



GLEN EIRA CITY COUNCIL

ORDINARY COUNCIL MEETING

MINUTES

20 December 2016

7.32pm

Present:

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

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- 9.18 Sale of Properties to Recover Unpaid Rates - 4 Properties

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 IN CAMERA ITEMS**

- 12.1 under s89(2)(d) 'contractual' which relates to the awarding of the contract for tender number 2017.012 Provision of Municipal 2018 Revaluation Services

Number of tenders received	Four (4)
Number of evaluation criteria tenders assessed against	Three (3)
Estimated contract value	\$1.85m (exclusive of GST)

13. CLOSURE OF MEETING



ORDINARY MEETING OF COUNCIL
held in the Council Chamber, Glen Eira Council Offices,
corner Hawthorn Road and Glen Eira Roads, Caulfield
on Tuesday, 20 December 2016

The Mayor, Cr Delahunty provided explanatory context to trialling a process for public participation (clause 230 of the Local Law). The Mayor invited members of the community who wished to ask a question or make a statement to write their question on the forms provided. At a later stage of the meeting, Council will suspend standing orders for a period of 15 minutes where the Mayor will invite the questioner to ask their question. The Mayor will refer questions to the most appropriate person to respond.

1. ACKNOWLEDGEMENT

The Mayor read the acknowledgement.

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

2. APOLOGIES

Apologies from Cr Sztrajt, Cr Davey and Cr Magee were submitted to the meeting.

Moved: Cr Hyams

Seconded: Cr Athanasopoulos

That the apologies from Cr Sztrajt, Cr Davey and Cr Magee be received and noted.

CARRIED UNANIMOUSLY

3. OATH OF OFFICE AND DISCLOSURES OF INTERESTS

The Mayor read the Oath of Office.

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 requirements 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.

There were no conflict of interest disclosed to the meeting.

4. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS

4.1 Confirmation of the Minutes

Moved: Cr Hyams

Seconded: Cr Silver

That:

1. the minutes of the Ordinary Council meeting held on 29 November 2016; and
2. the minutes of the Special Council meeting held on 13 December 2016 be confirmed.

CARRIED UNANIMOUSLY

5. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

There were no petitions or joint letters submitted to the meeting.

6. DOCUMENTS FOR SEALING

There were no documents for sealing submitted to the meeting.

7. REPORTS BY DELEGATES APPOINTED BY COUNCIL TO VARIOUS ORGANISATIONS

There were no reports by delegates submitted to the meeting.

8. REPORTS FROM COMMITTEES

a. Advisory Committees

- i. Audit Committee Minutes, 24 November 2016

Moved: Cr Athanasopoulos**Seconded: Cr Taylor**

That the minutes of the Audit Committee Advisory Committee be received and noted and the recommendations be adopted.

CARRIED UNANIMOUSLY

b. Records of Assembly

- i. 22 November 2016
- ii. 26-27 November 2016

Moved: Cr Esakoff**Seconded: Cr Silver**

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

- 22 November 2016; and
- 15 November 2016

CARRIED UNANIMOUSLY

Prior to the motion to suspend standing orders, the Mayor provided further information advising that the questions and responses will not be minuted.

Procedural Motion**Moved: Cr Delahunty****Seconded: Cr Athanasopoulos**

That Council suspend standing orders for a period of 15 minutes at 7.37pm.

CARRIED UNANIMOUSLY

Procedural Motion

Moved: Cr Delahunty

Seconded: Cr Silver

That Council resume standing orders at 7.52pm.

CARRIED UNANIMOUSLY

**Glen Eira City Council
Audit Committee
Minutes of Meeting held on 24th November 2016**

Present:

Committee Members:

David Gibbs, Chairman
Lisa Woolmer, Independent Member
Dr Craig Nisbet, Independent Member
Cr Tony Athanasopoulos

Council Officers:

Rebecca McKenzie, Chief Executive Officer
Peter Swabey, Director Corporate Services
John Vastianos, Chief Financial Officer

Rachel Ollivier, Group Manager – Property, Environment &
Sustainability (Items 3 & 4)
Pauline Hassakis, Procurement & Contracts Manager (Item 4)
Warren Gardner, Manager Information Services (Item 5)

Internal Auditors (Oakton):

Megan McCullagh, Internal Audit Senior Manager (Item 5)
Stephen Tillman, IT Audit Principal (Item 5)

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

Sanchu Chummar, Senior Manager – Local Government (Item 7)

Apologies:

Tim Loughnan, Sector Director – Local Government, VAGO (Item 7);
Lisa Tripodi, Partner, Oakton (Item 5)
Cr Jim Magee

Minutes:

John Vastianos, Chief Financial Officer

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

1. Matters for Agenda

The chairman welcomed newly appointed Councillor representative Cr Tony Athanasopoulos to the Audit Committee and noted the apology from Cr Jim Magee.

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

The CEO reported that:

- There was a confidential disclosure that had been referred to a relevant integrity agency as required under legislation. The integrity agency decided that no further action was required and should be followed up by Council officers.
- The Victorian Ombudsman conducted a detailed analysis of Glen Eira as part of their investigation into the transparency of local government decision making. As part of the review, the Ombudsman identified a procedural flaw in the operation of one of Council's committees. The CEO will provide an update at the next Audit Committee meeting.

2. Confirmation of Minutes and Action Items

The minutes of the previous Audit Committee meeting held on 19 August 2016 were confirmed.

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

Ms McKenzie discussed Council's transformation program which includes a review of organisational scans of Council's services. The program has linkages to the IT and Digital Strategies. Ms McKenzie stated that a briefing paper was being provided to Councillors and that this would be included in the next Audit Committee agenda as well as a presentation on the transformation program.

The Audit Committee reviewed the assurance map and also discussed the strategic risk register.

3. Clayton South Regional Landfill

Ms Ollivier presented an update on the Clayton South Regional Landfill site.

The tip-site is in a transition phase where rehabilitation and capping works are underway. This phase includes review of contracts, management plans and governance arrangements.

The Committee noted the Landfill paper that was tabled.

4. Risk Management Rolling Progress Reports

Ms Ollivier presented the Sustainability risk management review.

Ms Ollivier left the meeting at 9:16am and the Chairman welcomed Ms Hassakis to the meeting.

Ms Hassakis presented the Procurements and Contracts risk management review.

5. Internal Audit

(a) Internal Audit Activity

Ms McCullagh presented the Internal Audit Activity Report. It was noted that the Rates and Depot Audits have already commenced and the reports will be tabled at the Audit Committee meeting in February 2017.

(b) Cyber Security Review

Mr Tillman presented the Cyber Security Report. The review assessed the adequacy of Cyber Security controls that manage mobile devices and mobile applications and considered opportunities for improvement.

Oakton found that the Cyber Security controls in relation to mobile devices and mobile applications are generally sound.

(c) 2015-16 Transaction Analysis Review

Mr Tillman presented the Financial Compliance Review (Transaction Analysis) covering the 2015-16 financial year. The review assessed the adequacy of the existing Accounts Payable, Payroll, Purchasing Card and General Ledger control processes and practices by conducting Computer Assisted Audit Technique (CAAT) routines on data obtained from the Finance and Payroll systems. The purpose of the review was to identify and investigate any anomalies in data, records and transactions.

In summary, controls were in place within Accounts Payable, Payroll, Purchasing Card and General Ledger processes and are consistently applied.

Mr Gardner left the meeting at 9:40am.

Ms Hassakis and Mr Tillman left the meeting at 10:00am.

6. 2015-16 Year End

The audit committee noted the finalisation of 2015-16 year-end processes. The following items were noted and tabled:

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

7. 2016-17 VAGO Audit

Mr Chummar presented the Victorian Auditor-General's audit strategy for the year ending 30 June 2017. The strategy included the following main areas:

- Purpose and scope of strategy
- Scope of audit
- Relevant risks
- Planned audit testing of material components
- Materiality, audit adjustments and unadjusted differences
- Audit administration

8. Annual Report of the Audit Committee

The Audit Committee approved the Annual Report of the Audit Committee for consideration by Council.

9. Audit Committee Self-Assessment

The Audit Committee noted the self-assessment as tabled.

Ms McCullagh left the meeting at 10:15am and returned at 10:25am.

10. Internal Audit Self-Assessment

The Audit Committee noted the self-assessment as tabled.

11. Information Items

The Committee noted information items that were tabled.

12. Close of Meeting

The meeting concluded at 10:40am.

13. Next Meeting

The next Audit Committee meeting is scheduled for Friday, 17 February 2017.

14. Audit Committee Action Items

Item No.	Meeting Date Requested	Item	Responsibility	Proposed Completion Date
1	24 November 2016	Update on the Ombudsman's Report into the transparency of local government decision making.	Chief Executive Officer	February 2017
2	24 November 2016	Presentation of the Transformation Program.	Chief Executive Officer	February 2017
3	24 November 2016	Reports on IT and Digital Strategies.	Manager Information Services	February 2017
4	24 November 2016	Invite the Auditor-General to the August Audit Committee.	Director Corporate Services	May 2017
5	27 May 2016	Internal Audit Reports to be provided to the Executive Management Team going forward.	Director Corporate Services	Ongoing

15. Schedule of meeting dates for 2017

The Audit Committee is scheduled to meet on the following dates during 2017:

- 17 February 2017
- 26 May 2017
- 18 August 2017
- 24 November 2017

Assembly of Councillors

22 November 2016

Record under S 80 A (2)

Briefing commenced at 6.45PM.

A. Present

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

Rebecca McKenzie, CEO
Ron Torres
Samantha Krull
Peter Swabey
Aidan Mullen
Rachel Ollivier
Matthew Barbetta
Janice Pouw

Apologies

Cr Jim Magee
Cr Dan Sztrajt

B. Matters considered.

- (i) Presentation: New Melbourne Water Drain through Riley Park, Springthorpe Gardens and Boyd Park
- (ii) Presentation: Place Making
- (iii) Presentation: City Strategy and Place Making

8.41PM the meeting adjourned.

8.55PM the meeting resumed in the presence of:

Cr Delahunty, Mayor
Cr Athanasopoulos
Cr Davey
Cr Esakoff
Cr Hyams
Cr Silver
Cr Taylor

- (iv) Ormond Deck

Cr Taylor left the meeting room at 9.06pm and returned at 9.09pm.

- (v) Council papers for the 29 November 2016 Council Meeting comprising nine officer reports together with standing items on the Agenda.

- (a) Agenda Item 3 – Disclosure of Interest

- (b) Agenda Item 8 – Reports from Committees
 - Advisory Committees
 - Records of Assembly
- (c) Agenda Item 9.1 - VCAT Watch
- (d) Agenda Item 9.2 – Advocacy Options for VCAT
- (e) Agenda Item 9.3 – Ormond Station – Planning Scheme Amendment - Submission
- (f) Agenda Item 9.4 – Glen Eira Secondary College Pedestrian Signals
- (g) Agenda Item 9.5 – Lease 274 – 276 Glen Eira Road, Elsternwick
- (h) Agenda Item 9.6 – Road and Reserve Discontinuance – Road and Reserve Abutting 2 Furneaux Grove, East StKilda
- (i) Agenda Item 9.7 – Changes to Immunisation Policy
- (j) Agenda Item 9.8 – Financial Management Report for the Period ending 31 October 2016
- (k) Agenda Item 9.9 – Councillor Appointments to External Bodies
- (l) Agenda Item 11.1 – Requests for a report – Cr Davey – 40kmh zone Glen Huntly Village
- (m) Agenda Item 11.1 – Request for a report – Cr Silver – Traffic Management Caulfield Precinct, Melbourne Metro
- (n) Agenda Item 11.2 – Right of Reply
- (o) Agenda Item 11.4 – Public Questions to Council
- (p) Agenda Item 12.1 – Citizen of the Year Awards Advisory Committee
- (q) Agenda Item 12.2 – Tender Recommendation for Gas Management Infrastructure at Clayton Regional Landfill
- (vi) General Business raised by Councillors
 - (a) Cr Athanasopoulos – Parking signs changed Murrumbeena, LXRA vs construction workers - parking issues in the area
 - (b) Cr Athanasopoulos – Councillors invited to Traders Association Meeting
 - (c) Cr Esakoff – Guidelines / exceptions for second crossover on properties
 - (d) Cr Hyams – Planning conference cancellations
 - (e) Cr Hyams – Carols in the Park – timing of scheduled works at the park
 - (f) Cr Hyams – Planning Scheme Amendments - need to communicate in terms that are easily understood
 - (g) Cr Hyams – Increase in planning application fees – payment options
 - (h) Cr Silver – Public notice for South East Water works in Carrington Grove
 - (i) Cr Silver – Planning conference requirements, process

- (j) Cr Silver – Timing and process for Calvary Health Care Bethlehem item
- (k) Cr Taylor – Xmas decorations in shopping strips
- (l) Cr Taylor – Amendment C143, 88-100 McKinnon Rd McKinnon
- (m) Cr Delahunty – Update on footpath repairs Elsternwick
- (n) Cr Delahunty – Virginia Reserve – community drop-in sessions

Finished at 10.47PM

Assembly of Councillors
Councillor's Strategic Workshop
25 - 27 November 2016
Record under S 80 A (2)

Saturday 26 November 2016

Workshop commenced at 9AM.

A. Present

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

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

Apologies

Cr Dan Sztrajt
Cr Jim Magee

B. Matters considered.

1. Being a Councillor – Introduction and overview – Mayor and CEO - foundations for success
2. Understanding the Context – Community Planning and Financial Strategy
 - (a) Glen Eira Community Plan 2017 – 2021
 - (b) Financial Strategy and Management
3. Councillors – aspirations, interests and legacy
4. Working together – team protocols

Sunday 27 November 2016

Commenced at 8.40am

1. Understanding the opportunity
 - (a) Glen Eira Transforming Together (GETT)
 - (b) Glen Eira Planning Scheme Review Report 2016
 - (c) Planning Assets & Places
 - (d) Aged and Disability Reforms

2. Preparing for the Council Plan – Councillor strategic priorities
3. Decision making and influence – Councillor communication processes
4. Ensuring Success – Councillor support
5. Councillor Appointments to External Bodies

Finished at 12.40PM

9. PRESENTATION OF OFFICERS REPORTS

- 9.1 192 Hotham Street Elsternwick, Ripponlea Estate
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Procedural Motion

Cr Esakoff applied for an exemption from Council for item 9.1 under section 79B of the Local Government Act - Conflicting Personal Interest as she received a gift from a company, where one of the Directors is an objector to the application and owns an adjacent property. Cr Esakoff does not feel comfortable voting on the matter.

Moved: Cr Hyams**Seconded: Cr Athanasopoulos**

That Council grants Cr Esakoff an exemption for her application of the conflict of personal interest in item 9.1 - 192 Hotham Street Elsternwick.

CARRIED UNANIMOUSLY

ITEM 9.1 192 Hotham Street, Elsternwick (Rippon Lea Estate)**Author: Rocky Camera, Manager Town Planning****File No: GE/PP-29571/2016****Attachments: Advertised plans****PURPOSE AND SUMMARY**

To consider a Planning Permit application.



PROPOSAL	Buildings and works including a car park associated with a café
MUNICIPAL STRATEGIC STATEMENT	Non Residential Uses in Residential Zones Policy
APPLICANT	National Trust of Australia
PLANNING SCHEME CONTROLS	Neighbourhood Residential Zone Heritage Overlay
OBJECTIONS	28

RECOMMENDATION

That Council:

Issues a Notice of Decision to Grant a Planning Permit for Application No. GE/PP-29571/2016 for the construction of buildings and works including car parking associated with use of the land as a café and waiver of the associated loading bay requirement at 192 Hotham Street, Elsternwick in accordance with the conditions contained in the Conclusion section of this report.

BACKGROUND

- A planning permit was issued in 2010 allowing use of the existing gatehouse at the north-western corner of the Rippon Lea Estate as a 40 seat café (facing Hotham Street).
- A planning permit was issued in 1991 for a carpark in the north-east corner of the Rippon Lea Estate. This permit requires that access for commercial vehicles must only be from Willow Street (to the north).
- A planning permit was issued in 1990 for the use of the mansion and grounds for the purpose of a reception centre.
- A separate planning permit was issued in 1990 for the use of the land as a museum house and garden with ancillary visitor interpretation centre, kiosk and plant sales/nursery.

ISSUES AND DISCUSSION

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

Proposal

- The application proposes reconstruction of the conservatory building (previously located within Caulfield Park) within the Rippon Lea Estate for use as a café. A single storey extension to the building will be constructed to the eastern side.
- The café proposes a total of 158 seats (110 seats within the building and 48 seats outside).
- Proposed opening hours of the café are from 8am to 4pm daily.
- 47 car parking spaces are proposed on site.
- New vehicle access will be provided to the car park from Gordon Street.
- The development includes construction of pedestrian and vehicular gates, pathways and landscaping.
- The proposal also seeks to open up a section of the Estate's gardens (the Orchard) for free use by the community.

Objectors' concerns

- Increased vehicular and pedestrian traffic
- Reduced safety
- Traffic congestion
- Gordon Street access
- Noise
- Commercial use in residential area

- Hours of operation
- Number of seats

Referrals

Transport Planning

- The proposed café generates a car parking requirement of 8 spaces.
- A total of 47 car parking spaces are proposed on-site. This exceeds the State Government car parking guidelines.
- Changes are recommended to the car park design to improve the layout and functionality.

Asset Engineering

- The proposed vehicle crossover is to be constructed to Council's standards.

Parks Services

- The northern-most street tree adjacent to the proposed crossover may be removed and replaced.
- The street tree to the south of the proposed crossover will not be directly impacted by the proposed development provided tree protection measures are imposed.

Heritage Advisor

- The proposal is supported and a permit has been granted by Heritage Victoria.
- The proposal will not result in any negative impacts on the adjacent Elsternwick Heritage Area.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

N/A

POLICY AND LEGISLATIVE IMPLICATIONS

Zoning and policy context

State and Local planning policy broadly supports development of significant strategic resources, such as the Rippon Lea Estate, to ensure an ongoing benefit to the wider community. This will be provided by enhancing the visitor experience and increasing access to public open space, as well as allowing the National Trust of Australia greater opportunity to operate the site in a financially sustainable manner.

The site is located within the Neighbourhood Residential Zone and Council's Non Residential Uses in Residential Zones Policy is applicable. The proposal accords with the Policy which aims to ensure that non-residential uses are successfully integrated into residential areas with minimum impact and loss of residential amenity.

The café will be ancillary to the existing attractions of the Rippon Lea Estate which is a tourist landmark of State and National historical significance. The site has a frontage to a main road, (Hotham Street), it is well located within easy walking distance of public transport, and it adjoins the Elsternwick Urban Village to the south.

Council's Open Space Strategy identifies Elsternwick as having a shortage of open space and new open space within the suburb is encouraged. The application proposes to open the

Orchard area of the Estate to the public free of charge. This will assist to address the open space gap and will provide an ongoing benefit to the community. The proposal is consistent with the Open Space Strategy which seeks to improve the amount, distribution and quality of open space within the municipality.

Neighbourhood character

The building works involve the relocation of a conservatory from Caulfield Park. Historical records indicate that the conservatory was formerly located within the grounds of the Rippon Lea Estate, therefore a return to its provenance is considered to be appropriate in terms of neighbourhood character. The conservatory will be visible from Gordon Street yet the original appearance as a garden structure will be largely maintained and it is compatible with the various buildings which form part of the remaining Estate. The gables and pitched roof form of the building will also complement nearby residential dwellings.

A single storey extension to the conservatory will be constructed adjacent to the Gordon Street boundary to house the café services (including kitchen, cool room and bin storage). Materials including face brick and timber cladding are compatible with the neighbourhood and the existing buildings on site. This part of the building will be substantially concealed from the street given its height will match that of the existing hedge along the Gordon Street boundary.

The site is included in the Victorian Heritage Register and the State Government (Heritage Victoria) has issued a permit for the development. Further assessment of the proposal's heritage impacts cannot be made by Council in this instance.

Height, scale and massing

The conservatory structure will be located at the northern end of the Orchard adjacent to the Gordon Street boundary. It will have a maximum overall height of approximately 7.7 metres. The scale and height is not considered to be excessive in the context of the surrounding Estate.

Amenity impacts

The layout of the café will orient the primary areas of activity inwards to the Estate and away from the street. The building has been designed to minimise noise impacts on surrounding residential properties and patron noise will be appropriately limited. The café will be closed from 4pm daily. This closing time will ensure that the amenity of surrounding residents will not be affected by the proposed use in the evening. The proposed hours of the café are considered to be reasonable given the proximity to nearby residential properties.

It is noted that no alcohol is proposed to be served and no amplified music is proposed to be played in the café. An acoustic fence is already provided to the northern boundary and a 1 metre landscape buffer is proposed between the boundary and the car park. Therefore it is considered that there will be limited impacts to residential properties to the north. Additionally, there is no potential for overlooking, overshadowing, loss of daylight or visual bulk to surrounding residential properties from the proposed development.

Landscaping

No significant vegetation is required to be removed to facilitate the proposed works and additional landscaping will be provided as part of the development. The car park is provided with good landscape buffers to soften the visual impact to the streetscape and maintain the garden character of the neighbourhood.

Car Parking and Traffic

An existing unmade car park located within the north-eastern corner of the site will be constructed (concreted) and will provide 47 car parking spaces for use by café staff and patrons as well as visitors to the Estate. This exceeds the State Government car parking guidelines of 8 spaces for a café of this size. There is currently no car parking on site for the general public visiting the Estate, therefore the proposal is expected to reduce the demand for parking in the surrounding local streets.

