (Planning Schemes) Act</i> 1996).	Specific Planning Officers		
s.12B(1)	Duty to review planning scheme.	DPP  MTPMUP  MCF		
s.12B(2)	Duty to review planning scheme at direction of Minister.	DPP  MTPMUP  MCF		
s.12B(5)	Duty to report findings of review of planning scheme to Minister without delay.	DPP  MTPMUP  MCF		
s.14	Carry out duties of the Responsible Authority as set out in subsections (a) to (d).	Specific Planning Officers		
s.17(1)	Duty of giving copy amendment to the planning scheme.	Specific Planning Officers		
s.17(2)	Duty of giving copy s.173 agreement.	Specific Planning Officers		
s.17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days.	Specific Planning Officers		

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.18	Duty to make amendment etc available.	Specific Planning Officers		
s.19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to take any other steps necessary to tell anyone who may be affected by the amendment about its preparation.	DPP MTPMUP MCF		
s.19	Function of receiving notice of preparation of an amendment to a planning scheme.	Specific Planning Officers	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or	
			where the amendment will amend the planning scheme to designate Council as an acquiring authority.	
s.20(1)	Power to apply to Minister for exemption from the requirements of s.19.	Specific Planning Officers		
s.21(2)	Duty to make submissions available.	Specific Planning Officers		
s.21A(4)	Duty to publish notice in accordance with section.	Specific Planning Officers		
s.22	Duty to consider all submissions.	Specific Planning Officers		
s.23(1)	After considering submissions, change amendment, refer to a panel or abandon amendment.	Not delegated		

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel.	Specific Planning Officers		
s.23(2)	Power to refer to a panel submissions which do not require a change to the amendments.	Not delegated		
s.24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s.96D).	Specific Planning Officers		
s.26(1)	Power to make report available for inspection.	Specific Planning Officers		
s.26(2)	Duty to keep report of panel available for inspection.	Specific Planning Officers		
s.27(1)	Duty to consider panel's report.	Not delegated		
s.27(2)	Power to apply for exemption if panel's report not received.	Not delegated		
s.28	Duty to advise the Minister if abandoning an amendment.	Specific Planning Officers	The power to make a decision to abandon an amendment cannot be delegated.	
s.29	Power to adopt amendment	Not delegated		
s.30(4)(a)	Duty to say if amendment has lapsed.	Specific Planning Officers		
s.30(4)(b)	Duty to provide information in writing upon request.	Specific Planning Officers		

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.32(2)	Duty to give more notice if required.	Specific Planning Officers	
s.33(1)	Duty to give more notice of changes to an amendment.	Specific Planning Officers	
s.36(2)	Duty to give notice of approval of amendment.	Specific Planning Officers	
s.38(5)	Duty to give notice of revocation of an amendment.	Specific Planning Officers	
s.39	Function of being a party to a proceeding commenced under s.39 and duty to comply with determination by VCAT.	Specific Planning Officers	
s.40(1)	Function of lodging copy of approved amendment.	Specific Planning Officers	
s.41	Duty to make approved amendment available.	Specific Planning Officers	
s.42	Duty to make copy of planning scheme available.	Specific Planning Officers	
s.46AS(ac)	Power to request the Victorian Planning Authorityto provide advice on any matter relating to land in Victoria or an objective of planning in Victoria.	Not delegated	

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.46GF	duty to comply with directions issued by the Minister	DPP		
		MTPMUP		
		MCF		
s.46GG	duty to include a condition in a permit relating to matters set	DPP		
	out in s.46GG(c) and (d)	MTPMUP		
		MCF		
s.46GH(1)	power to require the payment of an amount of infrastructure levy to be secured to Council's satisfaction	DIEL	where council is a collecting agency	
		DPP		
		MIA		
		MTPMUP		
		MCF		
s.46GH(2)	power to accept the provision of land, works, services or facilities in part or full satisfaction of the amount of infrastructure levy payable	DIEL	where council is a collecting agency	
		DPP		
		MIA		
		MTPMUP		
		MCF		
s.46GH(3)	duty to obtain the agreement of the relevant development	DIEL	where council is a collecting agency	
	agency or agencies specified in the approved infrastructure contributions plan before accepting the provision of land,	DPP		
	works, services or facilities by the applicant	MIA		
		MTPMUP		
		MCF		

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GI(1)	duty to keep proper accounts of any amount of infrastructure	DIEL	must be done in accordance with Local
	levy paid to it as a collecting agency or a development agency	DPP	Government Act 1989
	under Part 2 of the Planning and Environment Act 1987	MIA	
		MTPMUP	
		MCF	
s.46GI(2)	duty to forward to a development agency any part of an	DIEL	
	infrastructure levy paid to council which is imposed for plan	DPP	
	preparation costs incurred by development agency or for carrying out of works, services or facilities on behalf of the development agency	MIA	
		MTPMUP	
		MCF	
s.46GI(3)	duty to apply levy amount only in accordance with s.46GI(3) (a) and (b)	DIEL	
		DPP	
		MIA	
		MTPMUP	
		MCF	
s46GI(4)	power to refund any amount of infrastructure levy paid to it as	DIEL	
	a development agency under Part 2 of the Planning and Environment Act 1987 if satisfied that the development is not to proceed	DPP	
		MIA	
		MTPMUP	
		MCF	