Given the residential context, provision of a pedestrian site triangle to the northern side of the car park accessway on Gordon Street is considered necessary to improve safety for pedestrians on the footpath.

A previous planning permit allowed the use of the north-eastern corner of the Estate for a car park. The permit allowed commercial vehicles to access the Willow Street entrance (north of the site) which is wider than Gordon Street. It is appropriate to maintain this requirement so that delivery vehicles do not adversely impact traffic and parking congestion for residents in Gordon Street.

A loading bay is not considered to be necessary as there is adequate space within the proposed car park which is available for the unloading of small commercial vehicles associated with the café.

Council's traffic engineering assessment considered the traffic flow in the street, the potential traffic generated by the proposal and the pedestrian activity. It is considered that the proposal will not have an adverse effect on road user safety for the area.

COMMUNICATION AND ENGAGEMENT

1. Public Notice (Statutory)

- 35 properties notified
- 97 notices sent (owners and occupiers)
- 1 sign erected on site
- 28 objections received

2. Planning Conference (Non Statutory)

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

- Gordon Street access is inappropriate
- Increased vehicular and pedestrian traffic in Gordon Street
- Reduced safety
- Amenity impacts on neighbouring residents

Undertakings by the Applicant

N/A

LINK TO COUNCIL PLAN

Town Planning and Development: to manage the rate and extent of change to the built environment consistent with State and Local Planning Policies.

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 for construction of buildings and works including car parking associated with use of the land as a food and drink premises (café) and waiver of the associated loading bay requirement, with the following conditions:

Conditions:

1. Before the commencement of the development and use, 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 A02, A100, A10, A20, A21, A27 and A30, version 03 dated 01.09.16, prepared by Tandem Design Studio)) but modified to show:
 - (a) The car park to be constructed out of a fully trafficable surface (eg. asphalt or concrete);
 - (b) The disabled car parking spaces and shared area to each have a minimum width of 2.4 metres in accordance with Australian Standard AS2890.6;
 - (c) The car parking space in the north-western corner of the car park adjacent to the fence widened to a minimum width of 2.9 metres;
 - (d) Provision of a corner splay/pedestrian site triangle to the northern side of the Gordon Street vehicle accessway, measuring 2.5 metres along the property and 2 metres along the accessway.

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

2. The cafe must operate only between the hours of 8am to 4pm Monday to Sunday.
3. No amplified music is permitted within the café or outdoor seating area.
4. Commercial vehicles must enter and exit the site from Willow Street only.
5. The loading and unloading of goods from vehicles must only be carried out on the subject land and must be conducted in a manner which does not cause any interference with the circulation and parking of vehicles on the land.
6. A minimum of 47 car parking spaces are to be provided within the car park.
7. The areas set aside for car parking, shown on the endorsed plans, must be made available for use free of charge to employees and visitors at all times when the use is in operation.
8. Areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:

- (a) constructed;
- (b) properly formed to such levels that they can be used in accordance with the plans;
- (c) surfaced with an all-weather sealcoat;
- (d) drained;
- (e) line-marked to indicate each car space and all access lanes;

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.

9. The vehicular crossing must be constructed to the road to suit the proposed accessway to the satisfaction of the Responsible Authority.
10. Prior to the commencement of the development, a fee of \$768.16 must be paid to the Responsible Authority for the removal and replacement of the existing street tree to the north of the proposed vehicle crossover. The street tree will be replaced with the species, maturity and location of which will be selected by Council's Parks Services Department.
11. Prior to the commencement of the buildings and works (including demolition), a tree protection fence must be erected around the street tree to the south of the proposed vehicle crossover at a radius of 5.4 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.
12. 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.

13. No excavation is to come within 3.5 metres of the existing street tree to the south (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.

14. The amenity of the area must not be adversely affected by the use or development as a result of the:

- (a) transport of materials, goods or commodities to or from the land; and/or
- (b) appearance of any building, works, stored goods or materials; and/or
- (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;

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

15. 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.
16. 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.
17. Adequate provision must be made for the storage and collection of garbage, bottles and other solid wastes in bins or receptacles, to the satisfaction of the Responsible Authority.

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

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

18. 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.

19. This Permit will expire if:

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

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

- B. This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Glen Eira City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this Planning Permit.
- C. 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.
- D. Nothing in the grant of this permit should be construed as granting any permission other than planning permission for the purpose described. It is the duty of the permit holder to acquaint themselves, and comply, with all other relevant legal obligations (including any obligation in relation to restrictive covenants and easements affecting the site) and to obtain other required permits, consents or approvals.
- E. Prior to the commencement of any building works an Asset Protection Permit must be obtained from Council’s Engineering Services department.
- F. A Vehicle Crossing Permit must be obtained from Council’s Engineering Services department.

Moved: Cr Hyams**Seconded: Cr Athanasopoulos**

That Council issues a Notice of Decision to Grant a Planning Permit for Application No. GE/PP-29571/2016 for the construction of buildings and works including car parking associated with use of the land as a cafe and waiver of the associated loading bay requirement at 192 Hotham Street, Elsternwick in accordance with the conditions contained in the Conclusion section of this report with the inclusion of conditions 1(e) and 1(f).

- 1(e) Permanent signs must be erected in prominent positions in the car park and on the wall of the food and drink premise directing visitors to the public open space areas to the satisfaction of the Responsible Authority.
- 1(f) The provision of a new road hump to be installed at the driveway to the car park, set back a minimum of 3.0 metres from the eastern property boundary. Corner splays, measuring 1m along the property line by 1.5m along the accessway edges must also be provided on both sides of the accessway to the satisfaction of the Responsible Authority. The splays need to be dimensioned, located wholly within the site boundaries, and annotated on the plans to state that these areas must be at least 50% clear of any objects or vegetation greater than 600mm in height.

Moved: Cr Delahunty**Seconded: Cr Hyams**

That Council grants Cr Silver a 3 minute extension of speaking time at 8.08pm.

CARRIED UNANIMOUSLY

The Motion moved by Cr Hyams and seconded by Cr Athanasopoulos was PUT and a **DIVISION** was called:

DIVISION: **FOR:** Crs Athanasopoulos, Hyams, Delahunty and Taylor (4)
 AGAINST: Cr Silver (1)

CARRIED

Cr Esakoff entered the Chamber at 8.23pm and was not present when the vote was taken on this matter.



LEGEND

1. Location of new greenhouse
2. Extension for services
3. Bins & Cold Store
4. New outdoor seating area
5. Existing hedge extended
6. New Carparking (47 parks)
7. New gate installed
8. New carparking entry / exit

Proposed Aerial View
1:500



TOWN PLANNING APPLICATION

CHECK ALL DIMENSIONS AND SITE CONDITIONS PRIOR TO THE COMMENCEMENT OF ANY WORK. THE PURCHASE OR ORDERING OF ANY MATERIALS, FITTINGS, PLANT, SERVICES OR EQUIPMENT, THE PREPARATION OF SHOP DRAWINGS AND/OR THE FABRICATION OF ANY COMPONENTS.

DO NOT SCALE DRAWINGS - REFER TO FIGURED DIMENSIONS ONLY.

ANY DISCREPANCIES SHALL IMMEDIATELY BE REFERRED TO TANDEM.

01	19.12.14	Preliminary Town Planning Issue
02	02.02.15	Town Planning Issue for client review
03	01.09.16	Response to Council RFI

TANDEM
DESIGN STUDIO
www.tandem-studio.net

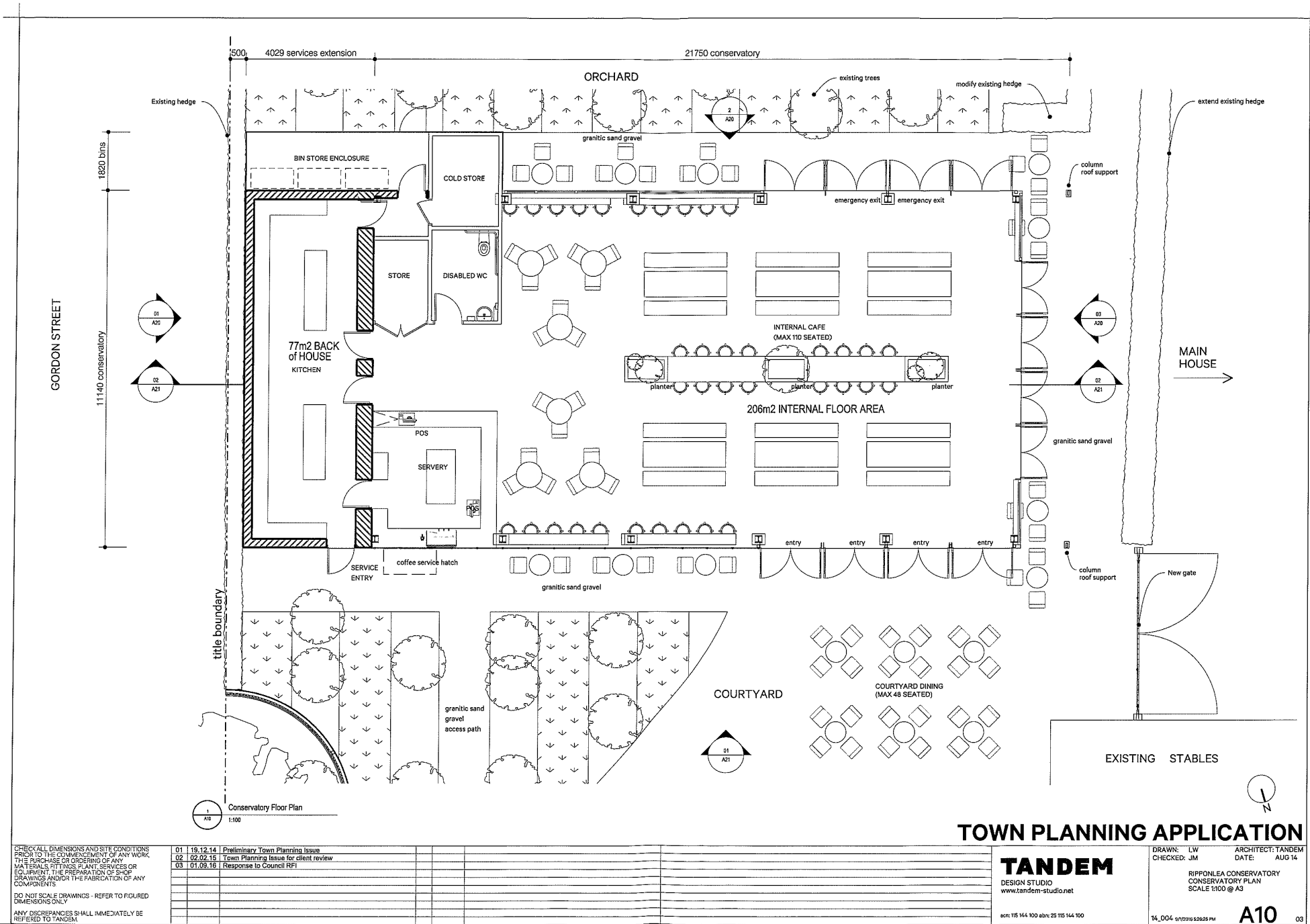
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ARCHITECT: TANDEM
DATE: AUG 14

RIPPONLEA CONSERVATORY
PROPOSED AERIAL VIEW
SCALE 1500 @ A3

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A02 03



TOWN PLANNING APPLICATION

TANDEM

DESIGN STUDIO
www.tandem-studio.net

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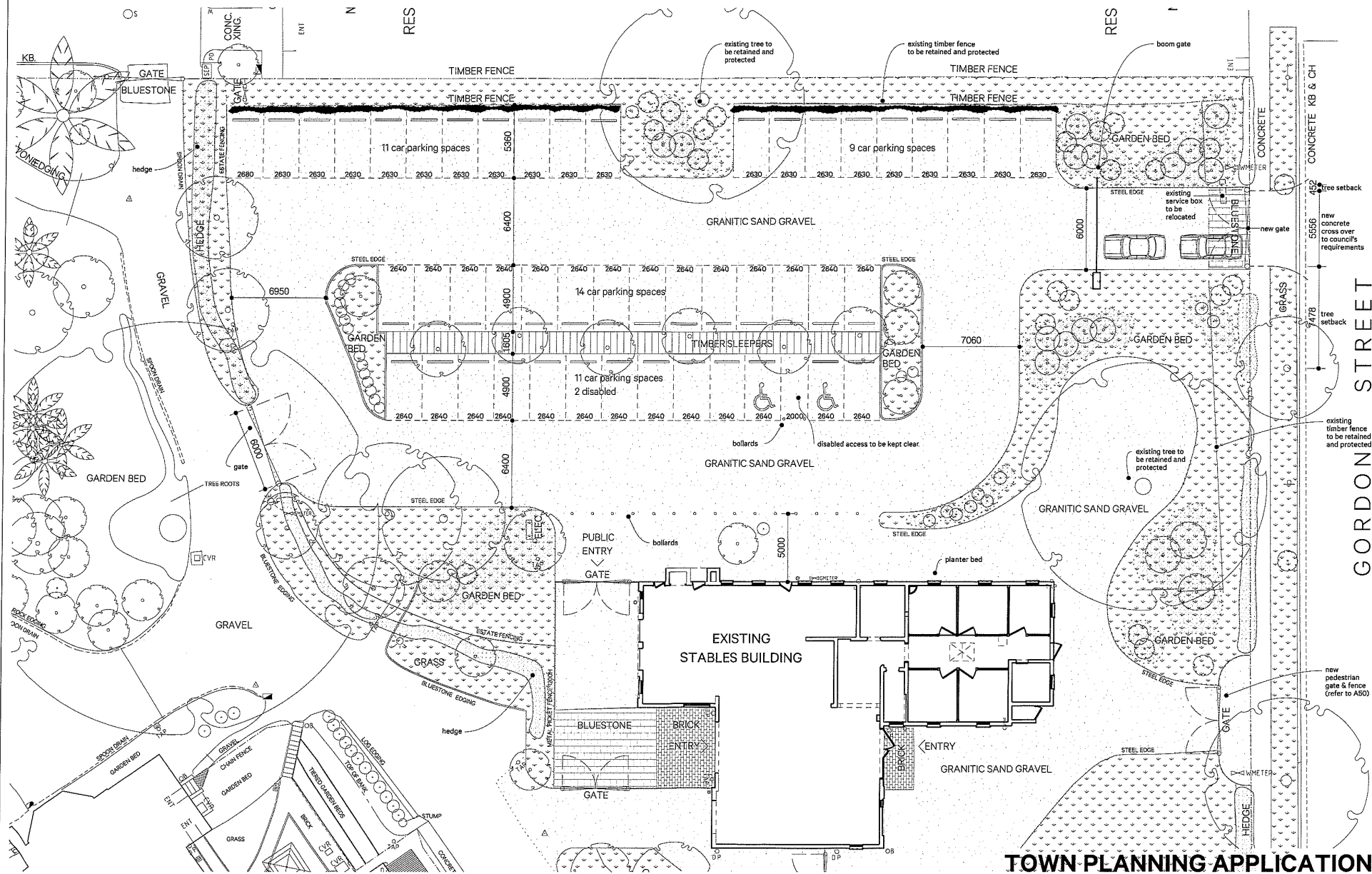
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ARCHITECT: TANDEM
DATE: AUG 14

RIPONLEA CONSERVATORY
CONSERVATORY PLAN
SCALE 1:100 @ A3

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A10

03



CHECK ALL DIMENSIONS AND SITE CONDITIONS PRIOR TO THE COMMENCEMENT OF ANY WORK. THE PURCHASE OR ORDERING OF ANY MATERIALS, FITTINGS, PLANT, SERVICES OR EQUIPMENT, THE PREPARATION OF SHOP DRAWINGS AND/OR THE FABRICATION OF ANY COMPONENTS.

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- 01 JAN 2015 Preliminary Town Planning Issue
- 02 02.02.15 Town Planning Issue for client review
- 03 01.09.16 Response to Council RFI

TOWN-PLANNING APPLICATION

TANDEM
DESIGN STUDIO
www.tandem-studio.net

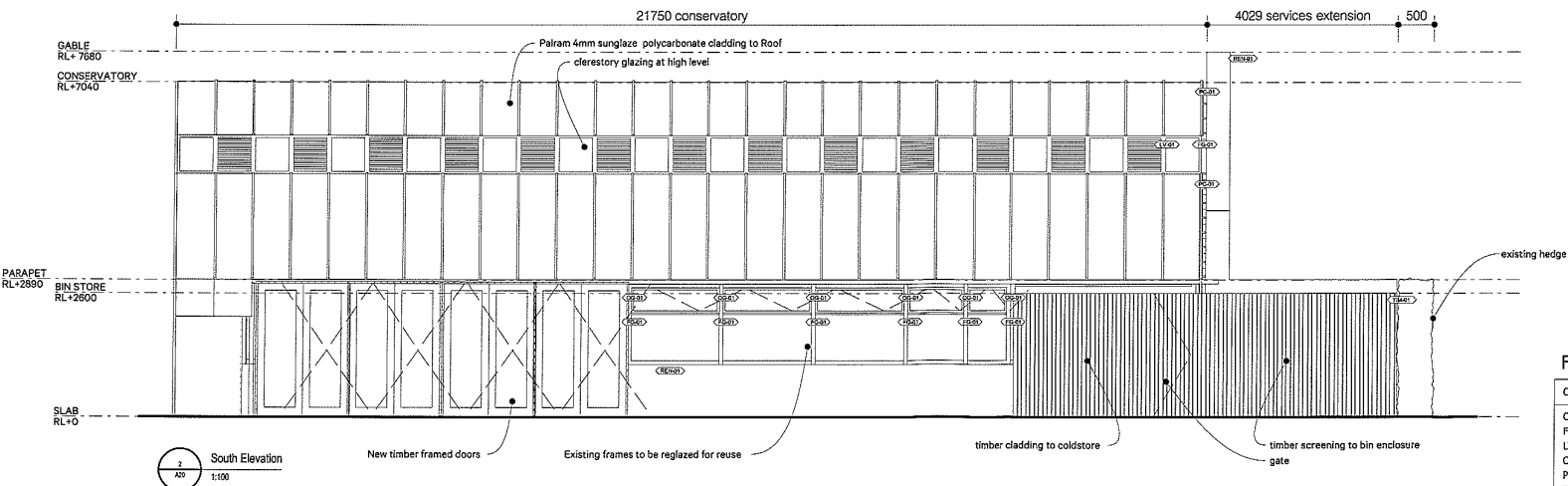
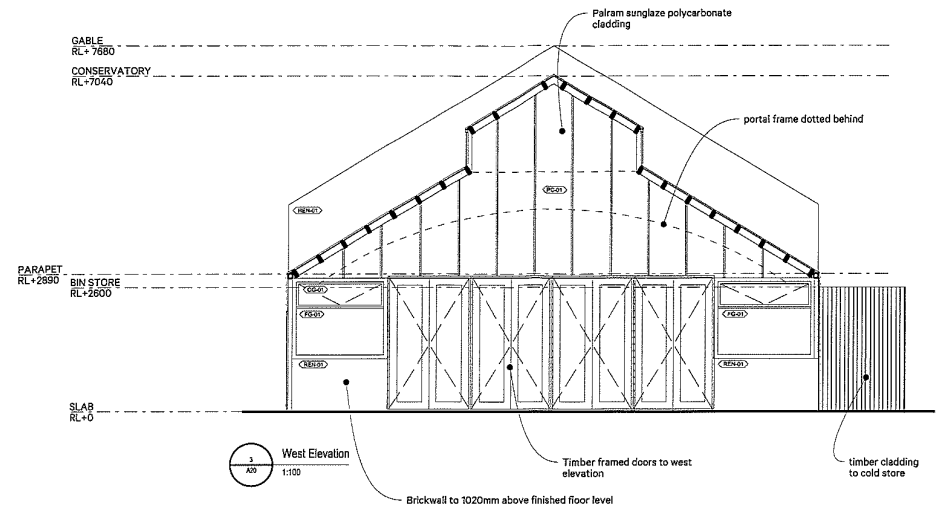
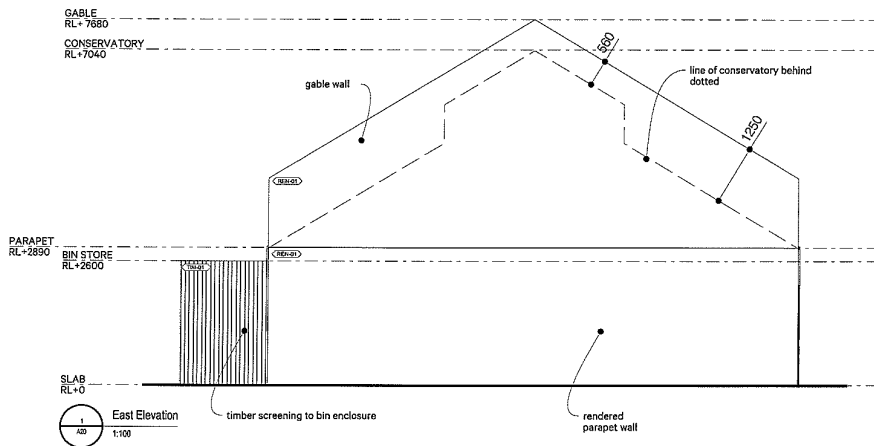
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ARCHITECT: TANDEM
DATE: AUG 14

RIPPONLEA CONSERVATORY
CAR PARK PLAN
SCALE 1:250 @ A3

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A100 03



FINISHES LEGEND

CODE	DESCRIPTION
CONC-01	CONCRETE SLAB - POLISHED FINISH
FG-01	FIXED GLAZING
LV-01	GLAZED OPERABLE LOUVRES
OG-01	OPERABLE GLAZING
PC-01	PALRAM SUNGLAZE POLYCARBONATE CLADDING
TIM-01	TIMBER CLADDING
REN-01	RENDERED MASONRY WALL

TOWN PLANNING APPLICATION

CHECK ALL DIMENSIONS AND SITE CONDITIONS PRIOR TO THE COMMENCEMENT OF ANY WORK. THE PURCHASE OR ORDERING OF ANY MATERIALS, FITTINGS, PLANT, SERVICES OR EQUIPMENT, THE PREPARATION OF SHOP DRAWINGS AND/OR THE FABRICATION OF ANY COMPONENTS.

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01 19.12.14 Preliminary Town Planning Issue
02 02.02.15 Town Planning Issue for client review
03 01.09.16 Response to Council RFI

TANDEM

DESIGN STUDIO
www.tandem-studio.net

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DRAWN: LW
CHECKED: JM
ARCHITECT: TANDEM
DATE: AUG 14

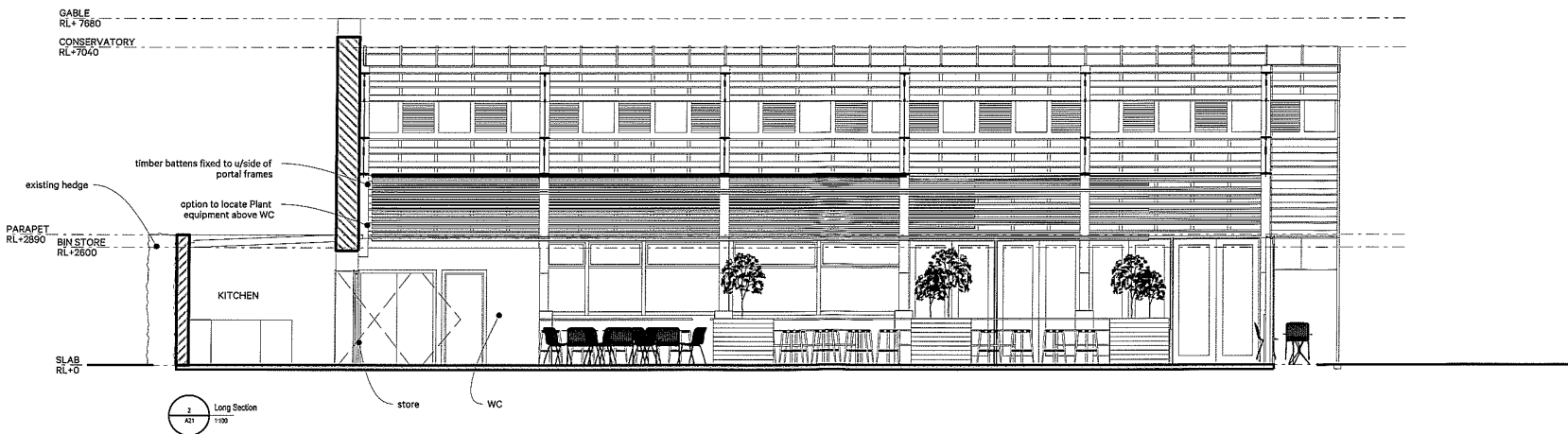
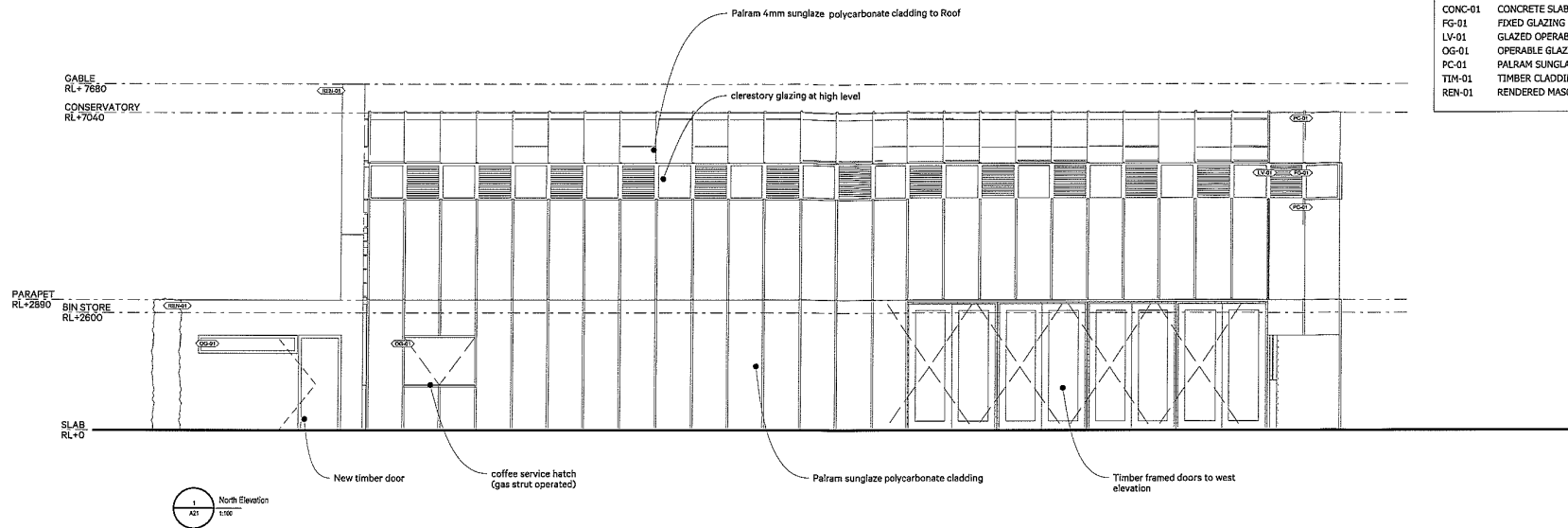
RIPPONLEA CONSERVATORY
PROPOSED ELEVATIONS
SCALE 1:200 @ A3

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A20 03

FINISHES LEGEND

CODE	DESCRIPTION
CONC-01	CONCRETE SLAB - POLISHED FINISH
FG-01	FIXED GLAZING
LV-01	GLAZED OPERABLE LOUVRES
OG-01	OPERABLE GLAZING
PC-01	PALRAM SUNGLAZE POLYCARBONATE CLADDING
TIM-01	TIMBER CLADDING
REN-01	RENDERED MASONRY WALL



TOWN PLANNING APPLICATION

CHECK ALL DIMENSIONS AND SITE CONDITIONS PRIOR TO THE COMMENCEMENT OF ANY WORK. THE PURCHASE OR ORDERING OF ANY MATERIALS, FITTINGS, PLANT, SERVICES OR EQUIPMENT, THE PREPARATION OF SHOP DRAWINGS AND/OR THE FABRICATION OF ANY COMPONENTS.

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01 19.12.14 Preliminary Town Planning Issue
02 02.02.15 Town Planning Issue for client review
03 01.09.16 Response to Council RFI

TANDEM
DESIGN STUDIO

www.tandem-studio.net
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DATE: AUG 14

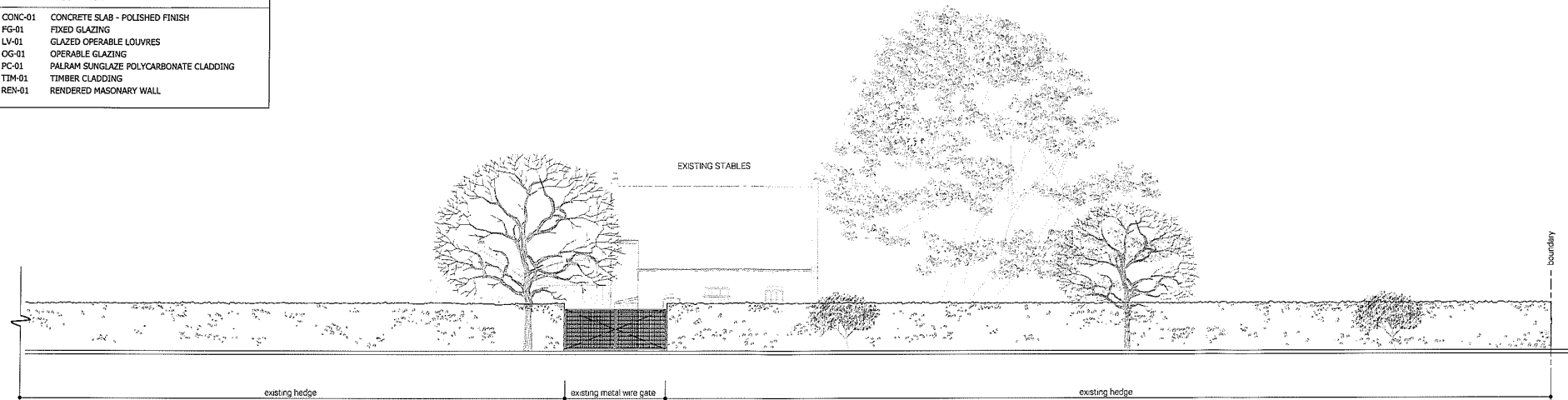
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PROPOSED ELEVATIONS
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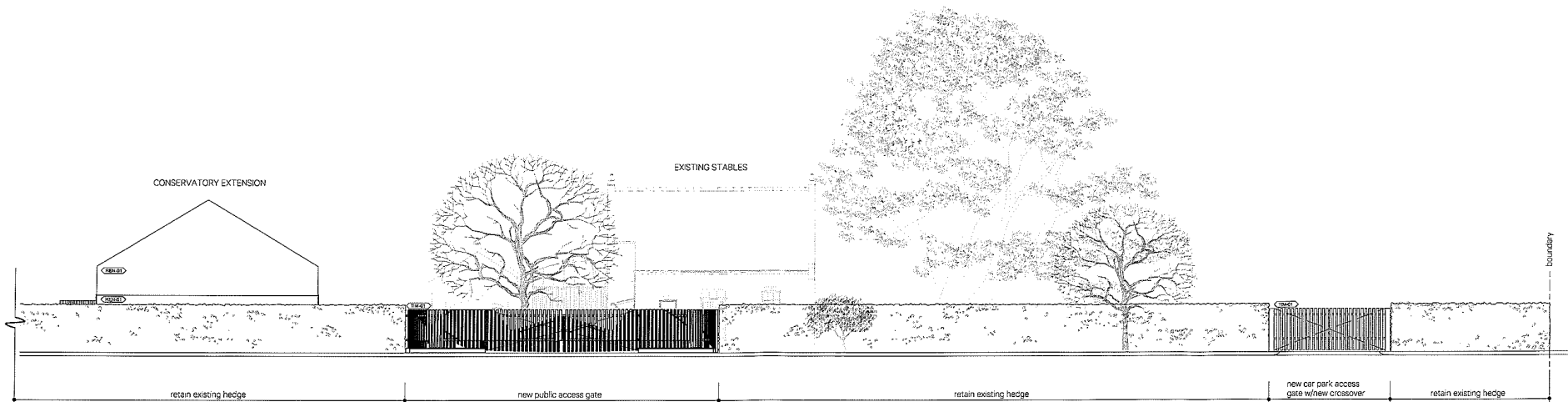
A21 03

FINISHES LEGEND

CODE	DESCRIPTION
CONC-01	CONCRETE SLAB - POLISHED FINISH
FG-01	FIXED GLAZING
LV-01	GLAZED OPERABLE LOUVRES
OG-01	OPERABLE GLAZING
PC-01	PALRAM SUNGLAZE POLYCARBONATE CLADDING
TJM-01	TIMBER CLADDING
REN-01	RENDERED MASONARY WALL



2
A20
Existing Gordon Street Elevation
1:200



1
A20
Proposed Gordon St Elevation
1:200

CHECK ALL DIMENSIONS AND SITE CONDITIONS PRIOR TO THE COMMENCEMENT OF ANY WORK. THE PURCHASE OR ORDERING OF ANY MATERIALS, FITTINGS, PLANT, SERVICES OR EQUIPMENT, THE PREPARATION OF SHOP DRAWINGS AND/OR THE FABRICATION OF ANY COMPONENTS.

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01	19.12.14	Preliminary Town Planning Issue
02	02.02.15	Town Planning Issue for client review
03	01.09.16	Response to Council RFI

TOWN PLANNING APPLICATION

TANDEM

DESIGN STUDIO
www.tandem-studio.net

son: 115 144 100 abn: 25 115 144 100

DRAWN: LW
CHECKED: JM
ARCHITECT: TANDEM
DATE: AUG 14

RIPONLEA CONSERVATORY
STREET ELEVATION
SCALE 1:200 @ A3

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A27

03

ITEM 9.2 VCAT WATCH

Author: Rocky Camera - Manager Town Planning

File No: N/A

Attachments: Table of new appeals lodged

PURPOSE AND SUMMARY

To report to Council recent VCAT decisions.

RECOMMENDATION

That Council notes:

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

BACKGROUND

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

ISSUES AND DISCUSSION

ADDRESS	305 KOORYONG ROAD, ELSTERNWICK
PROPOSAL	TO INCREASE THE PERMITTED OPERATING HOURS
APPROVED PERMIT PREAMBLE	CONSTRUCTION OF A TWO STOREY BUILDING FOR THE PURPOSES OF A MEDICAL CENTRE
COUNCIL DECISION	NOTICE OF DECISION TO GRANT AMENDED PLANNING PERMIT TO ALLOW AN INCREASE TO THE PERMITTED OPERATING HOURS TO 8AM – 6:30PM MONDAY TO FRIDAY WITH REDUCED PRACTITIONER/STAFF NUMBERS BETWEEN 6PM AND 6:30PM
PROPOSAL CONSIDERED BY VCAT	THE PROPOSAL WAS NOT AMENDED PRIOR TO THE VCAT HEARING
VCAT DECISION	VARY COUNCIL'S DECISION TO DELETE CONDITION 16 – APPOINTMENTS NOW DO NOT HAVE TO BE BY APPOINTMENT ONLY
APPELLANT	305 KOORYONG ROAD PTY LTD



“Similar to Council, I find extending the hours to 8pm inappropriate, as it would extend the centre’s activities into the evening and increase adverse impact such as activities in the building after business hours, light spill from windows located close to common boundaries and the secluded private open space of adjoining dwellings, and prolonging car parking activities later in the evening, which relies on a laneway accessed from a residential street. These are consequences not desirable from a residential amenity point of view.

In essence, the proposal to extend to 8pm has no policy support and is likely to further reduce the residential amenity of the adjoining and nearby dwellings. On this basis, I support Council’s refusal to extend the hours to 8pm but to allow an extension to 6:30pm as recommended in clause 22.02-5.” VCAT Member – Christina Fong

- The subject site is located within the Neighbourhood Residential Zone, directly to the north of the Glen Hunly Road shopping strip.
- The application proposed extending the operating hours of the medical centre from 8am to 6pm Monday to Friday and 8am to 1pm Saturday; to 8am to **8pm** Monday to Friday and 8am to 1pm Saturday.
- The application was approved by Council resolution, but with the following changes: the hours of operation limited to 8am to **6:30pm** Monday to Friday; only allowing one practitioner and two staff on the premises between 6pm and 6:30pm; and limiting the use of the medical centre to the ground floor and appointment only between 6pm and 6:30pm.
- In determining the application, the Tribunal held that the key issue was whether the proposed extended hours to 8pm on weekdays was an appropriate response to the residential amenity of the area and Council’ Non Residential Uses in Residential Zones Policy.

- The Tribunal noted that the Non Residential Uses in Residential Zones Policy states that a medical centre should cease operation by 6:30pm on weekdays. However, the policy also states that this closing time may be extended *depending on the location of the proposed use and its proximity to sensitive residential areas*.
- The Tribunal held that an extension of hours to 8pm would not satisfy the policy in terms of amenity impact on adjoining residential properties to the north and west side.
- On this basis the Tribunal affirmed Council's decision with the sole variation to delete Condition 16, which required patients attending between 6 and 6:30pm to be by appointment only.

ADDRESS	44 SEYMOUR ROAD, ELSTERNWICK
PROPOSAL	ALTERATIONS AND ADDITIONS TO THE EXISTING DWELLING AND THE CONSTRUCTION OF A NEW DOUBLE STOREY DWELLING TO THE REAR
COUNCIL DECISION	REFUSAL (MANAGER)
PROPOSAL CONSIDERED BY VCAT	<p>THE PROPOSAL WAS AMENDED BY THE APPLICANT PRIOR TO THE VCAT HEARING BY THE SUBSTITUTION OF DIFFERENT PLANS TO THAT ORIGINALLY CONSIDERED BY COUNCIL.</p> <p>THE KEY CHANGES TO THE PROPOSAL WERE AS FOLLOWS:</p> <ul style="list-style-type: none"> • FRONT FENCE HEIGHT REDUCED FROM 2.3 TO 1.8 METRES. • ALTERATIONS TO FLOOR PLANS TO INCLUDE GREATER EASTERN AND SOUTHERN BOUNDARY SETBACKS. <p>THE CHANGES WERE CONSIDERED AN IMPROVEMENT HOWEVER DID NOT ADDRESS THE OFFICER'S ORIGINAL CONCERNS WITH THE PROPOSAL</p>
VCAT DECISION	PERMIT
APPELLANT	E & A ZOHAR AND M & S KLEID



“Built form in the backyard in the immediate area is not new. The development at 46 Seymour Road to the east is comprised of three pairs of double storey dwellings down the lot. Development diagonally to the south east are unit developments in the backyards of 63 and 65 Allison Road.” VCAT Member – Christina Fong

- The subject site is located within the Neighbourhood Residential Zone in Elsternwick.
- The application was refused on grounds relating to neighbourhood character, the double storey element at the rear of the site, unreasonable visual bulk impacts and non-compliance with the State Government car parking guidelines.
- The Tribunal held that the retention of the existing Victorian dwelling at the front of the site enables the retention of the current built form in the Seymour Road streetscape. The Tribunal was satisfied that the proposed unroofed carport structure (which extended forward of the existing dwelling) would not unreasonably detract from the neighbourhood character.
- The Tribunal held that the two storey element of the rear dwelling was acceptable, due to the side and rear setbacks being sufficient to ensure no unreasonable visual bulk impacts onto adjoining private open space areas.

- The Tribunal was satisfied with the proposed car parking and access, subject to some conditional requirements. It is noted that the existing dwelling was not required to provide for one under cover car space as required by the State Government car parking guidelines.
- On the above basis the Tribunal set aside Council's decision to refuse the application and directed that a permit issue.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

N/A

POLICY AND LEGISLATIVE IMPLICATIONS

N/A

COMMUNICATION AND ENGAGEMENT

N/A

LINK TO COUNCIL PLAN

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

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

N/A

Moved: Cr Hyams

Seconded: Cr Athanasopoulos

That Council notes:

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

CARRIED UNANIMOUSLY

ATTACHMENT: TABLE OF NEW APPEALS LODGED

COMPULSORY CONFERENCE (MEDIATION)	FULL HEARING	PROPERTY	PROPOSAL	ZONE	COUNCIL DECISION	APPEAL AGAINST
(Held on 20 September 2016)	Commencing 18 October 2016.	31 Station Street, Caulfield East (Caulfield Village)	Stages 4, 5 & 6 of the Residential Precinct and Mixed Use Precinct Construction of 397 dwellings, shops and a restaurant with basement car parking	Priority Development Zone	Refusal (Manager)	Refusal (Applicant)
	10 March 2017	19A Fosbery Avenue, Caulfield North	Construction of two dwellings within a double storey building.	Neighbourhood Residential Zone	Permit (Manager)	Conditions (Applicant)
24 February 2017	10 April 2017	37-39 Nicholson Street, Bentleigh	Construction of a four storey building comprising 26 dwellings	Residential Growth Zone	Refusal (Manager)	Refusal (Applicant)
23 February 2017	12 April 2017	23-25 Rothschild Street, Glen Huntly	Construction of a three storey building comprising 23 dwellings	General Residential Zone	Refusal (Resolution)	Refusal (Applicant)
8 March 2017	18 April 2017	285-287 Neerim Road, Carnegie	Construction of a seven-storey mixed use building comprising 60 dwellings, two offices and a food and drink premises	Mixed Use Zone	Refusal (Resolution)	Refusal (Applicant)
	18 April 2017	11 Anzac Street, Carnegie	Removal of Covenant.	General Residential Zone	Refusal (Manager)	Refusal (Applicant)
	20 April 2017	16 Banksia Street, Bentleigh East	Construction of two double storey attached dwellings	Neighbourhood Residential Zone	Notice of Decision (Delegated Planning Committee)	Conditions (Applicant)

	24 April 2017	18 Molden Street, Bentleigh East	Construction of two double storey attached dwellings	Neighbourhood Residential Zone	Refusal (Manager)	Refusal (Applicant)
	24 April 2017	146-148 East Boundary Road , Bentleigh East	Construction of a four storey building comprising 36 dwellings	Mixed Use Zone	Refusal (Resolution)	Refusal (Applicant)
27 February 2017	26 April 2017	8 Egan Street, Carnegie	Construction of a 16 storey mixed use building comprising 135 dwellings and a retail premises	Commercial 1 Zone	Refusal (Resolution)	Refusal (Applicant)
20 March 2017	1 May 2017	82-84 Mitchell Street, Bentleigh	Construction of four storey building comprising 26 dwellings	Residential Growth Zone	Refusal (Manager)	Refusal (Applicant)
	5 May 2017	6 Hutchinson Street, Bentleigh	Construction of two double storey attached dwellings	Neighbourhood Residential Zone	Permit (Delegated Planning Committee)	Conditions (Applicant)
	22 May 2017	39 Belsize Avenue, Carnegie	Construction of two double storey attached dwellings	Neighbourhood Residential Zone	Refusal (Manager)	Refusal (Applicant)
	29 May 2017	243 Booran Road, Caulfield South	Construction of two double storey dwellings	Neighbourhood Residential Zone	Refusal (Manager)	Refusal (Applicant)
	1 June 2017	3 Ardyne Street, Murrumbeena	Construction of a three storey building comprising 13 dwellings	General Residential Zone	Refusal (Manager)	Refusal (Applicant)
	20 June 2017	5 Arthur Street, Caulfield North	Partial demolition, alterations and additions to the existing dwelling	Neighbourhood Residential Zone	Refusal (Delegated Planning Committee)	Refusal (Applicant)

ITEM 9.3 45 Orrong Road, Elsternwick**Author: Rocky Camera, Manager Town Planning****File No: GE/PP-29636/2016****Attachments: Advertised plans****PURPOSE AND SUMMARY**

To consider a Planning Permit application.