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.46GI(5)	duty to take action described in s.46GI(5)(c) – (e) where	DIEL		
	s.46GI(5)(a) and (b) applies.	DPP		
		MIA		
		MTPMUP		
		MCF		
s.46GL	power to recover any amount of infrastructure levy as a debt	DIEL	where council is a collecting agency	
	due to Council	DPP		
		MIA		
		MTPMUP		
		MCF		
s.46GM	duty to prepare report and give a report to the Minister	DIEL	where council is a collecting agency or development agency	
		DPP		
		MIA		
		MTPMUP		
		MCF		
s.46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy.	Specific		
		Planning		
		Officers		
s.46N(2)(c)	Function of determining time and manner for receipt of development contributions levy.	Specific Planning		
		Officers		
s.46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy.	Specific Planning Officers	Power to reduce or waive infrastructure levy is limited to DIEL, DPP,  MTPMUP,MCF	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid or agreement is in place, prior to issuing building permit.	Specific Planning Officers	
s.46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy.	Specific Planning Officers	
s.46P(1)	Power to require payment of amount of levy under s.46N or s.46O to be satisfactorily secured.	Specific Planning Officers	
s.46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable.	DIEL DPP	
		MIA MTPMUP MCF	
s.46Q(1)	Duty to keep proper accounts of levies paid.	Specific Planning Officers	
s.46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services or facilities on behalf of development agency or plan preparation costs incurred by a development agency.	Specific Planning Officers	
s.46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc.	Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed.	DIEL DPP	Only applies when levy is paid to Council as a development agency.	
		MTPMUP		
		MCF		
s.46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the council or for the provision by the council of works, services or facilities in an area under s.46Q(4)(a).	DPP MTPMUP MCF	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister.	
s.46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan.	Specific Planning Officers	Must be done in accordance with Part 3.	
s.46Q(4)(e)	Duty to expend that amount on other works etc.	DPP	With the consent of, and in the manner approved by, the Minister.	
s.46QC	Power to recover any amount of levy payable under Part 3B.	Specific Planning Officers		
s.46QD	duty to prepare report and give a report to the Minister.	DIEL DPP MIA MTPMUP MCF	Where council is a collecting agency or development agency.	
s.49(1)	Duty to keep a register of all applications for permits and determinations relating to permits.	PSOPCESO  Specific Planning Officers		

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.49(2)	Duty to make register available for inspection.	PSOPCESO Specific Planning Officers	
s.50(4)	Duty to amend application.	Specific Planning Officers	
s.50(5)	Power to refuse to amend application.	Specific Planning Officers	
s.50(6)	Duty to make note of amendment to application in register.	PSOPCESO Specific Planning Officers	
s.50A(1)	Power to make amendment to application.	PSO Specific Planning Officers	
s.50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given.	Specific Planning Officers	
s.50A(4)	Duty to note amendment to application in register.	PSOPCESO  Specific Planning Officers	

PLANNING A	PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4		
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS		
s.51	Duty to make copy of application available for inspection.	<u>PCESO</u>			
		Specific Planning Officers			
s.52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person.	Specific Planning Officers			
s.52(1)(b)	Duty to give notice of the application to other municipal councils where appropriate.	Specific Planning Officers			
s.52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme.	Specific Planning Officers			
s.52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant.	Specific Planning Officers			
s.52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant.	Specific Planning Officers			
s.52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally affected.	Specific Planning Officers			
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant.	Specific Planning Officers			

PLANNING A	PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4		
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS		
s.52(3)	Power to give any further notice of an application where appropriate.	Specific Planning Officers			
s.53(1)	Power to require the applicant to give notice under section 52(1) to persons specified by it.	Specific Planning Officers			
s.53(1A)	Power to require the applicant to give the notice under section 52(1AA).	Specific Planning Officers			
s.54(1)	Power to require the applicant to provide more information.	Specific Planning Officers			
s.54(1A)	Duty to give notice in writing of information required under s.54(1).	Specific Planning Officers			
s.54(1B)	Duty to specify the lapse date for an application.	Specific Planning Officers			
s.54A(3)	Power to decide to extend time or refuse to extend time to give required information.	Specific Planning Officers			
s.54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s.54A(3).	Specific Planning Officers			
s.55(1)	Duty to give copy application, together with the prescribed information to every referral authority specified in the planning scheme.	Specific Planning Officers			