PROPOSAL	Four storey building comprising 13 dwellings above basement car parking
MUNICIPAL STRATEGIC STATEMENT	Urban Villages Policy (Elsternwick Urban Village)
APPLICANT	Mecone Town Planning Pty Ltd
PLANNING SCHEME CONTROLS	Residential Growth Zone Heritage Overlay
OBJECTIONS	10

RECOMMENDATION

That Council:

Issues a Notice of Decision to Grant a Planning Permit a Planning Permit for Application No. GE/PP-29636/2016 for the demolition of the existing dwelling, construction of a four storey building comprising 13 dwellings and a basement on land affected by a Heritage Overlay at 45 Orrong Road, Elsternwick in accordance with the conditions contained in the Conclusion section of this report.

BACKGROUND

In 2015 an application was lodged which sought approval for a four storey building comprising 26 dwellings and the reduction of the visitor car parking requirement. It was refused under Manager delegation. This refusal was largely based on the scale and bulk of the building being too excessive and non compliance with 12 of the State Government development guidelines (including neighbourhood character, inadequate front, side and rear setbacks and inadequate visitor car parking).

This decision was appealed to the Victorian Civil and Administrative Tribunal where the decision was subsequently upheld. There were 104 neighbours that lodged an objection to VCAT.

In its Order, VCAT made a number of suggestions in relation to what it considered would be an acceptable built form. These suggestions largely related to reducing the extent of the top level of the building. Within the VCAT ruling, the following comments were made:

"In our assessment, a three-storey building with a smaller fourth level would achieve an acceptable balance between the strategic vision to increase residential densities in this precinct; the policy expectation of lower scale development on the south side of Stanley Street when compared to the north side; and the need to provide a built form outcome that displays a suitable acknowledgement of its surrounds whose future is regulated by the overlay controls. If a fourth level were to be included, it would need to be significantly smaller than what is proposed."

ISSUES AND DISCUSSION

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

Proposal

The application seeks permission for the construction of a four storey residential building above basement car park, containing 13 dwellings (9 x 3 bedroom, 3 x 2 bedroom, 1 x 1 bedroom).

A total of 24 car parking spaces are proposed to be provided within the basement. Out of these car spaces, 23 are allocated to residents and one for a visitor.

Objectors' concerns

- Building Design/ Neighbourhood Character
- Scale/height of building
- Overshadowing
- Overlooking/Privacy
- Parking provision
- Traffic impacts
- Oversupply of apartments in the area.

Referrals*Transport Planning*

- Requires one extra visitor space to be provided
- Requires modifications to basement design into order to comply with the State Government car parking guidelines.

Landscape Officer

- No objections, subject to conditions

Asset Engineering

- No objections

Parks Services

- Tree protection conditions required.

Heritage Advisor

- No objection to demolition of heritage building
- Concerns in relation to the impact of the building upon neighbourhood character

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

N/A

POLICY AND LEGISLATIVE IMPLICATIONSZoning and policy context

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

The subject land is located within the Residential Growth Zone. A car park abuts the land to the north (opposite Stanley Street). To the west and south are residential properties located within of Residential Growth Zone. Properties to the east (opposite Orrong Road) are located in the General Residential Zone. The site has a mandatory maximum height limit of 13.5 metres.

The site is also located within the Heritage Overlay, and directly abuts an area to the west subject to a Design & Development Overlay and Neighbourhood Character Overlay.

The Urban Villages Policy seeks the following:

- *To ensure development respects the amenity of the surrounding area and provides a transition to surrounding residential uses*
- *To protect and enhance the heritage, streetscape and pedestrian environment.*

It is considered that the proposal complies with the Urban Villages Policy. The density, mass and scale of the development is considered appropriate for this location. The proposed maximum height of 12.32m complies with the mandatory maximum height allowed under the Residential Growth Zone and is therefore considered acceptable.

Neighbourhood character

It is recognised that neighbourhood character will be subject to some change over time given the site's location within the Elsternwick Urban Village (and within the Residential Growth Zone). However this change must be balanced with the objectives of the heritage overlay which applies to this location.

It is considered that the proposal has been refined in order to appropriately respond to the heritage context. This has been achieved by increased setbacks to both Stanley Street and Orrong Road (along the ground, first and second levels) and a significant reduction in the overall size of the top level. These changes have helped to reduce to the overall prominence of the building onto both streetscapes. The changes are considered to strike an appropriate balance against the competing objectives of the heritage overlay and the Residential Growth Zone.

The layout and design of the building, as it presents to Stanley Street and Orrong Road incorporates staggered setbacks, and a variety of materials and colours that is considered to be adequately respectful of the existing character. Whilst again noting modern form, the facades are considered to provide sufficient visual interest and quality materials, colours and finishes to represent a positive contribution to the wider neighbourhood.

Height, scale and massing

It is noted that the proposal has been reduced in scale from that previously refused. The setbacks at upper floor levels, most notably the fourth floor, have been significantly increased to reduce the visual prominence of the building, and to aid integration with the wider built environment. It is considered that the scale is now appropriate within this strategic location where increased densities and changes in residential character are supported by the relevant State and Local Planning Policies and by the Residential Growth Zone itself.

The proposed setbacks to Orrong Road do not comply with State Government guidelines. A minimum setback of 9 metres is required. The proposed setbacks to Orrong Road range from 8.325 metres (along the northern part of the building) to 10.25 metres (along the southern part of the building). The proposed setbacks are considered to be acceptable as they provide for an appropriate level of transition from the northern side (which abuts Stanley Street) to the south (which abuts the property at 43 Orrong Road).

The State Government guidelines require the setbacks to Stanley Street to be a minimum of 3 metres. The proposal meets the minimum setback requirements to Stanley Street.

Amenity impacts

Overlooking, overshadowing and daylight to habitable room windows on adjoining properties all comply with the State Government guidelines.

The terrace areas for dwellings 2.01 and 2.03 at the second level are considered to be excessive. In order to reduce the overall prominence of the terrace areas onto the adjoining property to the west (3 Stanley Street) a condition is recommended to increase the setback of the terraces to a minimum of 6 metres from the western boundary.

Internal amenity

The habitable rooms of the dwellings will have good access to daylight. Whilst there are a number of light corridors to bedroom windows, these are located on the northern side of the building, and are not considered to result in a detrimental impact upon amenity.

Adequate areas of private open space are provided in a combination of ground floor courtyards, and upper floor balconies which are all shown which either comply with or exceed State Government guidelines.

Landscaping

Appropriate landscaping can be accommodated in the Stanley Street and Orrong Road setbacks that will contribute to the future amenity of the streetscape. The proposal is also capable of accommodating landscaping along the southern and western boundaries. The recommendation includes a condition requiring the submission of a detailed landscape plan.

Car Parking and Traffic

The State Government parking guidelines require 23 on-site resident car spaces based on 1 car space for each 1 or 2 bedroom dwelling and 2 car spaces for each 3 or more bedroom dwelling. The required 23 car spaces are provided in the basement.

The guidelines also require 2 on-site visitor car spaces based on 1 car space for every 5 dwellings. A total of 1 visitor car space is provided in the basement, representing a shortfall of 1 car space. A recommended condition of approval requires the provision of 1 additional visitor car space to be accommodation within the development in order achieve full compliance with the State Government guidelines. It is considered that this can be accommodated within the basement, although some minor redesign may be required. Conditions are also recommended required additional details and notations to be shown on the plans. A note will be included making future residents ineligible to obtain resident and visitor parking permits.

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

Council's Transport Planning Department has advised that the increase in traffic generated by the proposal is unlikely to have a significant adverse impact on the operation of the surrounding road network.

Management Plan Requirements

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

COMMUNICATION AND ENGAGEMENTPublic Notice (Statutory)

- 19 properties notified
- 24 notices sent (owners and occupiers)
- 2 signs erected on site
- 10 objections received

Planning Conference (Non Statutory)

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

- Height of the development
- Impacts upon the heritage character
- Scale and bulk impacts
- Traffic impacts
- Lack of transition

LINK TO COUNCIL PLAN

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

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 with the following conditions:

1. Before the commencement of the development, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application, identified as Drawing No's. TP-100-A, TP-101-A, TP-102-A, TP-103-A, TP-104-A, TP-110-A, TP-111-A, TP-400-A, TP-401-A, and TP-402-A, drawn by Ewert Leaf, dated 21 July 2016, but modified to show:

Car Parking and Access

- (a) The provision of 1 additional visitor car space in the basement car park. Any consequential changes are to be to the satisfaction of the Responsible Authority.

- (b) All accessways, ramp grades, kerbs and car spaces designed and dimensioned in accordance with Clause 52.06 of the Glen Eira Planning Scheme.
- (c) The accessway ramp to be 3 metres in width (plus 300mm kerbs on either side) and aligned with a 3 metre wide crossover. The width of the crossover is to be clearly dimensioned on the plans.
- (d) The tandem spaces swapped around to show the 4.9 metre spaces at the rear (further in) and the 5.4 metres spaces at the front (adjacent to the aisle)
- (e) A notation on the plans that the existing parking sign located within the proposed crossover location is to be relocated. The cost of this is to be borne by the applicant/permit holder/developer.
- (f) The provision of convex mirrors within the basement car parks (i.e. opposite each accessway ramp) on both basement levels. The mirrors should be installed at appropriate angles to provide vision between approaching motorists.
- (g) The over-bonnet storage boxes to measure a maximum 900mm out into the car space and be 1.35 metres above the ground. No vertical supports are to be provided within the car spaces. Over-bonnet storage boxes must not be provided within visitor spaces.
- (h) All spaces to be allocated to each individual dwelling or for visitor use, and be clearly indicated on the plans to the satisfaction of the Responsible Authority.
- (i) An electronic swept path assessment using the B85th vehicle, undertaken by a suitably qualified traffic engineer to demonstrate access to and from the accessway ramp between the basement levels and the aisle.
- (j) The 1:20 grades along the access aisles to include the area of the adjacent car spaces. This is to be clearly shown on the plan i.e. the arrow representing the graded section shown across the entire width of the area and not just the access aisle
- (k) An intercom system provided on the northern side of the accessway and set back 3 metres from the frontage. The intercom system is to include video with remote access from each apartment, and be annotated as such on the plan.
- (l) A 3 metre by 3 metre ground level corner splay provided on the north-eastern corner of the site at the same grade as the footpath. The splay is to be dimensioned and annotated on the plan in accordance with the above. This area should be clear of any objects or vegetation greater than 600mm in height.
- (m) The provision of one visitor bicycle space at ground level near the main entrance/foyer area of the building, in the form of bicycle hoops (or towel rails). The design and layout of bicycle parking spaces must accord with Clause 52.34 of the Planning Scheme, AS2890.3, or the 'Bicycle Parking Handbook' by Bicycle Victoria, and be clearly annotated and dimensioned on the plans.
- (n) A minimum of 3 residents bicycle spaces provided as horizontal spaces (i.e. bicycle hoops) in accordance with AS2890.3
- (o) The provision of sight triangles in accordance with Clause 52.06 measuring 2.5 metres along the accessway edge, by 2 metres along the property line on both sides of the accessway. The pedestrian sight triangles on both sides of the accessway need to be dimensioned and annotated on the plans in accordance with the above. These areas should be clear of any objects or vegetation greater than 600mm in height.

General

- (p) The terrace areas for dwellings 2.01 and 2.03 at the second floor level are to be set back a minimum of 6 metres from the western boundary. Any consequential changes are to be absorbed within the remaining building envelope to the satisfaction of the Responsible Authority.
- (q) A Landscape Plan in accordance with Condition 2.
- (r) Detailed notes and dimensions to demonstrate the provision of 6 cubic metres of storage for each dwelling. Storage areas in the basement must incorporate solid materials to minimise the risk of theft.

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

2. Before the commencement of buildings and works, a detailed Landscape Plan to the satisfaction of the Responsible Authority must be submitted to, and approved by the Responsible Authority. When the Landscape Plan is approved, it will become an endorsed plan forming part of this Permit. The Landscape Plan must incorporate:
 - (a) All existing retained vegetation to be identified.
 - (b) Buildings and trees (including botanical names) on neighbouring properties within 3 metres of the boundary.
 - (c) A planting schedule of all proposed vegetation including botanical names; common names; pot sizes; sizes at maturity; quantities of each plant; and details of surface finishes of pathways and driveways.
 - (d) Landscaping and planting within all open space areas of the site.
 - (e) Advanced canopy trees (minimum 3.0 metres tall when planted unless otherwise agreed to in writing by the Responsible Authority) in the following areas:
 - (i) South-western corner of the site: x 1 large tree;
 - (ii) Adelaide Street front setback: x 3 trees;
 - (iii) Within front and rear yards: x 26 small trees;or 30 trees in locations to the satisfaction of the Responsible Authority.

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

3. The landscaping as shown on the endorsed Landscape Plan must be carried out, completed and maintained to the satisfaction of the Responsible Authority.
4. The landscaping as shown on the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the landscaping plan to the satisfaction of the Responsible Authority.
5. The proposed works must not cause any damage to the canopy, roots or the Tree Protection Zone of the existing street trees.
6. Prior to the commencement of the buildings and works (including demolition), a tree protection fence must be erected around the street trees at radii of 3.0 metres for the Queensland Box Brush on Orrong Road, and 7.0 metres, 2.0 metres for the Flax Leaf Paperbark and Manchurian Pear on Stanley Street, respectively, from the base of the trunks, 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.

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

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

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

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

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

8. No excavation is to come within 2.1 metres of the Queensland Box Brush on Orrong Road and 4 metres and 1.5 metres for the Flax Leaf Paperbark and Manchurian Pear on Stanley street respectively, from the base of the trunks without the prior consent of the Responsible Authority. Any excavation within 1.5m of the tree protection zones must be hand excavated. If roots over 40mm are found, Park Services are to be notified and further inspections will be carried out.

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

9. 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.
10. Areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
 - (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all weather sealcoat;
 - (d) drained;
 - (e) line-marked to indicate each car space and all access lanes;
 - (f) clearly marked to show the direction of traffic along the access lanes and driveways;to the satisfaction of the Responsible Authority.
Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.
11. The car parking allocation for the approved development must be:
 - Not less than one (1) car space for each 1 or 2 bedroom dwelling;

- Not less than two (2) car spaces for each 3 or more bedroom dwelling; and
 - Not less than one (1) visitor car space for every five (5) dwellings and marked accordingly.
12. The vehicle 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.
 13. Written confirmation by a Licensed Land Surveyor must be provided to the Responsible Authority verifying that the development does not exceed 13.5 metres in height above natural ground level. This must be provided at frame stage inspection and at final inspection.
 14. 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 levels have been constructed in accordance with the endorsed plans (prior to the construction of the levels above being commenced).
 15. Prior to the completion of the ramp to the basement levels, written confirmation by a Licensed Land Surveyor must be provided to the Responsible Authority verifying that the basement ramps have been constructed in accordance with the endorsed plans.
 16. 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; measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;
 - (i) any construction lighting to be baffled to minimise intrusion on adjoining lots.
 17. 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.

18. The permit holder must inform all purchasers about this planning permit, particularly drawing attention to Note A.
19. Prior to the occupation of the approved development, a permanent sign must be erected by the applicable planning permit holder in a prominent position in the car park and in any foyer/s stating that "Residents of this development will not be issued Residential Parking Permits (including visitor parking permits)". The sign must measure approximately 0.2 square metres in area, to the satisfaction of the Responsible Authority.
20. The layout of the site and size, design and location of buildings and works as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority. Note: This does not obviate the need for a permit where one is required.
21. This Permit will expire if:
 - The development does not start within two (2) years from the date of this Permit; or
 - The development is not completed within four (4) years of the date of this Permit.

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

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

Notes

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

- B. The amendments specified in Condition 1 of this Permit and any additional modifications which are “necessary or consequential” are those that will be assessed by Council when plans are lodged to satisfy that condition. Any “necessary or consequential” amendments, in addition to those required by this condition, should be specifically brought to the attention of Council for assessment.
- If other modifications are proposed, they must be identified and be of a nature that an application for amendment of permit may be lodged under Section 72 of the Planning and Environment Act 1987. An amendment application is subject to the procedures set out in Section 73 of the Planning and Environment Act 1987.
- C. This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Glen Eira City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this Planning Permit.
- D. This Planning Permit represents the Planning approval for the development of the land. Side and rear boundary fences do not form part of this Planning approval. The approval for building on a “title boundary” enables the building to be sited precisely on the boundary (as determined by a licensed land surveyor) or within 200mm of the title boundary as per the definition in Clause 55.04-2 of the Glen Eira Planning Scheme. All matters relating to the boundary fences shall be in accordance with the provisions of the Fences Act 1968, i.e. Council will not deliberate on which option prevails but rather the permit holder and adjoining owners will need to cooperatively resolve which of the above outcomes is mutually acceptable.
- E. The existing Telstra pit/s at the frontage of the site are to be relocated and/or modified to the satisfaction of the relevant Authority. Please call Telstra on ph: 1800 810 443. The written permission from the relevant Authority regarding the relocation and/or modification of the Telstra pit/s must be provided to Council.
- F. Consideration is required when installing domestic services (ie, air conditioning units, heaters, pool pumps, water tanks and the like). The owner/occupier/permit holder/developer must take all reasonable and practicable measures in locating domestic services in position that reduce any amenity impact on adjoining properties. This includes selecting an appropriate installation position and enclosing the domestic service. Further information regarding noise from domestic services can be found in the Environmental Protection Act 1970.
- G. No net increase in peak stormwater runoff is to occur to the Council drainage network. Post development peak stormwater discharge to the Council drainage network must be maintained at the predevelopment level for 10 year ARI. Detailed plans and computations are to be submitted to Council for approval prior to the commencement of any construction works. When approved these plans will be endorsed and form part of the endorsed plans referred to in Condition 21 of this permit.

Moved: Cr Silver**Seconded: Cr Esakoff**

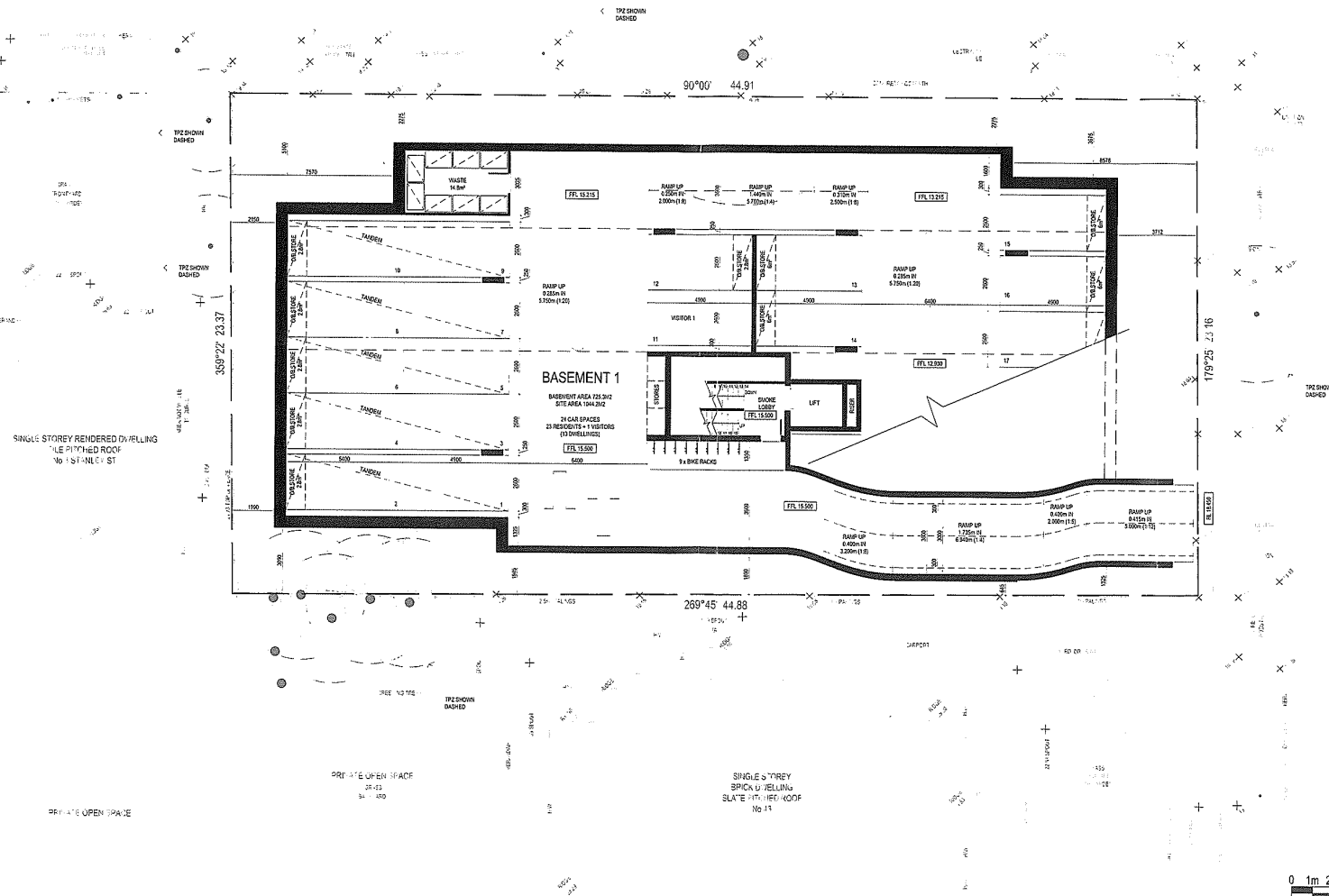
That Council issues a Notice of Decision to Grant a Planning Permit for Application No. GE/PP-29636/2016 for the demolition of the existing dwelling, construction of a four storey building comprising 13 dwellings and a basement on land affected by a Heritage Overlay at 45 Orrong Road, Elsternwick in accordance with the conditions contained in the Conclusion section of this report with the inclusion of condition 1(s).

Condition

- 1(s) The front setbacks for all dwellings to comply with Clause 55.03-1 of the Glen Eira Planning Scheme. These changes must be absorbed within the remainder of the building envelope. All balconies must maintain a minimum area of 8m² with a minimum width dimension of 1.6 metres.

CARRIED UNANIMOUSLY

ORRONG ROAD



EWERT LEAF PTY. LTD. A.C.N. No. 141027241
LEVEL 1, 87-91 PALMERSTON CRESENT
SOUTH MELBOURNE 3205 VICTORIA, AUSTRALIA
T: +61(3) 9686 2100
F: +61(3) 9686 2700
E: architects@ewertleaf.com.au

1	NOY	DATE	DESCRIPTION	NOY	DATE	DESCRIPTION
1	1	21-07-87	STATE FOR TRAIL PLANNING			
2	1	21-07-87	DO NOT SCALE, USE PROPER DRIVING ONLY. ALL DRIVERS ARE TO BE CONFIDENTIAL AND NOT TO CONSIDERATIONS FOR INFORMATION BY ANYONE.			
3	1	21-07-87	ANY DISCREPANCY, DISCREPANCY TO BE REPORTED TO THE ATTENTION OF SENIOR LEAD IN TRAILING.			
4	1	21-07-87	ALL WORKERS TO BE CARRIED OUT IN ACCORDANCE WITH THE DIFFERENT DRIVERS, USE OF AVOIDANCE AND ANY RELEVANT CIRCUMSTANCES (STANDARD) AND ALSO ANY LOCAL AUTHORITY.			

45 ORRONG ROAD
ELSTERNWICK
VICTORIA 3185

1557

S T A N L E Y S T R E E T

ORRONG ROAD

SINGLE STOREY RENDERED DWELLING
TILE PITCHED ROOF
103 STANLEY ST

LOWER
BASEMENT

SINGLE STOREY
SPICK DWELLING
SLATE PITCHED ROOF

PRIVATE OPEN SPACE

PRIVACY OPEN SPACE

EWERT
LEAF

EWERT LEAF PTY. LTD. A.C.N. No 141027241
LEVEL 1, 87-91 PALMERSTON CRESENT
SOUTH MELBOURNE 3205 VICTORIA, AUSTRALIA
T: +61(3) 9686 2100
F: +61(3) 9686 2700
E: architects@ewertleaf.com.au

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3. WORK IS TO BE CARRIED OUT IN ACCORDANCE WITH THE CURRENT BUILDING CODE OF AUSTRALIA AND KEY RELEVANT AUSTRALIAN STANDARDS, AND ALSO ANY LOCAL AUTHORITY RELEVANT.

[illegible]

PROJECT	
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ORRONG ROAD DEVELOPMENT

45 OFFRONG ROAD
ELSTERNWICK
VICTORIA 3185

TOWN PLANNING DRAWINGS

PROPOSED PLAN - BASEMENT LOWER

SCALE 1:100

PAGE 41
COUNT 1-7

COVERING ISSUE

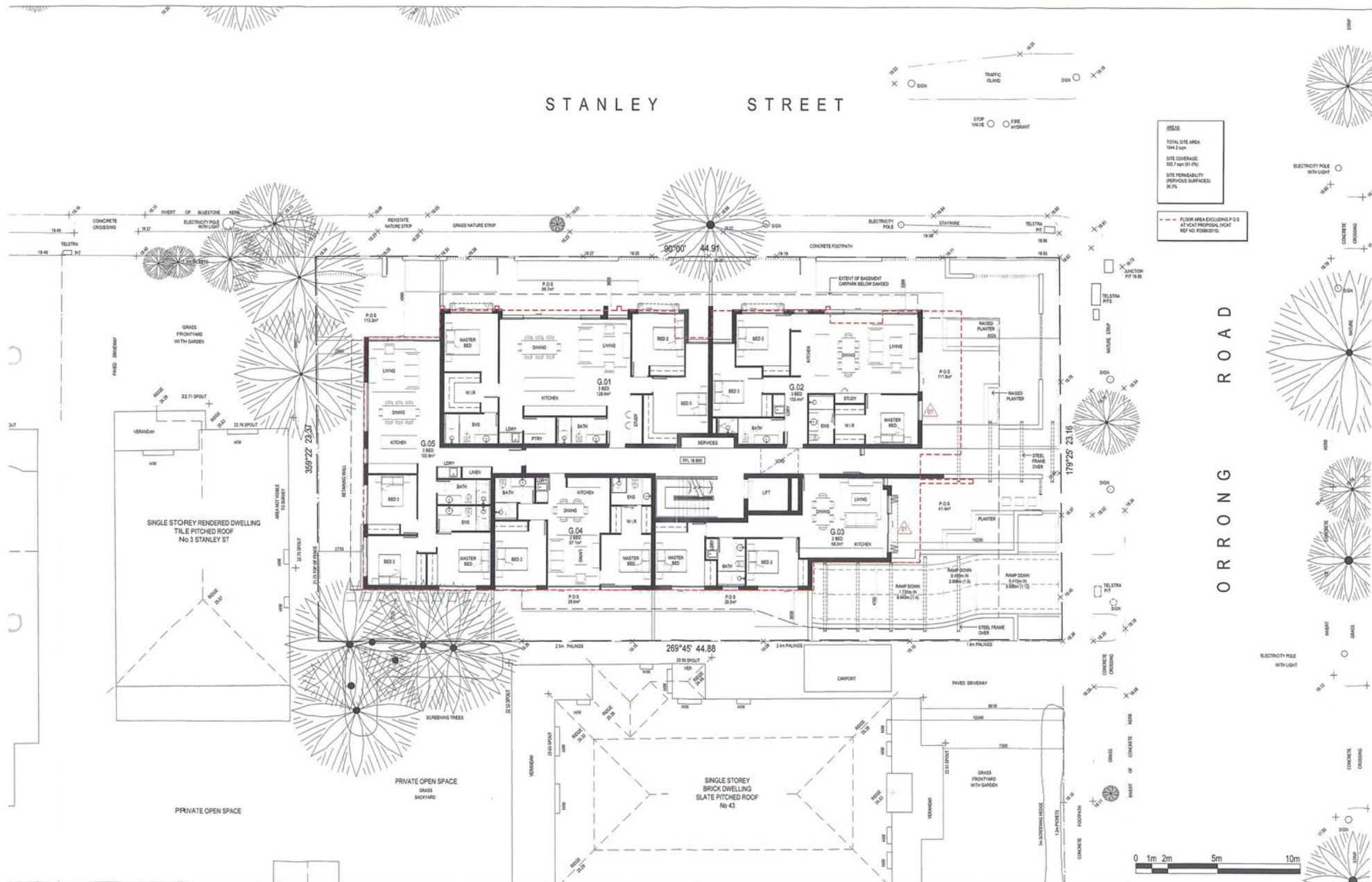
FOR INFORMATION

DATE JULY 2016

PROJECT NO.
1557

09/01/2019

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**EWERT
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EWERT LEAF PTY. LTD. A.C.N. 16140721
LEVEL 1, 87-91 PALMERSTON CRESENT
SOUTH MELBOURNE 3205 VICTORIA, AUSTRALIA
T: +61(3) 9666 2100
F: +61(3) 9666 2700
E: architects@ewertleaf.com.au

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4. ALL WORKS AT THE SITES MUST BE ACCORDANCE WITH THE CURRENT BUILDING CODE OF AUSTRALIA AND ANY RELEVANT AUSTRALIAN STANDARDS AND ALSO ANY LOCAL AUTHORITY.

REV	DATE	DESCRIPTION	REV	DATE	DESCRIPTION
1	21.07.18	ISSUE FOR TOWN PLANNING			

NOTES:

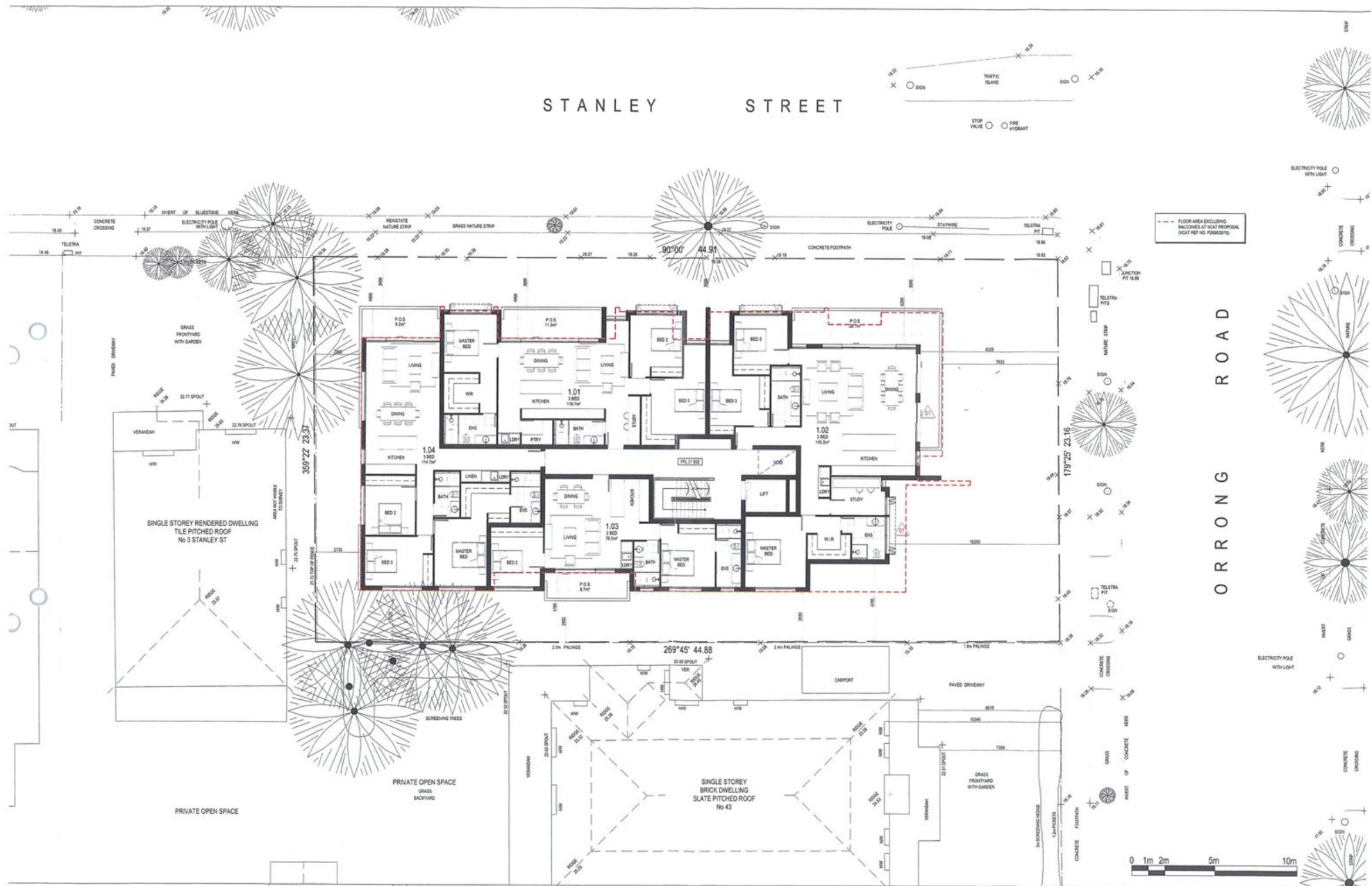
1. SETBACKS TO ORRONG ROAD INCREASED TO ALIGN WITH BUILDING AND VERANDAH OF No. 43 ORRONG ROAD, AS PER PARAGRAPH 30 OF VCAT HEARING, REF NO. P2006/0015.

PROJECT

ORRONG ROAD DEVELOPMENT
45 ORRONG ROAD
ELSTERNWICK
VICTORIA 3185

TOWN PLANNING DRAWINGS

DRAWING TITLE
PROPOSED PLAN - GROUND LEVEL
SCALE: 1:100
DATE: JULY 2018
PAGE: 41
PROJECT NO: 1557
DRAWN BY: [Signature]
CHECKED BY: [Signature]
DATE: [Signature]



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EWERT LEAF PTY. LTD. A.C.N. 16 148 221
LEVEL 1, 87-91 PALMERSTON CRESENT
SOUTH MELBOURNE 3205 VICTORIA, AUSTRALIA
T: +61(3) 9686 2100
F: +61(3) 9686 2700
E: architects@ewertleaf.com.au

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REV	DATE	DESCRIPTION	REV	DATE	DESCRIPTION
A	21.07.18	ISSUE FOR TOWN PLANNING			

NOTES:

SETBACKS TO ORRONG ROAD INCREASED TO ALIGN WITH BUILDING AND VERANDAH OF No. 43 ORRONG ROAD, AS PER PARAGRAPH 30 OF VCAT HEARING, REF NO. P2686/2015.

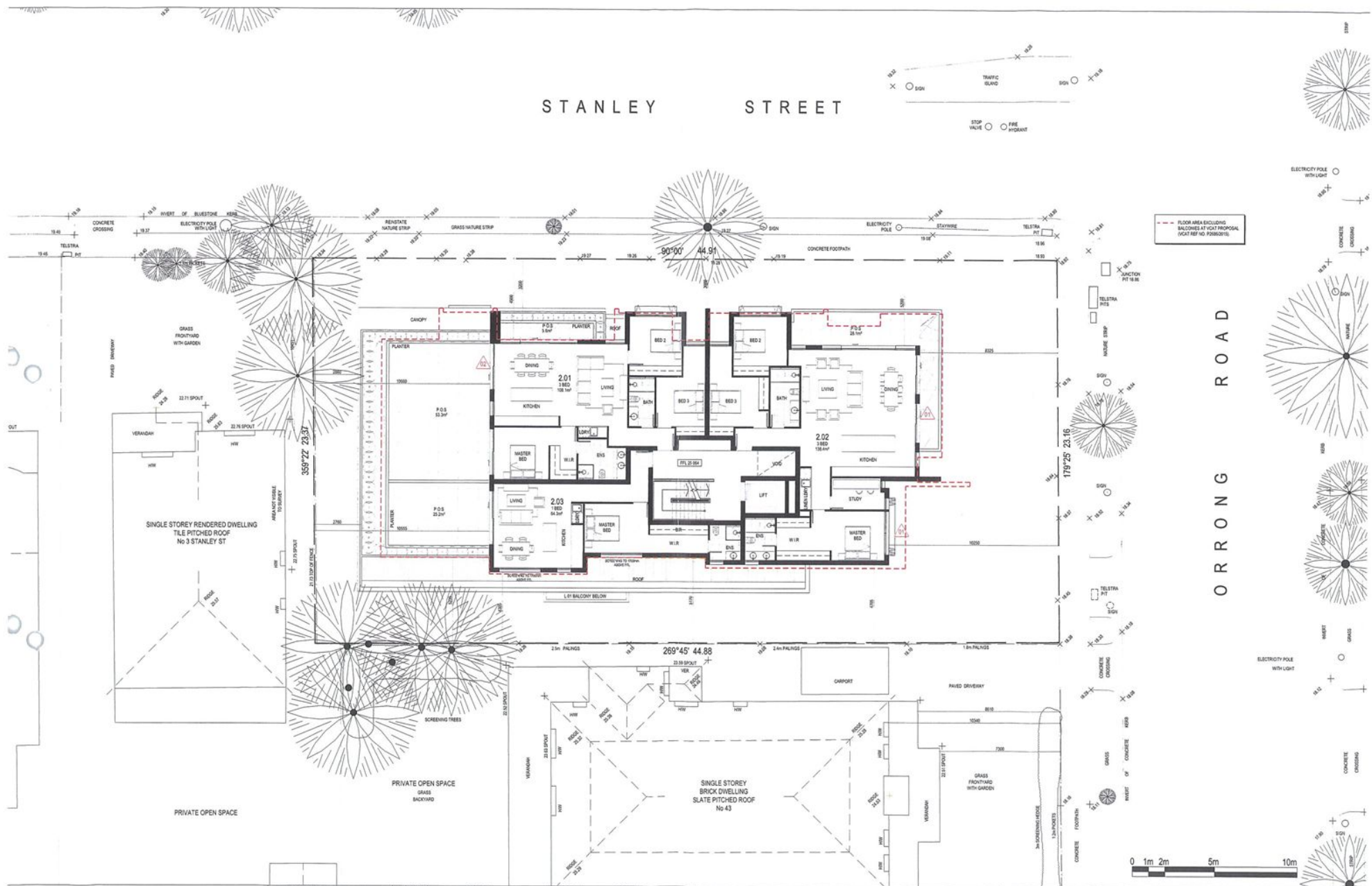
PROJECT

ORRONG ROAD DEVELOPMENT
45 ORRONG ROAD
ELSTERNWICK
VICTORIA 3185

TOWN PLANNING DRAWINGS

PROPOSED PLAN - LEVEL 01

DRAWING TITLE: PROPOSED PLAN - LEVEL 01
SCALE: 1:100
PAGE: A1
DRAWN: J.T.
CHECKED: J.T.
DATE: JULY 2018
PROJECT NO: 1557
DRAWING NO: 101
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EWERT LEAF PTY LTD. A.C.N. No. 1102041
LEVEL 1, 87-91 PALMERSTON CRESENT
SOUTH MELBOURNE 3205 VICTORIA, AUSTRALIA
T: +61(3) 9686 2100
F: +61(3) 9686 2700
E: architects@ewertleaf.com.au

REV	DATE	DESCRIPTION
1	21.07.18	ISSUE FOR TOWN PLANNING


NOTES:
1. SETBACKS TO ORRONG ROAD INCREASED TO ALIGN WITH BUILDING AND VERANDAH OF No. 43 ORRONG ROAD. REFER PARAGRAPH 30 OF VCAT HEARING, REF No. P26862015.
2. SETBACKS TO No. 3 STANLEY STREET INCREASED TO REMOVE PREVIOUS APARTMENT 2.03 AND MASTER BED OF 2.02 TO CREATE TRANSITION IN SCALE AND 2 STOREY BUILDING FORM. REFER PARAGRAPH 29 OF VCAT HEARING, REF No. P26862015.

PROJECT
ORRONG ROAD DEVELOPMENT
45 ORRONG ROAD
ELSTERNWICK
VICTORIA 3185

TOWN PLANNING DRAWINGS
PROPOSED PLAN - LEVEL 02
SCALE: 1:100
PAGE: 41
PROJECT NO: 1557
DATE: JULY 2018
DRAWING NO: 1557
DRAWING DATE: 15/07/2018

Diagram illustrating a road layout with a 'STOP VALVE' and a 'FIRE HYDRANT'. The road is labeled 'TRAFFIC GLIDE'. A dashed line indicates a path or boundary. A 'STOP VALVE' is marked with a circle and an 'X' on the left side of the road. A 'FIRE HYDRANT' is marked with a circle and an 'X' on the right side of the road. A legend below the diagram identifies the symbols: a circle with an 'X' for 'STOP VALVE' and a circle with an 'H' for 'FIRE HYDRANT'.