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.57(2A)	Power to reject objections considered made primarily for	DPP	
	commercial advantage for the objector.	MTPMUP	
		MCF	
		<u>CUP</u>	
		<u>CUPV</u>	
s.57(3)	Function of receiving name and address of persons to who	Specific	
	notice of decision is to go.	Planning Officers	
s.57(5)	Duty to make available for inspection copy of all objections.	PCESO	
		Specific Planning	
		Officers	
s.57A(4)	Duty to amend application in accordance with applicant's	Specific	
	request, subject to s.57A(5).	Planning	
		Officers	
s.57A(5)	Power to refuse to amend application.	Specific Planning	
		Officers	
s.57A(6)	Duty to note amendments to application in register.	<del>PSO</del> PCESO	
. ,	., ., .,	Specific	
		Planning	
		Officers	
s.57B(1)	Duty to determine whether and to whom notice should be	Specific	
	given.	Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.57B(2)	Duty to consider certain matters in determining whether notice should be given.	Specific Planning Officers	
s.57C(1)	Duty to give copy of amended application to referral	PSOPCESO	
	authority.	Specific Planning Officers	
s.58	Duty to consider every application for a permit.	Specific Planning Officers	
s.58A	Power to request advice from the Planning Application Committee.	DPP	
		MTPMUP	
		MCF	
s.60	Duty to consider certain matters.	Specific Planning Officers	
s.60(1A)	Power to consider certain matters before deciding an application.	Specific Planning Officers	
s.60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect.	Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application.	Specific Planning Officers	The exercise of this power is limited to the following circumstances: i) there have been no more than five objections lodged; and ii) the application/amending plan is generally in compliance with existing policy or guidelines; and iii) the application has not been referred to the Council or the-Delegated Planning Forum for determination.  The power cannot be exercised where: i) an application is for use of land for a brothel-or a Sexually Explicit Adult Entertainment Venue; or ii) an application is for use of land for gaming machines; or iii) an application is for extension of time for tennis court illumination beyond 10.00pm; or iv) a proposal involves dwellings exceeding one level, except where the delegate is DPP or MTP, who may grant a permit allowing a double storey development.  The permit must not be inconsistent with a cultur heritage management plan under the Aboriginal Heritage Act 2006.  The power to refuse a permit can only be exercised where the delegate considers that: i) i)the application is contrary to law; or ii) ii)the application is inconsistent with policy; or iii) ar eferral or-authority has directed refusal; or iv) the applicant has failed to carry out a direction pursuant to the Planning Scheme or Planning and Environment Act.	
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Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application.	DPP MTPMUP CTPCUP CUPV	The delegation must be exercised exercise of delegation at a Delegated Planning Forum.  Exercise of the delegation is limited to the following circumstances:  i) there has been more than five objection lodged; and  ii) the application/amending plan is generally in compliance with existing policy or guidelines; and  iii) the application has not been referred to the Council for determination.  i) Delegation to be exercised at a Delegated Planning Forum.  The power cannot be exercised where:  i) an application is for use of land for a brothel-or a Sexually Explicit Adult Entertainment Venue; or  ii) an application is for use of land for gaming machines.  The permit must not be inconsistent with a cultur heritage management plan under the Aboriginal Heritage Act 2006.  The power to refuse a permit can only be exercised where the delegate considers that:  i) the application is contrary to law; or  ii) the application is inconsistent with polic or  iii) a referral or authority has directed refusal; or  iii) the applicant has failed to carry out a direction pursuant to the Planning Scheme or Planning ar Environment Act.	

PLANNING A	PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 1	Column 1	Column 1		
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS		
s.61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit.	Specific Planning Officers			
s.61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to grant of permit.	Specific Planning Officers			
s.61(3)(b)	Duty to refuse to grant the permit without the Minister's consent.	Specific Planning Officers			
s.61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant.	Specific Planning Officers			
s.62(1)	Duty to include certain conditions in deciding to grant a permit.	Specific Planning Officers			
s.62(2)	Power to include other conditions.	Specific Planning Officers			
s.62(4)	Duty to ensure conditions are consistent with subsections (a), (b) and (c).	Specific Planning Officers			
s.62(5)(a)	Power to include a permit condition to implement an approved development contributions plan.	Specific Planning Officers			
s.62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with section 173 agreement.	Specific Planning Officers			

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 1	Column 1	Column 1	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant.	Specific Planning Officers		
s.62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with s.62(5) or s.46N.	Specific Planning Officers		
s.62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s.62(1)(a).	Specific Planning Officers		
s.63	Duty to issue the permit where made a decision in favour of the application (if no one has objected).	Specific Planning Officers		
s.64(1)	Duty to give notice of decision to grant a permit to applicant and objectors.	Specific Planning Officers		
s.64(3)	Duty not to issue a permit until after the specified period.	Specific Planning Officers		
s.64(5)	Duty to give copy of decision on an application that is exempt under planning scheme from the requirements of s.64(1), s.64(2) and s.64(3) to objectors.	Specific Planning Officers		
s.64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit.	PCESO Specific Planning Officers	This provision applies also to a decision to grant an amendment to a permit – see section 75A.	