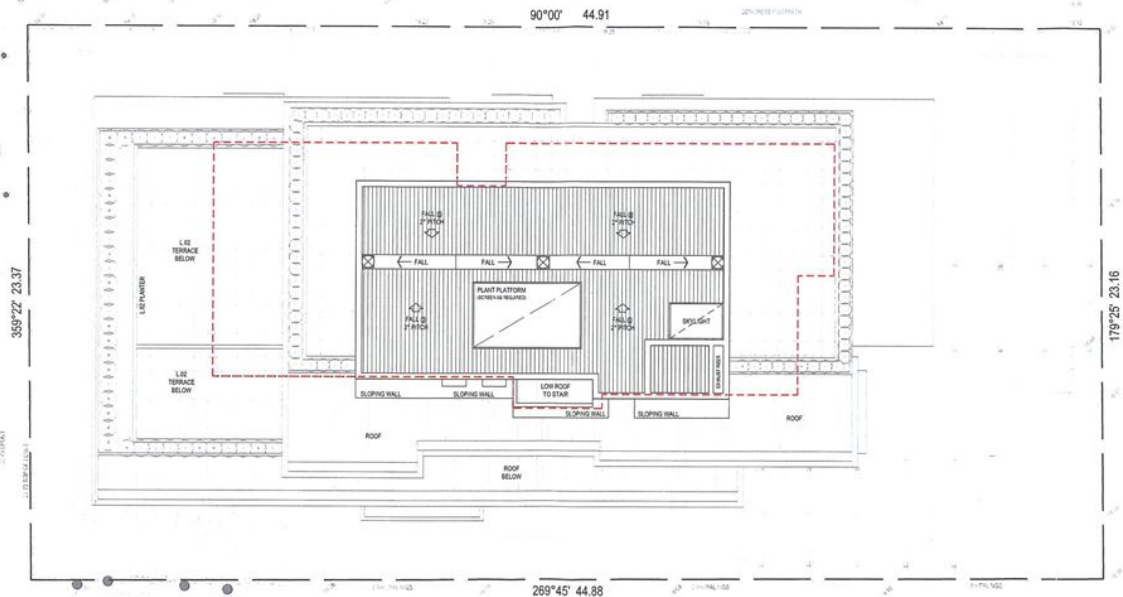


DRAWING TITLE PROPOSED PLAN - LEVEL 03		DATE: JULY 2016
SCALE: 1:100		PROJECT NO. 1557
PAGE: A1		
DRAWN: HT		
DRAWING ISSUE		DRAWING NO. REV

STANLEY STREET

ORRONG ROAD

SINGLE STOREY RENDERED DWELLING
TILE PITCHED ROOF
No 1 STANLEY ST



--- FLOOR AREA EXCLUDING
BALCONIES AT VCAT PROPOSAL
(VCAT REF NO P2080215)

SINGLE STOREY
BRICK DWELLING
SLATE PITCHED ROOF
No 43

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LEAF**

EWERT LEAF PTY. LTD. ACN 161182241
LEVEL 1, 37-39 PALMERSTON CRESENT
SOUTH MELBOURNE 3205 VICTORIA, AUSTRALIA
T: +61(0) 9686 2100
F: +61(0) 9686 2700
E: architects@ewertleaf.com.au

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PROJECT
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TOWN PLANNING DRAWINGS			
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LEVEL 1, 87-91 PALMERSTON CRESENT
SOUTH MELBOURNE 3205 VICTORIA, AUSTRALIA
T: +61(0) 9698 2100
F: +61(0) 9698 2100
E: architects@ewertleaf.com.au

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1	21.07.16	ISSUE FOR TOWN PLANNING			

PROJECT

ORRONG ROAD DEVELOPMENT

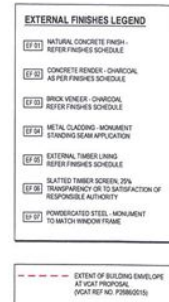
45 ORRONG ROAD
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TOWN PLANNING DRAWINGS

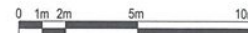
PROPOSED ELEVATIONS 2

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SCALE: 1:100
PAGE: A1
DRAWN: HT
DRAWING ISSUE
EAP INFORMATION

DATE: JULY 2016
PROJECT NO: 1557
DRAWING NO: TD 404 A



ELEVATION - SOUTH (FENCE SHOWN DOTTED)
1:100 SCALE



ELEVATION - WEST (FENCE SHOWN DOTTED)
1:100 SCALE

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LEVEL 1, 87-91 PALMERSTON CRESENT
SOUTH MELBOURNE 3205 VICTORIA, AUSTRALIA
T: +61(3) 9686 2100
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REV	DATE	DESCRIPTION	REV	DATE	DESCRIPTION
A	21.07.16	ISSUE FOR TOWN PLANNING			

PROJECT

ORRONG ROAD DEVELOPMENT

45 ORRONG ROAD
ELSTERNWICK
VICTORIA 3185

TOWN PLANNING DRAWINGS

DRAWING TITLE PROPOSED ELEVATIONS 3		DATE: JULY 2018
SCALE: 1:100		PROJECTING: 1557
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DRAWING ISSUE		DRAWING TO

Item 9.4 1110-1112 Dandenong Road, Carnegie**Author: Rocky Camera, Manager Town Planning****File No: GE/PP-29244/2016****Attachments: Advertised plans****PURPOSE AND SUMMARY**

To consider a Planning Permit application.



PROPOSAL	Part three and part four storey building comprising of 38 dwellings above two levels of basement car parking
MUNICIPAL STRATEGIC STATEMENT	Carnegie Urban Village
APPLICANT	Asia One Pty. Ltd. (Triple 12 Pty. Ltd.)
PLANNING SCHEME CONTROLS	Residential Growth Zone (1110 Dandenong Rd) General Residential Zone (1112 Dandenong Rd)
OBJECTIONS	12

RECOMMENDATION

That Council:

Issues a Notice of Decision to Grant a Planning Permit a Planning Permit for Application No. GE/PP-29244/2016 for a part three and part four storey building comprising of 38 dwellings above two levels of basement car parking and access to a Road Zone Category 1 at 1110-1112 Dandenong Road, Carnegie in accordance with the conditions contained in the Conclusion section of this report.

ISSUES AND DISCUSSION

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

Proposal

The application proposes part 3 storey and part 4 storey building above two levels of basement car park comprising 38 dwellings (3 x 1 Bedroom, 33 x 2 Bedroom, 2 x 3 Bedroom).

A total of 53 car parking spaces are proposed within the basements. Out of these spaces, 40 are proposed for residents and 9 for visitors. There are four extra spaces which are unallocated.

Objectors' concerns

- Neighbourhood Character
- Building Design
- Building Height & Scale
- Overshadowing
- Overlooking
- Traffic & Safety impacts
- Lack of dwelling diversity
- Inconsistency with existing built forms
- Proximity to Neighbourhood Character areas

Referrals*Transport Planning*

- No objection to the proposal.
- Conditions required to amend basement design
- Conditions required to improve vehicular movement/safety
- The proposed car parking exceeds the requirements set by the State Government guidelines.

Landscape Officer

- Conditions required for tree protection of trees on neighbouring properties.

Asset Engineering

- No objections to the proposal

Parks Services

- No street trees will be impacted.

Vic Roads

- No objection

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

N/A

POLICY AND LEGISLATIVE IMPLICATIONSZoning and policy context

Number 1110 Dandenong Road (the western side of the subject sites) is located within the Residential Growth Zone. Number 1112 Dandenong Road is located within the General Residential Zone (Schedule 2).

To the west of the site is an area of Residential Growth Zone, and to the east of the site is the General Residential Zone along Dandenong Road. To the south-eastern corner of the site there is a direct abuttal to 1 Chestnut Street, which located within the Neighbourhood Residential Zone, and is also located in a Neighbourhood Character Overlay.

The Urban Villages Policy seeks the following:

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

Two of the stated purposes of the Residential Growth Zone are:

- *To encourage a diversity of housing types in locations offering good access to services and transport including activities areas*
- *To encourage a scale of development that provides a transition between areas of more intensive use and development and areas of restricted housing growth.*

Two of the stated purposes of the General Residential Zone include:

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

It is considered that the proposal complies with the Urban Villages Policy and the purpose of both the Residential Growth Zone and General Residential Zone. The density, mass and scale of the development is appropriate for this location, noting the existing larger development forms further to the west. The proposed maximum heights comply with the mandatory maximum height allowed under the Residential Growth Zone and General Residential Zone and is therefore considered acceptable.

Whilst noting the smaller scale dwellings to the east, and the abuttal to the south east with the Neighbourhood Residential Zone, it is considered that the “stepped” design of the proposed building and decreasing height across the site will provide sufficient transition. The design has been carefully thought out and designed in context of the zoning and the overlays to the south-east.

Neighbourhood character

The immediate built environment features a range of dwelling forms of smaller scale, with the wider environment containing the commercial area to the west, featuring development of much greater scale and visual prominence. Buildings to the east and south of the site are of a more restrained and conventional design, with those upon Chestnut Street maintaining a consistent style and form which is recognized by the Neighbourhood Character Overlay.

The proposed design will provide a marked contrast to the older dwellings, but this is to be anticipated as a result of the local planning policy direction for this location (within the Carnegie Urban Village). It is considered that the proposed design of the building will integrate well into neighbourhood. The development provides an appropriate transition to the southern and eastern sides which are the most sensitive abuttals (due to the location of private open space areas for these dwellings).

The State Government guidelines require a minimum front setback of 8.895m. The development proposes minimum front setbacks ranging from 5.718m (western side) to 7.164m (eastern side). The proposed front setbacks of the ground, first and second floors do not comply with the State Government setback guidelines. Front setbacks along Dandenong Road vary from approximately 2.7 metres at 1102-1106 Dandenong Road up to approximately 9 metres at 1114 Dandenong Road. The proposed development incorporates staggered front setbacks which are considered to respond the varied front setbacks along this part of Dandenong Road.

Height, scale and massing

The nature of the dual-zoning of the site results in differing mandatory maximum building heights, decreasing from 13.5m in the western half of the site, to 10.5m in the eastern portion. The design seeks to reflect this change by introducing a central atrium which will informally denote the change in zoning, and which will emphasise the step down in scale to the east.

The varied site setbacks reflect the transition to the more sensitive abuttal to the south-east, and will result in a more gradual increase in height and scale as the building moves away from the south-east.

It is considered that the façade could be improved by deleting the screens that face Dandenong Road to improve visual interaction with the street.

The eastern side of the development is fully compliant with the State Government setback guidelines. The western setback is proposed at 5.6m where the required setback is 7.1m. The non-compliance only relates to the portion of the stairwell. In this instance, the shortfall is considered acceptable as it is a relatively small encroachment (and is adjacent a driveway on the adjoining property to the west).

The proposed site coverage of 66% does not comply with the State Government guidelines which allows for up to 60%. A condition is recommended to reduce the site coverage to 60%.

Amenity impacts

The development complies with the overlooking and overshadowing State Government guidelines.

Landscaping

Council's landscape officer considers that there are excellent landscaping opportunities throughout the development. Conditions are recommended to ensure the planting of 19 canopy trees in various locations around the subject land.

Internal amenity

The habitable rooms of the dwellings will have good access to daylight. Whilst there are a number of light corridors to bedroom windows, these are located primarily on the western side of the building and will have a minimum width of 1.3 metres ensuring that sufficient daylight is provided for future occupants.

Two dwellings (Units 1.05 & 1.06) feature balconies that do not comply with the minimum size as required by the State Government guidelines. It is considered that the increase in size of these balconies can be required as a condition of permit. All other ground floor courtyards and upper floor balconies are connected to living rooms and comply with the size requirements as set out by the State Government.

The front fences of up to 1.8m in height are considered to be acceptable as they will provide a sense of privacy for the ground floor rooms of the dwellings, and a suitable response to the location of the site and proximity to Dandenong Road

Car Parking and Traffic

The State Government parking guidelines require 40 on site resident car spaces based on 1 car space for each 1 or 2 bedroom dwelling and 2 car spaces for each 3 or more bedroom dwelling. 44 car spaces for residents are provided across the two basement levels.

The guidelines also require 7 on site visitor car spaces based on 1 car space for every 5 dwellings. A total of 9 visitor car spaces are provided in the basement, representing an excess of 2 spaces. A note will be included on the permit making future residents ineligible to obtain resident and visitor parking permits.

The basement ramp and car park layout is generally satisfactory but some changes, as suggested by Council's Transport Planning Department, are required to ensure safe and convenient vehicle movements. These changes may necessitate some modifications to the basement design and layout.

Council's Transport Planning Department has advised that the increase in traffic generated by the proposal is unlikely to have a significant adverse impact on the operation of the surrounding road network.

Management Plan Requirements

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

COMMUNICATION AND ENGAGEMENT

1. Public Notice (Statutory)

- 18 properties notified
- 26 notices sent (owners and occupiers)
- 2 signs erected on site
- 12 objections received

2. Planning Conference (Non Statutory)

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

- Neighbourhood Character
- Building Height & Scale
- Overshadowing
- Traffic & Safety impacts

Undertakings by the Applicant

N/A

LINK TO COUNCIL PLAN

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

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 with the following conditions:

1. Before the commencement of the development, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application, identified as Drawing No's. TP.200, TP.201, TP.202, TP.203, TP.204, TP.205, TP.206, TP.302, TP.303, TP.300, TP.301, dated October 2016 prepared by T-A Square, but modified to show:

Car Parking and Access

- (a) Sectional drawings of the basement amended to display 2.2/2.3m height clearances measures as per Figure 5.3 of AAS2890.1:2004 to the satisfaction of the Responsible Authority.
- (b) Pedestrian sight triangles provided on the western side of the ramp measuring 2m in width, requiring an offset from the western boundary of a further 650mm, for the first 4.5m of the accessway leading into the site. A notation on the plans is required indicating this area as being clear of any objects or vegetation greater than 600mm in height.
- (c) A notation on the plans that the stop/go system proposed is to be set to allow a default green light for motorists entering the car park
- (d) A notation on the plans indicating where vehicles must wait in the basement car park whilst waiting to trigger a green exit light. The accessways between the entrance of the car parks and the spaces are to be widened to allow this to occur, and be clearly dimensioned. Any consequential modifications are to be to the satisfaction of the Responsible Authority.
- (e) An intercom system provided on the eastern side of the accessway ramp. This intercom is to be setback 3 metres from the frontage to ensure vehicles are not blocking the footpath, and be clearly shown and dimensioned on the plans.

- (f) “Give Way” line marking provided at the exit of the basement 1 car park and provided in line with the 300mm kerb on the eastern side of the accessway ramps, in addition to the proposed traffic signalling system.
- (g) Dimensions of over-bonnet storage clearly shown on the plans.
- (h) Columns within the basement car park located no less than 250mm from, and extending no more than 1.25m from the car park aisle. The columns are to be clearly dimensioned on both basement plans, in accordance with Diagram 1 of Clause 52.06 of the Glen Eira Planning Scheme.
- (i) All car spaces clearly allocated to each user/dwelling.
- (j) The disabled parking space within basement level 1 clearly dimensioned in accordance with AS2890.6, and widened by 300mm as it is located adjacent to a column without adequate clearance as per Diagram 1 of Clause 52.06 of the Glen Eira Planning Scheme.
- (k) Pedestrian paths clearly dimensioned on the plans. Pedestrian accessways are to be at least 1m in width.
- (l) A minimum of 3 of the proposed bicycle spaces within the basement provided using bicycle hoops, to the satisfaction of the Responsible Authority.

General

- (m) The proposed balconies to units 1.05 and 1.06 increased in size to measure a minimum of 8sqm. Any consequential changes are to be absorbed within the remaining building envelope, to the satisfaction of the Responsible Authority.
- (n) A Landscape Plan in accordance with Condition 2.
- (o) Detailed notes and dimensions to demonstrate the provision of 6 cubic metres of storage for each dwelling.
- (p) The louvres/screens within the projecting elements at first and second floor, facing Dandenong Road, deleted. Any modifications are to be absorbed within the remaining building envelope, to the satisfaction of the Responsible Authority.
- (q) The site coverage of the development reduced to a maximum of 60%. Any consequential changes are to be absorbed within the existing building envelope, to the satisfaction of the Responsible Authority.

Landscaping

- (r) 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:
 - (a) Neighbouring Trees to South – 3.0m each
 - (b) Neighbouring Trees to East – 3.0m each
- (s) The delineation of root sensitive permeable paving where any part comes within the following Tree Protection Zones:
 - (a) Neighbouring Trees to South – 3.0m each
 - (b) Neighbouring Trees to East – 3.0m each.

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

2. Before the commencement of buildings and works, a detailed Landscape Plan to the satisfaction of the Responsible Authority must be submitted to, and approved by the Responsible Authority. When the Landscape Plan is approved, it will become an endorsed plan forming part of this Permit. The Landscape Plan must incorporate:
 - (a) All existing retained vegetation to be identified.

- (b) Buildings and trees (including botanical names) on neighbouring properties within 3 metres of the boundary.
- (c) A planting schedule of all proposed vegetation including botanical names; common names; pot sizes; sizes at maturity; quantities of each plant; and details of surface finishes of pathways and driveways.
- (d) Landscaping and planting within all open space areas of the site.
- (e) Advanced canopy trees (minimum 3.0 metres tall when planted unless otherwise agreed to in writing by the Responsible Authority) in the following areas:
 - (i) 2 x trees within the site frontage to the north
 - (ii) 2 x larger trees within the site frontage to the north
 - (iii) 4 x trees along the rear (southern) boundary
 - (iv) 1 x larger tree within each rear site corner to south east and south west
 - (v) 6 x trees along the eastern side boundary
 - (vi) 3 x trees along the western side boundary.

or 18 trees in locations to the satisfaction of the Responsible Authority.

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

3. The landscaping as shown on the endorsed Landscape Plan must be carried out, completed and maintained to the satisfaction of the Responsible Authority.
4. The landscaping as shown on the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the landscaping plan to the satisfaction of the Responsible Authority.
5. Prior to the commencement of the buildings and works (including demolition), a tree protection fence must be erected around the following trees at the prescribed radial distance from the base of the trunk to define a tree protection zone (TPZ):
 - (a) Neighbouring Trees to South – 3.0m each
 - (b) Neighbouring Trees to East – 3.0m each

This fence must be constructed of star pickets and chain mesh (or similar) to the satisfaction of the Responsible Authority.

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

No storage or dumping of tools, equipment, or waste is to occur within the Tree Protection Zone.

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

6. Any required pruning to retained site tree/s and the overhanging canopy of any neighbouring tree/s is to be done by a qualified Arborist to Australian Standard – *Pruning of Amenity Trees AS4373-2007, Standards Australia*.
7. Any pruning of the root system of any retained site tree or neighbouring tree is to be done by hand by a qualified Arborist.

8. 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 Tree Protection Zones:
 - (a) Neighbouring Trees to South – 3.0m each
 - (b) Neighbouring Trees to East - 3.0m each
9. 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
10. Areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
 - (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all weather sealcoat;
 - (d) drained;
 - (e) line-marked to indicate each car space and all access lanes;
 - (f) clearly marked to show the direction of traffic along the access lanes and driveways;to the satisfaction of the Responsible Authority.

Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.
11. The car parking allocation for the approved development must be:
 - Not less than one (1) car space for each 1 or 2 bedroom dwelling;
 - Not less than two (2) car spaces for each 3 or more bedroom dwelling; and
 - Not less than one (1) visitor car space for every five (5) dwellings and marked accordingly.
12. The vehicle 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.
13. Written confirmation by a Licensed Land Surveyor must be provided to the Responsible Authority verifying that the development does not exceed 10.5m (1112 Dandenong Road portion of the subject site), and 13.5 metres (1110 Dandenong Road portion of the subject site) in height above natural ground level. This must be provided at frame stage inspection and at final inspection.
14. 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 levels have been constructed in accordance with the endorsed plans (prior to the construction of the levels above being commenced).
15. Prior to the completion of the ramp to the basement levels, written confirmation by a Licensed Land Surveyor must be provided to the Responsible Authority verifying that the basement ramps have been constructed in accordance with the endorsed plans.
16. 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; measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;
 - (i) any construction lighting to be baffled to minimise intrusion on adjoining lots.
17. 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.
18. The permit holder must inform all purchasers about this planning permit, particularly drawing attention to Note A.
19. Prior to the occupation of the approved development, a permanent sign must be erected by the applicable planning permit holder in a prominent position in the car park and in any foyer/s stating that "Residents of this development will not be issued Residential Parking Permits (including visitor parking permits)". The sign must measure approximately 0.2 square metres in area, to the satisfaction of the Responsible Authority.
20. The layout of the site and size, design and location of buildings and works as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority. Note: This does not obviate the need for a permit where one is required.

21. This Permit will expire if:

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

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

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

22. On any future subdivision the applicant shall create a drainage easement on top of the existing Council drain that runs along the southern boundary of the development in favour of Glen Eira City Council.

Notes

- A. Residents of the dwellings allowed under this permit will not be issued residential parking permits (including visitor parking permits).
- B. The amendments specified in Condition 1 of this Permit and any additional modifications which are “necessary or consequential” are those that will be assessed by Council when plans are lodged to satisfy that condition. Any “necessary or consequential” amendments, in addition to those required by this condition, should be specifically brought to the attention of Council for assessment.
- If other modifications are proposed, they must be identified and be of a nature that an application for amendment of permit may be lodged under Section 72 of the Planning and Environment Act 1987. An amendment application is subject to the procedures set out in Section 73 of the Planning and Environment Act 1987.
- C. This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Glen Eira City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this Planning Permit.
- D. Council records indicate that there is an existing Council 225mm drain that runs along the southern boundary of the property. Prior to final design and the commencement of any works on site, the developer must expose the Council drain on site and contact Council Engineering Services for inspection to confirm the exact location of this drain. No part of the structures must be founded within 1.0m from the edge of this drain.
- E. Protection works must be in place during excavation and construction of the building to protect Council’s drain. Developer/Owner is required to submit the proposed protection works plan to Council Engineering Services for approval prior to the commencement of any works.
- F. The developer/owner is required to submit a CCTV report of the existing Council drain before and after the construction is completed. Any damage to the drain will be the responsibility of the developer/owner and any reinstatement works to be carried out must be to Council satisfaction at the developer’s cost.
- G. Engineering Services encourage the use of rainwater tanks for storage and reuse for toilet and irrigation purposes and/or stormwater detention systems.

- H. Drainage associated with the basement construction (seepage and agricultural waters are to be filtered to rain water clarity) must be discharged to the nearest Council Drain/Pit and not be discharged to the kerb and channel.
- I. All stormwater runoff must be connected to Council underground drainage network. No uncontrolled stormwater discharge is to occur to adjoining properties and footpaths.
- J. Any firefighting equipment for the building is to be accommodated within the Title boundary. Council will not permit the installation of private fire equipment within the Road Reserve.
- K. Prior to the commencement of any building works, all relevant Engineering/Asset Protection Permits are to be obtained from Council's Engineering Services department.
- L. Consideration is required when installing domestic services (ie, air conditioning units, heaters, pool pumps, water tanks and the like). The owner/occupier/permit holder/developer must take all reasonable and practicable measures in locating domestic services in position that reduce any amenity impact on adjoining properties. This includes selecting an appropriate installation position and enclosing the domestic service. Further information regarding noise from domestic services can be found in the Environmental Protection Act 1970.
- M. No net increase in peak stormwater runoff is to occur to the Council drainage network. Post development peak stormwater discharge to the Council drainage network must be maintained at the predevelopment level for 10 year ARI. Detailed plans and computations are to be submitted to Council for approval prior to the commencement of any construction works. When approved these plans will be endorsed and form part of the endorsed plans referred to in Condition 20 of this permit.

Moved: Cr Athanasopoulos

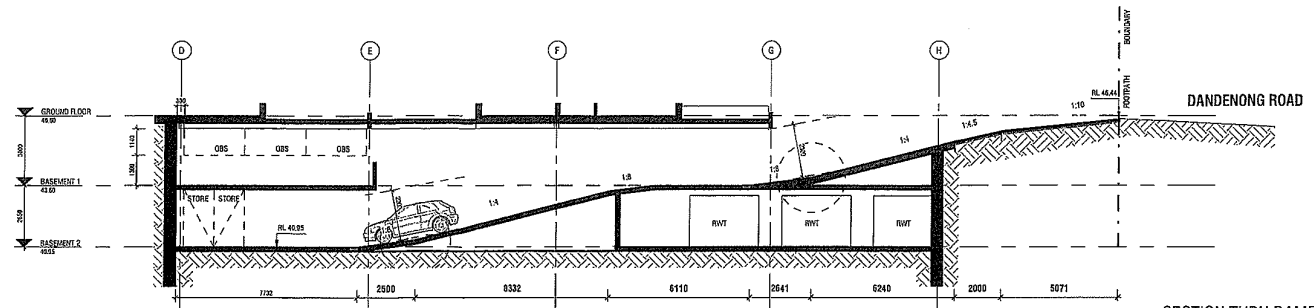
Seconded: Cr Esakoff

That Council issues a Notice of Decision to Grant a Planning Permit for Application No. GE/PP-29244/2016 for a part three and part four storey building comprising of 38 dwellings above two levels of basement car parking and access to a Road Zone Category 1 at 1110-1112 Dandenong Road, Carnegie in accordance with the conditions contained in the Conclusion section of this report and with the inclusion of conditions 1(t) and 1(u).

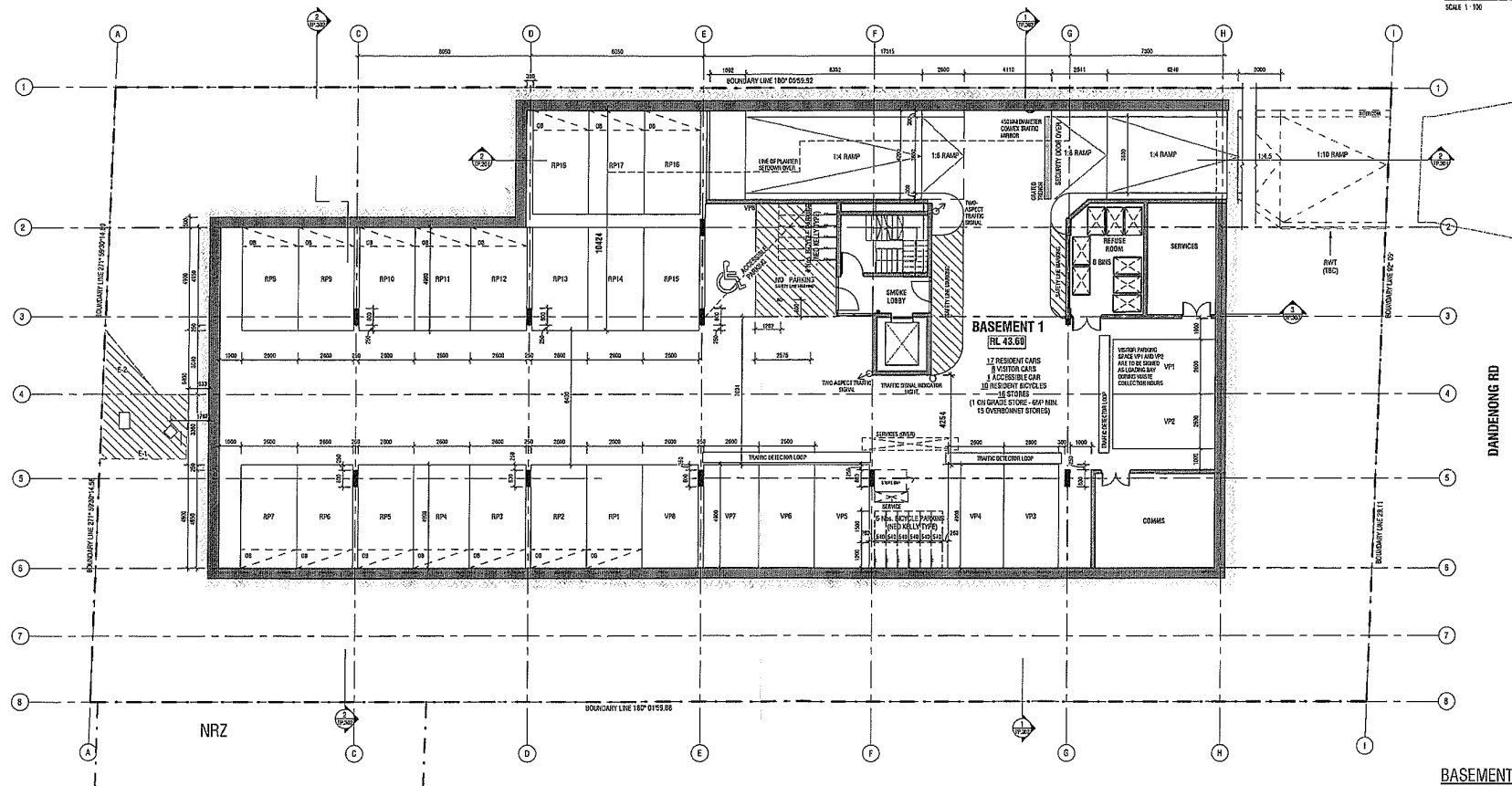
- 1(t) The front setbacks for all dwellings to comply with Clause 55.03-1 of the Glen Eira Planning Scheme. These changes must be absorbed within remainder of the building envelope. All balconies must maintain a minimum area of 8m² with a minimum width dimension of 1.6 metres.
- 1(u) All side setbacks are to comply with Clause 55.04-1 of the Glen Eira Planning Scheme. These changes must be absorbed within remainder of the building envelope.

CARRIED UNANIMOUSLY

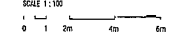
Area Category	Area
CIRCULATION	666.56 m ²
SERVICES	115.79 m ²
TOTAL	1004.35 m ²



SECTION THRU RAMP
SCALE 1"=100'



BASEMENT 1 PLAN

t-a
square

18 SHELLEY ST, RICHMOND VIC 3121
03 9421 2827
www.lasquare.com
ACN: 123 762 409

ARCHITECTURE INTERIOR DESIGN PROJECT MANAGEMENT

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FD-204, (Rev. 4-15-64)

• **Verweise:**

PROJECT:
1110-1112 DANDENONG RD, CARNGRIF, VIC 3163
REF:
ASIA ONE PTY LTD
DRAWN BY:
BASEMENT 1 - FLOOR PLAN

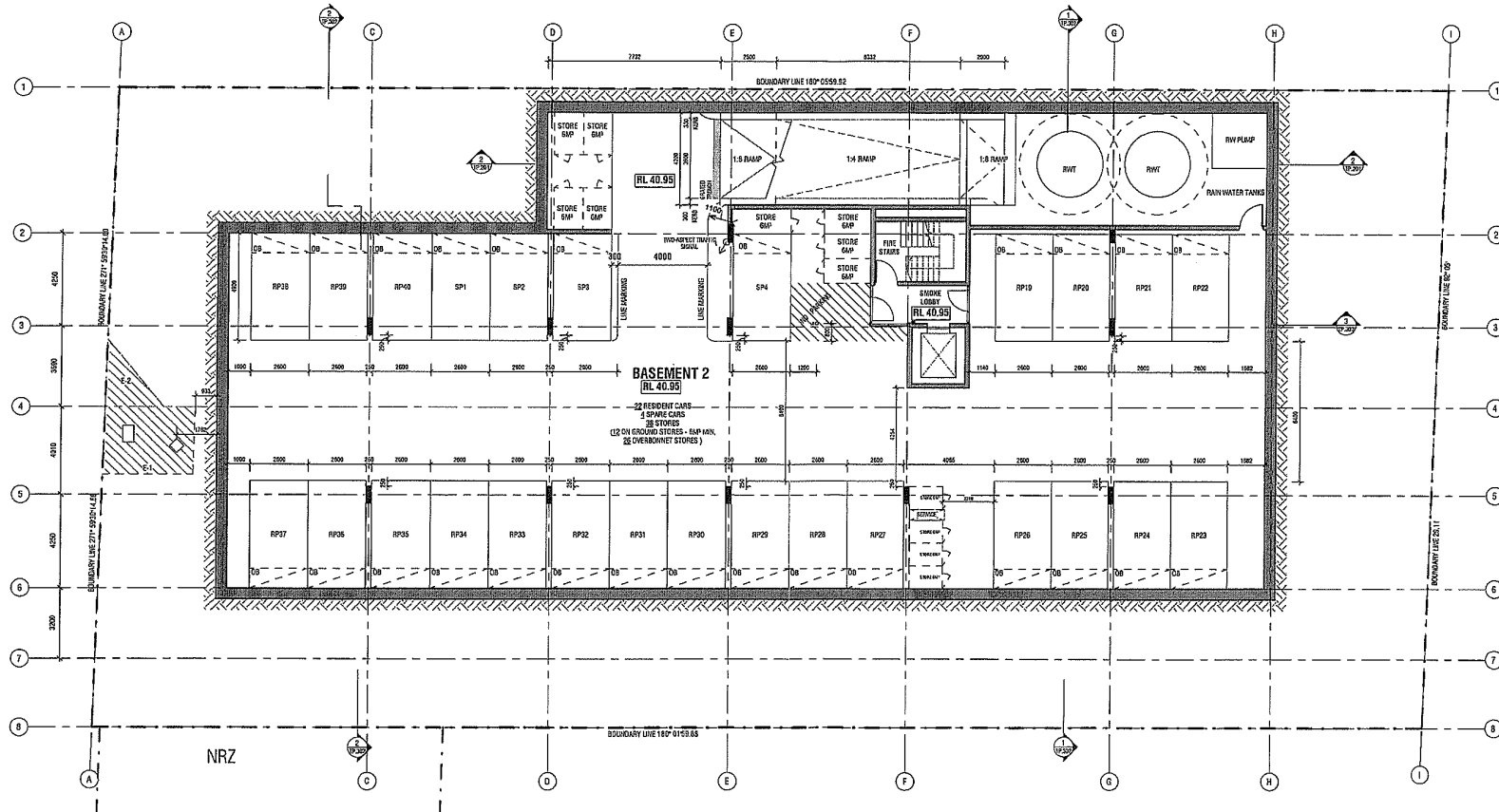
1997-98

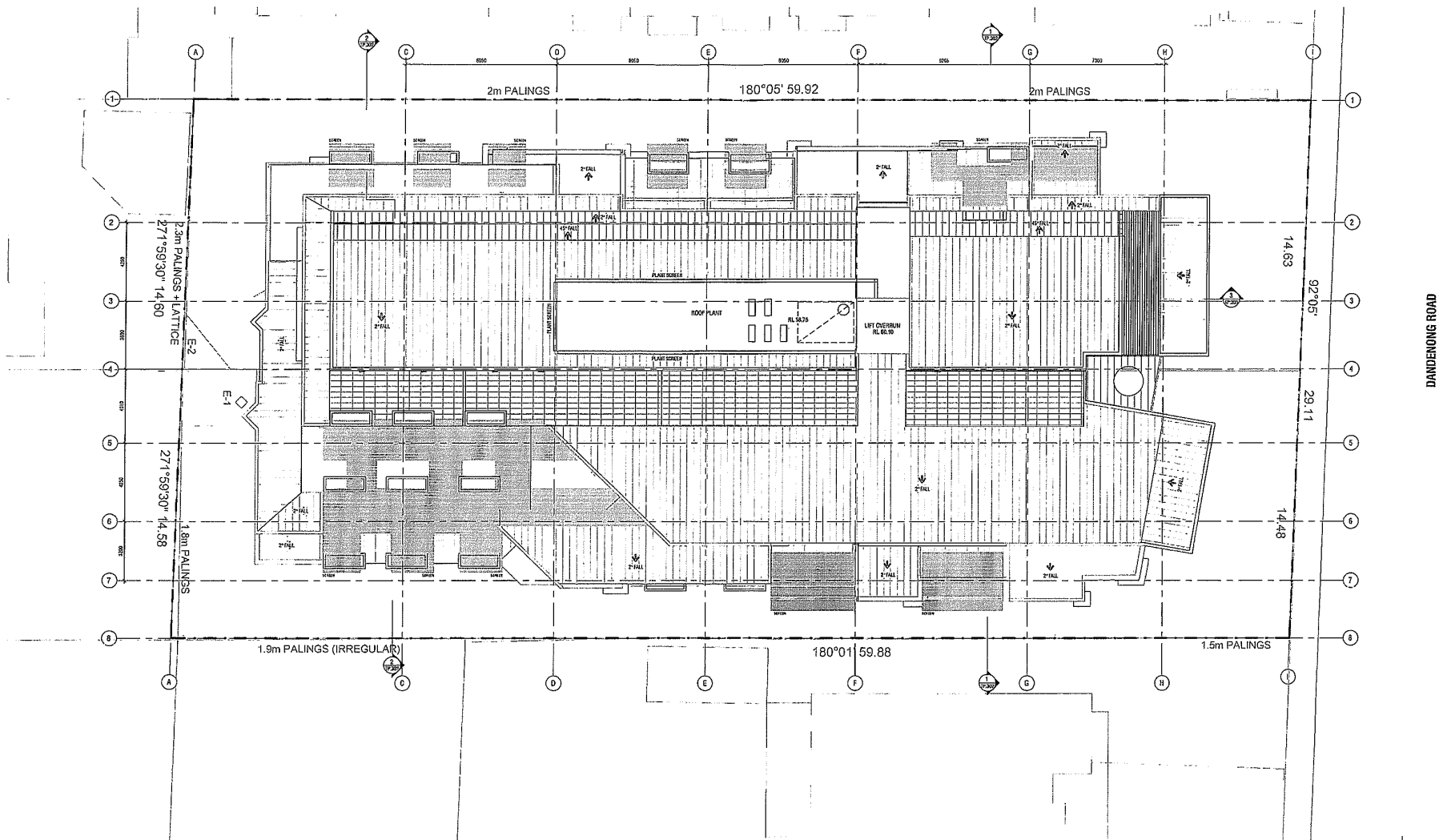
1: 100
1: 200
@ A1
@ A3
2-CHERRY
AP/MC
A2017
2018
OCT 20

OCT 2016

AREA SUMMARY - BASEMENT 2

Area Category	Area
CIRCULATION	104.65m ²
STORAGE	34.65m ²
TOTAL	139.30m ²



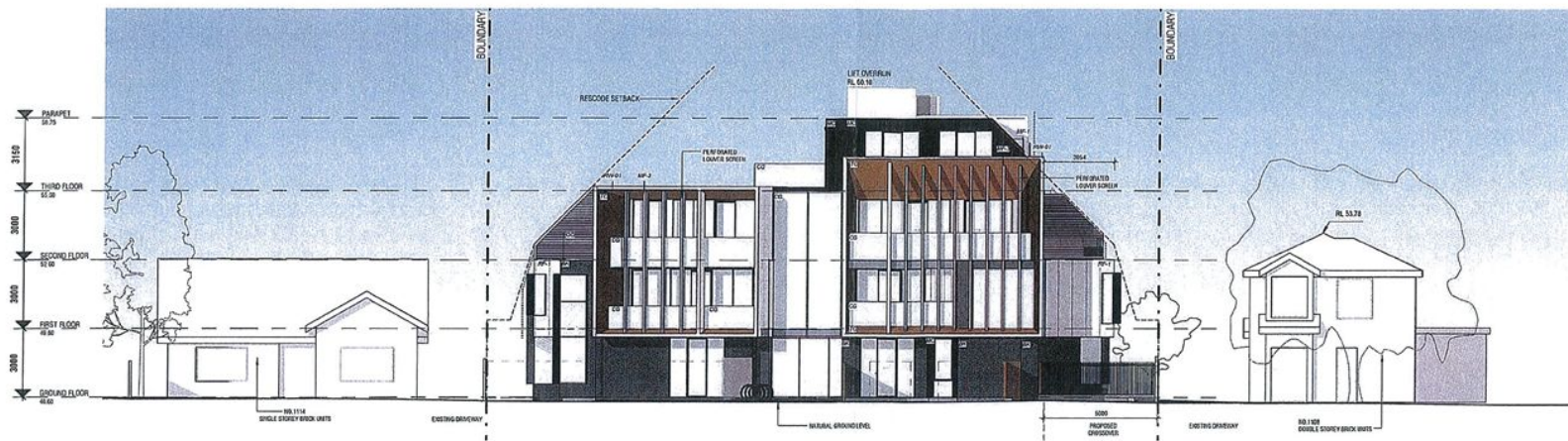


ROOF PLAN
SCALE 1:100

0 1 2m 4m 6m
SCALE 1:100
1:200
DATE: 11/10/11
TA1621
REVISED: 11/10/11
TP-206
DRAWN BY: MC
CHECKED BY: A1
DATE: OCT 2016

t-a square
18 SHELLEY ST, RICHMOND VIC 3121
03 9421 2827
WWW.TASQUARE.COM
LICENCE: 120785-020
ARCHITECTURE INTERIOR DESIGN PROJECT MANAGEMENT

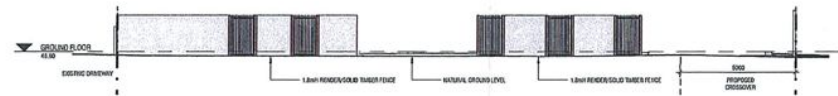
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LEGEND:

RL	RELATIVE LEVEL
REL	NATURAL GROUND LINE
POS	PROPOSED OVERHANG
REV	REVERSE SIDE OF WINDOW
GL	GLASS GLAZING
DS	DOUBLE STOREY BRICK BUILDING
PS	PROPOSED SIDEWALK
---	OUTLINE OF PROPOSED PERIMETER
---	OUTLINE OF EXISTING PERIMETER
---	OUTLINE OF EXISTING BUILDING
---	BOUNDARY LINE

NORTH ELEVATION - DANDENONG ROAD
SCALE 1:100



NORTH FENCE ELEVATION - DANDENONG ROAD
SCALE 1:100



EAST ELEVATION
SCALE 1:100

0 1 2m 4m 6m

t-a square

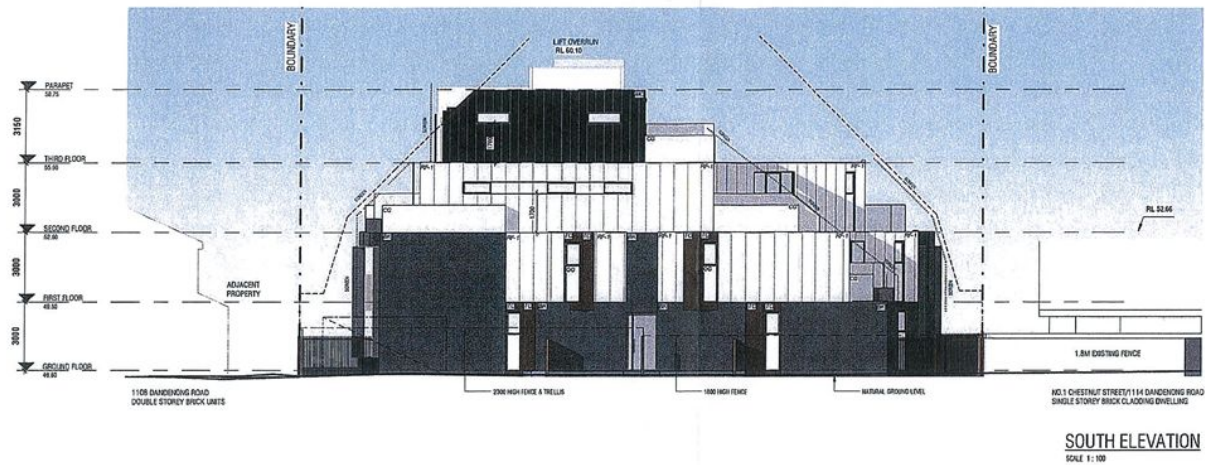
1/8 SHELLEY ST, RICHMOND VIC 3121
T: 03 9421 2827
WWW.TASQUARE.COM
TAXI: 122 782 403

ARCHITECTURE INTERIOR DESIGN PROJECT MANAGEMENT

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PROJECT
1110-1112 DANDENONG RD, CARNEGIE, VIC 3163
CLIENT
ASIA ONE PTY LTD
DRAWN BY
ELEVATIONS

SCALE: 1:100
1:200
PROJECT NO: TA1621
JOB NO: TP-300
DATE: OCT 2016
DRAWN BY: APIMC
CHECKED BY: APIMC



t-a square

1/8 SHELLY ST, RICHMOND VIC 3121
133 9421 2827
WWW.TASQUARE.COM
LACH 123 782 409

ARCHITECTURE INTERIOR DESIGN PROJECT MANAGEMENT

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NO. 1110-1112 DANDENONG RD, CARNEGIE, VIC 3163

NO. 1110-1112 DANDENONG RD, CARNEGIE, VIC 3163

PROJECT: 1110-1112 DANDENONG RD, CARNEGIE, VIC 3163
CLIENT: ASIA ONE PTY LTD
DRAWING TITLE: ELEVATIONS
DRAWN BY: TP-301

TOWN PLANNING

0 1 2m 4m 6m

SCALE: 1:100
1:200
DATE: 20/07/18
DRAWN BY: TP-301
CHECKED BY: A1
APPROVED BY: A3
DATE: OCT 2018

ITEM 9.5 201-209 TUCKER ROAD MCKINNON

Author: Rocky Camera, Manager Town Planning
File No: GE/PP-29775/2016

Attachments: Advertised plans

PURPOSE AND SUMMARY

To consider a Planning Permit application.