Column 1	Column 1	Column 1	Column 1	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.65(1)	Duty to give notice of refusal to grant permit to applicant and	PCESO		
	person who objected under s.57.	Specific Planning Officers		
s.66(1)	Duty to give notice under s.64 or s.65 and copy permit to	<u>PCESO</u>		
	relevant determining referral authorities.	Specific Planning Officers		
s.66(2)	Duty to give a recommending referral authority notice of its	PCESO	If the recommending referral authority	
	decision to grant a permit.	Specific Planning Officers	objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority.	
s.66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit.	PCESO Specific Planning Officers	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit.	
s.66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s.64 or s.65.	PCESO Specific Planning Officers	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included in the permit.	
s.69(1)	Function of receiving application for extension of time of permit.	PCESO Specific Planning Officers		

Column 1	Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.69(1A)	Function of receiving application for extension of time to complete development.	PCESO Specific Planning Officers	
s.69(2)	Power to extend time.	Specific Planning Officers	
s.70	Duty to make copy permit available for inspection.	PSOPCESO  Specific Planning Officers	
s.71(1)	Power to correct certain mistakes.	Specific Planning Officers	
s.71(2)	Duty to note corrections in register.	PSOPCESO  Specific Planning Officers	

PLANNING A	PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 1	Column 1	Column 1		
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS		
s.73	Power to decide to grant amendment subject to conditions.	Specific Planning Officers	The exercise of this power is limited to the following circumstances:  i) there have been no more than five objections lodged; and  ii) the application/amending plan is generally in compliance with existing policy or guidelines; and  iii) the application has not been referred to the Council or the Delegated Planning Forum (DPF) for determination.  The power cannot be exercised where:  i) an application is for use of land for a brothel or a Sexually Explicit Adult Entertainment Venue; or  ii) an application is for use of land for gaming machines; or  iii) an application is for extension of time for tennis court illumination beyond 10.00pm; or  iv)ii) a proposal involves dwellings exceeding one level, except where the delegate is DPP or MTP or CTP who may grant a permit allowing a double storey development.		

Column 1	Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.73	Power to decide to grant amendment subject to conditions.	DPP MTPMUP CTPCUP CUPV	The exercise of delegation at a delegation must be exercised at a Delegated Planning Forum is limited to the  Exercise of the delegation is limited to the following circumstances:  iv) there has been more than five objections lodged; and  v) the application/amending plan is generally in compliance with existing policy or guidelines; and  vi) the application has not been referred to the Council for determination.  Delegation to be exercised at a Delegated Planning Forum.  The power cannot be exercised where:  i) an application is for use of land for a brothel or a Sexually Explicit Adult Entertainment Venue; or  ii) an application is for use of land for gaming machines.
s.74	Duty to issue amended permit to applicant if no objectors.	Specific Planning Officers	
s.76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit.	PCESO Specific Planning Officers	

Column 1	Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice.	PSOPCESO  Specific Planning Officers	
s.76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit.	PCESO Specific Planning Officers	If the recommending referral authority objected to the amendment of the permit of the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority.
s.76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit.	PCESO Specific Planning Officers	If the recommending referral authority objected to the amendment of the permit of the recommending referral authority recommended that a permit condition be included on the amended permit.
s.76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s.64 or s.76.	PCESO Specific Planning Officers	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included or the amended permit.
s.76D	Duty to comply with direction of Minister to issue amended permit.	Specific Planning Officers	
s.83	Function of being respondent to an appeal.	Specific Planning Officers	

Column 1	Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.83B	Duty to give or publish notice of application for review.	PCESO Specific Planning Officers	
s.84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit.	CStratP DPP MTPMUP MCF CUP CUPV	The exercise of this power is limited to the following circumstances:  i) there have been no more than fix objections lodged; and  ii) the application/amending plan is generally in compliance with existing policy or guidelines; and  iii) the application has not been referred to the Council or the Delegated Planning Forum (DPF for determination.  The power cannot be exercised where:  i) an application is for use of land for a brothel; or  ii) an application is for use of land for gaming machines.  The power may only be exercised by the delegate where:  no objections have been lodged; and the application is generally in compliance with existing policy or guidelines.

Column 1	Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
<u>s.84(1)</u>	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit.	DPP MUP MCF CUP CUPV	The exercise of delegation delegation must be exercised at a Delegated Planning Forum.  Exercise of the delegation -is limited to the following circumstances: i) there has been more than five objections lodged; and ii) the application/amending plan is generally in compliance with existing policy or guidelines; and iii) the application has not been referred to the Council for determination.  The power cannot be exercised where: i) an application is for use of land for a brothel; or ii) an application is for use of land for gaming machines.
s.84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit.	Specific Planning Officers	
s.84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit.	Specific Planning Officers	
s.84(6)	Duty to issue permit on receipt of advice within 3 working days.	PCESO Specific Planning Officers	
s.86	Duty to issue a permit at order of VCAT within 3 working days.	PCESO Specific Planning Officers	

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 1	Column 1		
THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS		
Power to apply to VCAT for the cancellation or amendment of	CStratP			
a permit.	DPP			
	MCSC			
	MTPMUP			
	MCF			
	PBCM			
	<u>CUP</u>			
	SupPCUPV			
Function of being heard at hearing of request for cancellation or amendment of a permit.	Specific			
Duty to comply with the directions of the VCAT.				
	Officers			
Duty to issue amended permit to owner if VCAT so directs.	Specific			
	Planning			
	-			
VCAT to persons entitled to be heard under s.90.	Officers			
Duty to give notice of VCAT order to stop development				
Bary to give house of vorth order to stop development.	Planning			
	Officers			
Function of referring certain applications to the Minister.	Specific			
	•			
	Column 1  THING DELEGATED  Power to apply to VCAT for the cancellation or amendment of a permit.  Function of being heard at hearing of request for cancellation or amendment of a permit.  Duty to comply with the directions of the VCAT.  Duty to issue amended permit to owner if VCAT so directs.  Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s.90.  Duty to give notice of VCAT order to stop development.	THING DELEGATED  Power to apply to VCAT for the cancellation or amendment of a permit.  Power to apply to VCAT for the cancellation or amendment of a permit.  Popp MCSC MTPMUP MCF PBCM CUP SupPCUPV  Function of being heard at hearing of request for cancellation or amendment of a permit.  Punction of being heard at hearing of request for cancellation or amendment of a permit.  Planning Officers  Duty to comply with the directions of the VCAT.  Specific Planning Officers  Duty to issue amended permit to owner if VCAT so directs.  Specific Planning Officers  Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s.90.  Duty to give notice of VCAT order to stop development.  Specific Planning Officers  Duty to give notice of VCAT order to stop development.		

PLANNING A	PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 1	Column 1	Column 1	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.95(4)	Duty to comply with an order or direction.	Specific Planning Officers		
s.96(1)	Duty to obtain a permit from the Minister to use and develop its land.	Specific Planning Officers		
s.96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land.	DPP		
s.96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment.	Specific Planning Officers		
s.96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s.96C.	Specific Planning Officers		
s.96F	Duty to consider panel's report under s.96E.	Not delegated		
s.96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s.23 of the <i>Planning and Environment (Planning Schemes) Act</i> 1996).	Specific Planning Officers		
s.96H(3)	Power to give notice in compliance with Minister's direction.	Specific Planning Officers		
s.96J	Power to issue permit as directed by the Minister.	Specific Planning Officers		

Column 1	Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.96K	Duty to comply with direction of the Minister to give notice of refusal.	Specific Planning Officers	
s. 96Z	duty to keep levy certificates given to it under ss. 47 or 96A for no less than 5 years from receipt of the certificate.	Specific Planning Officers	
s.97C	Power to request Minister to decide the application.	Not delegated	
s.97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application.	Specific Planning Officers	
s.97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister.	PCESO Specific Planning Officers	
s.97G(6)	Duty to make a copy of permits issued under s.97F available for inspection.	PCESO Specific Planning Officers	
s.97L	Duty to include Ministerial decisions in a register kept under s.49.	PCESO Specific Planning Officers	

Column 1	Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.97MH	Duty to provide information or assistance to the Planning	DPP	
	Application Committee.	MTPMUP	
		MCF	
		CUP	
		<u>CUPV</u>	
s.97MI	Duty to contribute to the costs of the Planning Application	DPP	
	Committee or subcommittee.	MTPMUP	
		MCF	
		CUP	
		<u>CUPV</u>	
s.97O	Duty to consider application and issue or refuse to issue certificate of compliance.	Specific Planning	
		Officers	
s.97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate.	Specific Planning Officers	
s.97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate.	Specific Planning Officers	
s.97Q(4)	Duty to comply with directions of VCAT.	Specific Planning Officers	
s.97R	Duty to keep register of all applications for certificate of	<u>PCESO</u>	
0.071	compliance and related decisions.	Specific Planning Officers	

PLANNING A	ND ENVIRONMENT ACT 1987		
Column 1	Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.98(1)&(2)	Function of receiving claim for compensation in certain circumstances.	Specific Planning Officers	
s.98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed.	Specific Planning Officers	
s.101	Function of receiving claim for expenses in conjunction with claim.	Specific Planning Officers	
s.103	Power to reject a claim for compensation in certain circumstances.	DPP	
s.107(1)	Function of receiving claim for compensation.	Specific Planning Officers	
s.107(3)	Power to agree to extend time for making a claim.	DPP	
s.114(1)	Power to apply to VCAT for an enforcement order.	CPBC DPP MCSC MTPMUP MCF PBCM CUP SupPCUPV	
s.117(1)(a)	Function of making a submission to VCAT where objections are received.	Specific Planning Officers	

PLANNING A	PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 1	Column 1	Column 1	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
s.120(1)	Power to apply for an interim enforcement order where s.114	CPBC		
	application has been made.	DPP		
		MCSC		
		MTPMUP		
		MCF		
		PBCM		
		<u>CUP</u>		
		SupPCUPV		
s.123(1)	Power to carry out work required by enforcement order and recover costs.	DPP		
s.123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s.123(1).	DPP	Except Crown land	
s.129	Function of recovering penalties.	CPBC		
		DPP		
		MCSC		
		MTPMUP		
		MCF		
		PBCM		
		<u>CUP</u>		
		<u>CUPV</u>		

Column 1	Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.130(5)	Power to allow person served with an infringement notice	CPBC	
	further time.	DPP	
		MTPMUP	
		MCF	
		MCSC	
		PBCM	
		<u>CUP</u>	
		<u>CUPV</u>	
s.133	Power to appoint authorised officer to enter land to carry out specific functions.	DPP	
s.149A(1)	Power to refer a matter to VCAT for determination.	CPBC	
		CTPCUP	
		DPP	
		MCSC	
		MTPMUP	
		MCF	
		PBCM	
		SupPCUPV	

Column 1	Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement.	CStratPCCSPP CUP CUPV  DPP MTPMUP MCF PTPPUP	
s.156	Duty to pay fees and allowances (including a payment to the Crown under subsection (2A)), and payment or reimbursement incurred by the panel in carrying out its function unless the Minister directors otherwise under subsection (2B), power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4).	SupP DPP MTPMUP MCF	
s.171(2)(f)	Power to carry out studies and commission reports.	DPP	
s.171(2)(g)	Power to grant and reserve easements.	DPP	
s.173	Power to enter into agreement covering. matters set out in s.174	DIEL DPP <u>MUP</u> MCF	

PLANNING A	ND ENVIRONMENT ACT 1987	T	
Column 1	Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	Power to decide whether something is to the satisfaction of	CPBC	
	Council, where an agreement made under section 173 of the	DIEL	
	Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority.	DPP	
		ESC	
		MCSC	
		MIA	
		MTPMUP	
		MCF	
		PBCM	
		<u>CUP</u>	
		<u>CUPV</u>	
	Power to give consent on behalf of Council, where an	CPBC	
	agreement made under section 173 of the <i>Planning and</i>	DIEL	
	Environment Act 1987 requires that something may not be done without the consent of Council or the Responsible	DPP	
	Authority.	ESC	
		MCSC	
		MIA	
		MTPMUP	
		MCF	
		PBCM	
		<u>CUP</u>	
		<u>CUPV</u>	

PLANNING A	PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 1	Column 1	Column 1		
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS		
s.177(2)	Power to end a s.173 with the agreement of all those bound by an covenant in the agreement or otherwise in accordance with Division 2 of Part 9.	DIEL MCSC MTPMUP MCF PBCM			
s.178	Power to amend a s.173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9.	DIEL DPP <u>MUP</u> <u>MCF</u>			
s.178A(1)	Function of receiving application to amend or end an agreement.	Specific Planning Officers			
s.178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1).	CTPCUP DPP MTPMUP MCF PTPPUP PUPS SupPCUPV			

Column 1	Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178A(4)	Function of notifying the applicant and the owner as to	CTPCUP	
	whether it agrees in principle to the proposal.	DPP	
		MTPMUP	
		MCF	
		PTPPUP	
		<u>PUPS</u>	
		SupPCUPV	
s.178A(5)	Power to propose to amend or end an agreement.	DPP	
- (-)		MUP	
		MCF	
s.178B(1)	Duty to consider certain matters when considering proposal to	Specific	
	amend an agreement.	Planning Officers	
s.178B(2)	Duty to consider certain matters when considering proposal to end an agreement.	Specific Planning	
	Cita an agreement.	Officers	
s.178C(2)	Duty to give notice of the proposal to all parties to the	Specific	
` '	agreement and other persons who may be detrimentally	Planning	
	affected by decision to amend or end.	Officers	
s.178C(4)	Function of determining how to give notice under s.178C(2).	Specific	
		Planning Officers	
s.178E(1)	Duty not to make decision until after 14 days after notice has	Specific	
o. 11 on (1)	been given.	Planning	
		Officers	

Column 1	Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(2)(a)	Power to amend or end the agreement in accordance with the	<del>CTP</del> CUP	If no objections are made under s.178D.
	proposal.	DPP	Must consider matters in s.178B.
		MTPMUP	
		MCF	
		<del>PTP</del> PUP	
		SupPCUPV	
s.178E(2)(b)	Power to amend or end the agreement in a manner that is not	CTPCUP	If no objections are made under s.178D.
( ) ( )	substantively different to the proposal.	DPP	Must consider matters in s.178B.
		MTPMUP	
		MCF	
		PTPPUP	
		SupPCUPV	
s.178E(2)(c)	Power to refuse to amend or end the agreement.	CTPCUP	If no objections are made under s.178D.
		DPP	Must consider matters in s.178B.
		MTPMUP	
		MCF	
		PTPPUP	
		SupPCUPV	
s.178E(3)(a)	Power to amend or end the agreement in accordance with the	CTPCUP	After considering objections, submissions
	proposal.	DPP	and matters in s.178B.
		MTPMUP	
		MCF	
		PTPPUP	
		SupPCUPV	

PLANNING A	ND ENVIRONMENT ACT 1987		
Column 1	Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(3)(b)	Power to amend or end the agreement in a manner that is not	CTPCUP	After considering objections, submissions
	substantively different from the proposal.	DPP	and matters in s.178B.
		MTPMUP	
		MCF	
		PTPPUP	
		SupPCUPV	
s.178E(3)(c)	Power to amend or end the agreement in a manner that is	CTPCUP	After considering objections, submissions
	substantively different from the proposal.	DPP	and matters in s.178B.
		MTPMUP	
		MCF	
		PTPPUP	
		SupPCUPV	
s.178E(3)(d)	Power to refuse to amend or end the agreement.	CTPCUP	After considering objections, submissions
		DPP	and matters in s.178B.
		MTPMUP	
		MCF	
		PTPPUP	
		SupPCUPV	
s.178F(1)	Duty to give notice of its decision under s.178E(3)(a) or (b).	Specific	
		Planning Officers	
s.178F(2)	Duty to give notice of its decision under s.178E(2)(c) or 3(d.)	Specific Planning	
		Officers	

Column 1	Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178F(4)	Duty not to proceed to amend or end an agreement under s.178E until at least 21 days after notice has been given or until an application for review to VCAT has been determined or withdrawn.	Specific Planning Officers	
s.178G	Duty to sign amended agreement and give copy to each party to the agreement.	DPP <u>MUP</u> <u>MCF</u>	
s.178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement.	DPP  MUP  MCF  CUP  CUPV	
s.178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land.	DPP MTPMUP MCF	
s.179(2)	Duty to make available for inspection copy agreement.	DIEL MIA Specific Planning Officers	
s.181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General.	DIEL DPP <del>MTP</del> MUP MCF	

PLANNING A	PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 1	Column 1	Column 1		
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS		
s.181(1A)(a)	Power to apply to the Registrar of Titles to record the	DPP			
	agreement.	MTPMUP			
		MCF			
s.181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record	DPP			
	the agreement.	MTPMUP			
		MCF			
s.182	Power to enforce an agreement.	CPBC			
		DIEL			
		DPP			
		MCSC			
		MTPMUP			
		MCF			
		PBCM			
		<u>CUP</u>			
		<u>CUPV</u>			
s.183	Duty to tell Registrar of Titles of ending/amendment of	DIEL			
	agreement.	Specific Planning Officers			
s.184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision.	DPP  MTPMUP  MCF			

PLANNING A	ND ENVIRONMENT ACT 1987		
Column 1	Column 1 THING DELEGATED	Column 1	Column 1
PROVISION		DELEGATE	CONDITIONS & LIMITATIONS
s.184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application has been made to VCAT for review of a failure to amend or end an agreement.	DPP MTPMUP MCF	
s.184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement.	DPP  MTPMUP  MCF	
s.184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision.	DPP  MTPMUP  MCF	
s.184G(2)	Duty to comply with a direction of VCAT.	Specific Planning Officers	
s.184G(3)	Duty to give notice as directed by VCAT.	Specific planning Officers	
s.198(1)	Function to receive application for planning certificate.	PCESO Specific Planning Officers	
s.199(1)	Duty to give planning certificate to applicant.	PCESO Specific Planning Officers	

Column 1 PROVISION	Column 1 THING DELEGATED	Column 1	Column 1
		DELEGATE	CONDITIONS & LIMITATIONS
s.201(1)	Function of receiving application for declaration of underlying zoning.	PCESO Specific Planning Officers	
s.201(3)	Duty to make declaration.	Specific Planning Officers	

Column 1	Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
-	Power to make a decision relating to the conduct of a mediation before VCAT, including a decision to settle the mediation.	Specific Planning Officers	<ol> <li>Where Council is a party to a mediation before VCAT.</li> <li>If the matter has previously been subject to a determination by Council or Delegated Planning Committee or delegate at a Delegated Planning Forum, can only be exercised if, in the opinion of DPP, MTPMUP, MCF, CUF or SupPCUPV the matter being mediated is of a minor nature and the intent of the decision of the Council or Delegated Planning Committee or delegate at the Delegated Planning Forum is not compromised; or</li> <li>If the matter has previously been subject to a determination by a planning officer under delegation from Council, can only be exercised under direction of DPP, MTPMUP, MCF, CUP or SupPCUPV if the decision to settle the mediation involves a power, duty or function under the Planning and Environment Act 1987 that has not been delegated to the delegate.</li> </ol>

Column 1	Column 1	Column 1	Column 1
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
-	Determine that a matter be considered at a mediation before VCAT.	Specific Planning Officers	
		<b>CStratP</b>	
		DPP	
		MTP	
		MCF	
		<del>SupP</del>	
-	Power to decide, in relation to any planning scheme or permit that a specified thing has or has not been done to the satisfaction of Council.	Specific Planning Officers	
-	Power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of consent.	Specific Planning Officers	
-	Power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit.	Specific Planning Officers	
-	Power to give written authorisation in accordance with a provision of a planning scheme.	Specific Planning Officers	
s.201UAB(1)	Function of providing the Victorian Planning Authority_with	DPP	
. ,	information relating to any land within municipal district.	MTPMUP	
		MCF	
		CUP	
		SupPCUPV	
		CCSPP	

Column 1 PROVISION	Column 1	Column 1	Column 1
	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.201UAB(2)	Function to provide the Victorian Planning Authority_with	DPP	
, ,	information requested under subsection (1) as soon as	MTPMUP	
	possible.	MCF	
		CUP	
		SupPCUPV	
		CCSPP	
s.224(8)	duty to provide information requested by Victorian Planning	DPP	
	Authority under s.201UAB(1) not yet provided to Planning	MTPMUP	
	Authority	MCF	
		CUP	
		SupPCUPV	
		CCSPP	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r. 6	Function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme.	Specific Planning Officers	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r.21	Power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under s.54 of the Act.	Specific Planning Officers	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	Specific Planning Officers	Where Council is the responsible authority.
r.25(b))	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	Specific Planning Officers	Where Council is not the responsible authority but the relevant land is within Council's municipal district.
r.42	Function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application.	Specific Planning Officers	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.

Column 1	Column 2	Column 3	Column 4
	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
19	Power to waive or rebate a fee relating to an amendment of a planning scheme.	CTPCUP	
ар		<u>CUPV</u>	
		<u>CCSPP</u>	
		DPP	
		MTPMUP	
		MCF	
.20	power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme.	CTPCUP	
		<u>CUPV</u>	
		<u>CCSPP</u>	
		DPP	
		MTPMUP	
		MCF	
.21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r.19 or r.20.	CTPCUP	
		<u>CUPV</u>	
		CCSPP	
		DPP	
		MTPMUP	
		MCF	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
13—19.03, 21—22.04-4, 31—37, 41, 42.02, 42.03, 43.01, 45.01, 45.03, 45.06, 51, 52.04, 52.05, 52.06-2—52.06-5, 52.07—52.27, 52.29-52.30, 54-55, 61-64, 67.411 provisions of the Glen Eira Planning Scheme unless otherwise identified	Exercise Council's powers, discretions and authorities, carry out Council's duties and perform Council's functions.	Specific Planning Officers	Delegate must comply with any conditions or limitations imposed by Council where the action involves exercising a power, duty or function delegated under the <i>Planning and Environment Act</i> 1987 or regulations under that Act.
43.04-1	Power to approve a development plan.	Not delegated	
43.04-3	<ul> <li>Power to allow a Development Plan to be prepared and implemented in stages.</li> <li>Power to amend a Development Plan.</li> </ul>	DPP  MTPMUP  MCF  CTPCUP  CUPV  CCSPP	Power can only be exercised by delegate at Delegated Planning Forum or by Council.
<del>52.01 – 52.02, 56,</del> <del>65, 66</del>	Exercise Council's powers, discretions and authorities, carry out Council's duties and perform Council's functions.	Specific Planning Officers	Delegate must comply with any conditions or limitations imposed by Council where the action involves exercising a power, duty or function delegated under the <i>Planning and Environment Act</i> 1987 or regulations under that Act.
52.03	Power to grant permit contrary to a provision under the	Not delegated	

GLEN EIRA PLANNING SCHEME				
Column 1	Column 2	Column 3	Column 4	
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS	
	specific sites and exclusions.			
52.06-1	<ul> <li>Power to reduce or waive car parking.</li> <li>Power to decide on an adequate number of car spaces to be provided for uses which are not specified in the table at Clause 52.06-5.</li> </ul>	Specific Planning Officers	The power to reduce or waive car parking specified in the table in Clause 52.06-5 is limited to a reduction of up to ten car spaces.  An application involving a reduction of more than ten car spaces may only be determined by DPP, or CUPV	
52.28	Power to grant permit for gaming machines.	Not delegated		
<u>52.46</u> 19.04, 43.04- 1, 52.03	Power to grant a permit for brothels Exercise Council's powers, discretions and authorities, carry out Council's duties and perform Council's functions in relation to brothel and Sexually Explicit Adult Entertainment Venue applications, development plan approvals, specific sites and exclusions.	Not delegated Not delegated		

## 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.

There are no items of confidential business to be considered at the meeting.

## 13. CLOSURE OF MEETING