PROPOSAL	The installation of an electronic scoreboard
MUNICIPAL STRATEGIC STATEMENT	Open Space Strategy
APPLICANT	St Paul's Football Netball Club
PLANNING SCHEME CONTROLS	Public Park and Recreation Zone
OBJECTIONS	No objections received

RECOMMENDATION

That Council:

Issues a Planning Permit for Application No. GE/PP-29775/2016 for the installation of an electronic scoreboard in accordance with the conditions contained in the Conclusion section of this report.

BACKGROUND

St Paul's Football Netball Club (tenants of the McKinnon Reserve) has applied for an electronic scoreboard to be installed. This scoreboard will be used for cricket and football matches. There is currently no scoreboard in this location.

Proposal (refer to attached plans)

- The electronic scoreboard will be used for the scoring of sporting events only. No advertising component is proposed. The scoreboard will be approximately 10 square metres in area.

Referrals

The application was referred to Council's Recreation Department and Buildings and Properties Department. Both had no objection to the application.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

N/A

POLICY AND LEGISLATIVE IMPLICATIONSLocation and design of works

- The proposed scoreboard is over 40 metres to the west of Tucker Road, and positioned facing south-west towards the oval located at McKinnon Reserve.
- The size and scale of the new structure is not excessive and will be unobtrusive within the park.
- The scoreboard is located well away from the nearest residential properties along Tucker Road.
- Subject to a condition requiring that illumination be baffled so as not to cause unreasonable light spill, it is considered acceptable to issue a planning permit.

COMMUNICATION AND ENGAGEMENTPublic Notice (Statutory)

- 86 properties notified
- 135 notices sent (owners and occupiers)
- No objections received

LINK TO COUNCIL PLAN

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

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

OFFICER DECLARATION OF CONFLICT OF INTEREST

Council is the landowner. 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 with the following conditions:

1. The location of the scoreboard (including the size, nature, panels, position and construction etc) shown on the endorsed plan 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.
2. The location and details of the supporting structure shown on the endorsed plan must not be altered without the prior written consent of the Responsible Authority. Note: This does not obviate the need for a permit where one is required.
3. This Permit will expire if the scoreboard is not displayed/erected within two (2) years from the date of this Permit.

The Responsible Authority may extend the time referred to if a request is made in writing before the Permit expires or within the six (6) months after the expiry date.

4. The scoreboard must be constructed and maintained to the satisfaction of the Responsible Authority.
5. The light source must be designed to provide appropriate levels of illumination and baffled to the satisfaction of the Responsible Authority.

NOTES:

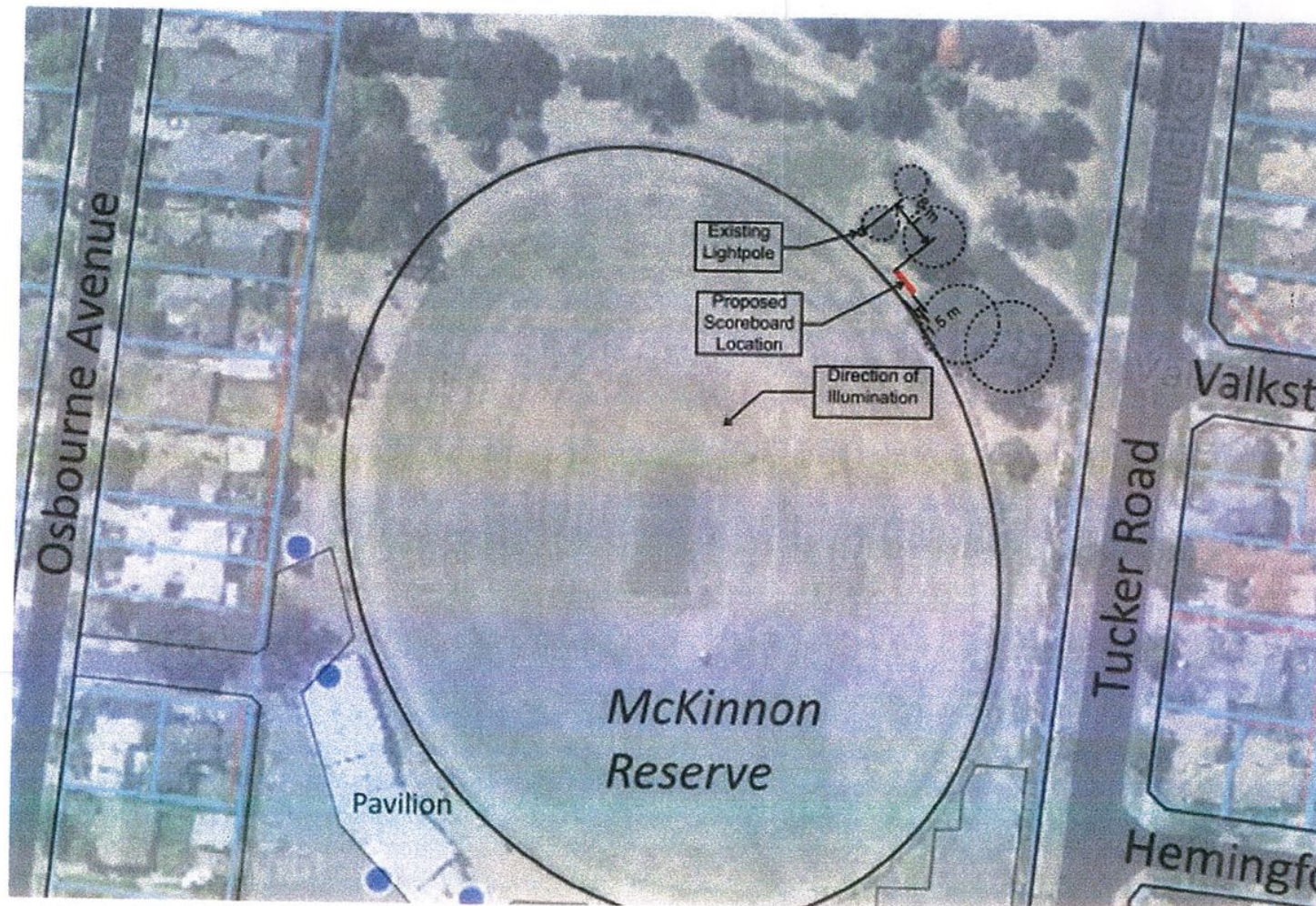
- A. This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Glen Eira City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this Planning Permit.
- B. 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.
- C. 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.

Moved: Cr Hyams

Seconded: Cr Taylor

That Council issues a Planning Permit for Application No. GE/PP-29775/2016 for the installation of an electronic scoreboard in accordance with the conditions contained in the Conclusion section of this report.

CARRIED UNANIMOUSLY



ADVERTISED PLAN

4 OF 6

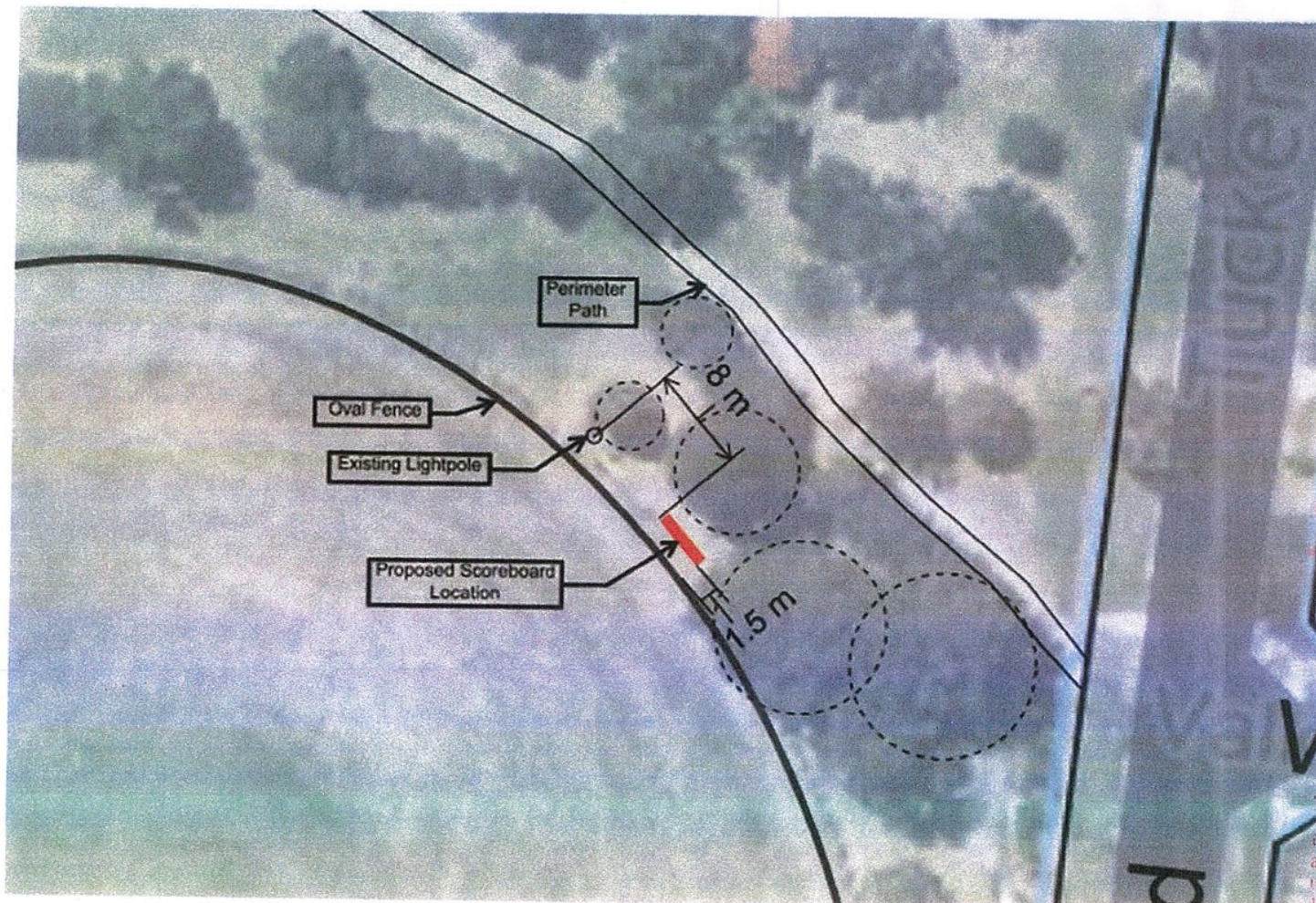
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McKinnon Reserve
Proposed Replacement Scoreboard
Locality Plan



Date	31/08/2016
Revision	A
Drawing No.	TP01



ADVERTISED PLAN

5 OF 6

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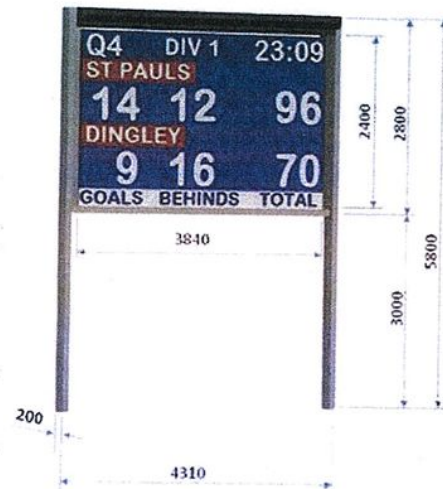


McKinnon Reserve
Proposed Replacement Scoreboard
Context and Detail Plan



Date	31/08/2016
Revision	A
Drawing No.	TP02

St Pauls Video Scoreboard Dimensions



NF Communications
10 August 2016



Note:

The proposed illumination of the electronic scoreboard will be a max 7500 cd/m² during scheduled football or cricket games (daytime). This illumination is for a totally white screen. Normal illumination will be significantly lower than this and is expected to be less than 2500 cd/m².



McKinnon Reserve
Proposed Replacement Scoreboard
Signage and Illumination

ADVERTISED PLAN

6 OF 6

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Date	31/08/2016
Revision	A
Drawing No.	TP03

Item 9.6 153 Poath Road, Murrumbena**Author: Rocky Camera, Manager Town Planning****File No: GE/PP-29786/2016****Attachments: Advertised plans****PURPOSE AND SUMMARY**

To consider a Planning Permit application



PROPOSAL	Four storey building comprising a shop and 10 dwellings above basement car parking
MUNICIPAL STRATEGIC STATEMENT	Housing Diversity Area Policy (Hughesdale Neighbourhood Centre)
APPLICANT	Warren McNally SMSF Pty Ltd
PLANNING SCHEME CONTROLS	Mixed Use Zone Environmental Audit Overlay
OBJECTIONS	6

RECOMMENDATION

That Council:

Issues a Notice of Decision to Grant a Planning Permit for Application No. GE/PP-29786/2016 for the construction of a four storey building comprising a ground floor shop, ten (10) dwellings and a two level basement car park, reduction of car parking requirements for the shop and waiver of loading bay requirements in accordance with the conditions contained in the Conclusion section of this report.

BACKGROUND

N/A

ISSUES AND DISCUSSION

- Zoning and policy context
- Height, scale and massing
- Amenity impacts
- Internal amenity
- Car parking and traffic
- Site contamination
- Objectors concerns

Proposal

- Construction of a four storey building comprising 10 dwellings
- Retail tenancy at ground floor
- Two levels of basement car parking comprising 16 spaces (12 resident spaces, 2 visitors spaces and two staff spaces)

Objectors' concerns

- Height and scale is excessive for this location
- Visual impact
- Loss of residential amenity
- Development is inconsistent with character

Referrals*Transport Planning*

- The provision for resident and visitor car spaces complies with the State Government car parking guidelines.
- The reduction of car parking for the retail component is acceptable.
- There is adequate capacity within the existing road network to accommodate the proposed vehicle trips generated by the development
- Some modifications to the design and layout of the vehicle access and basement car parks are required to ensure compliance with regulations.
- Loading for the small commercial tenancies can occur on street.

Asset Engineering

- All relevant Engineering Permits must be obtained prior to commencement of any buildings and works.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

N/A

POLICY AND LEGISLATIVE IMPLICATIONSZoning and policy context

State and Local planning policy broadly supports development in this location, which

increases housing supply in an existing urban area with good access to public transport and services. The subject site is located within the Mixed Use Zone with an interface to the properties located General Residential Zone to the west. No height limit applies to the subject land. The adjoining residential properties to the west have a mandatory maximum height of 3 storeys (or 10.5 metres).

The purpose of the Mixed Use Zone is to provide for a range of residential, commercial, and other uses which complement the mixed-use function of the locality and to provide for housing at higher densities that responds to the neighbourhood character.

The proposal is considered to meet the objectives of the zone by providing for a good dwelling diversity (one, two and three bedroom dwellings) and a generously sized retail component to complement the mixed function of the locality.

The Housing Diversity Area Policy seeks to:

- *Encourage residential uses (such as shop top housing and apartment style developments) at first floor level and above.*
- *Ensure that new residential developments provide a recognisable and accessible pedestrian access point from the principal street frontage to the residential component of the building.*
- *Ensure that the retail function and active frontage of centres is retained on the ground floor.*

The proposed development complies with the above policy objectives by providing for an active retail component at ground floor with dwellings above. In addition the development also incorporates a recognisable pedestrian access point at ground floor for the future occupants of the dwellings.

Height, scale and massing

The development will be larger in terms of height and scale than existing surrounding buildings, however the two storey podium is clearly expressed and the upper levels recessed. The two storey podium at the street edged is respectful of the height of neighbouring buildings and as such considered an appropriate response. The greater setbacks applied to the upper floors shows regard for views of the development from the wider neighbourhood. As such it is considered the resulting height, mass and scale of the building will not unreasonably dominate or visually intrude on the streetscape.

The development is reflective of emerging building forms in the Murrumbeena Activity Centre and wider neighbourhood (noting the land at 117-125 Poath Road has planning approval for a 5 storey mixed use development). The upper levels are differentiated from the two storey street wall by contrasting materials and treatments to add visual interest and articulation to moderate the scale of the proposal and ensure that it would not be excessively prominent in the streetscape or when viewed from residential properties to the west.

Amenity impacts

Policy encourages buildings to step down at the rear to achieve a graduated transition to adjoining buildings and residential areas. The ground floor is setback 3.3m from the rear boundary. The first and second floors are setback a minimum of 1.1m from the rear boundary. Noting that there is a 3 metre wide lane to the west of the land, the first and second floors are setback 4.1m from the boundary of 2 Stewart Street. The upper floor setback increases to 3.3m from the rear boundary. The proposed setbacks from the rear boundary are considered to provide an acceptable transition to the adjoining residential property to the west (2 Stewart Street), noting that this property has a mandatory maximum height limit of 3 storeys.

The proposed west facing dwellings adopt varying screening measures to balance internal amenity (in particular daylight access) whilst preventing downward views into 2 Stewart Street. At first floor the balconies are provided with horizontal blades to a height of 1.7m above floor level (and no more than 25% transparent). The second floor balconies are treated with angled screens and the third floor utilises planter boxes, both of which will restrict downward views in accordance with State Government guidelines.

Shadowing impacts from the proposed development complies with the State Government Overshadowing guidelines.

Internal amenity

Each dwelling is provided with a balcony with minimum area of 8m² (with supplementary courtyards at Level 1). All habitable rooms have direct access to natural light by virtue of the internal light wells on the north and south sides of the building.

Car Parking and Traffic

The State Government parking guidelines require 12 on site resident car spaces based on 1 car space for each 1 or 2 bedroom dwelling and 2 car spaces for each 3 or more bedroom dwelling. The required 12 car spaces are provided within the two basement levels.

The guidelines also require 2 on site visitor car spaces based on 1 car space for every 5 dwellings. Two visitor car spaces are provided at ground level accessed from the rear laneway.

Given that customers of the retail shop would not be expected to park in the rear car park and the fact that 2 spaces are proposed for staff, Council's Transport Planning Department is satisfied with the parking proposed for the retail shop.

Council's Transport Planning Department suggest design changes to the vehicle access and internal basement layouts to ensure safe and convenient vehicle movements. These changes form recommended conditions.

The proposed shops generate a requirement for loading facilities. The provision of a loading bay for the retail area can be waived on this occasion as delivery vehicles are likely to be smaller in size and can be accommodated on-street.

A note will be included on any future approval making future residents ineligible to obtain resident and visitor parking permits.

Potential site contamination

The applicant has submitted a preliminary site investigation for site contamination. The report found there is "high potential for site contamination" from both on-site and off-site sources based on historical site use. As such, a requirement for an Environmental Audit will be required by condition of the recommendation. The Environment Audit will require appropriate measures to be undertaken in order to remove contamination within the land before any works can commence.

Management Plan Requirements

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

COMMUNICATION AND ENGAGEMENTPublic Notice (Statutory)

- 12 properties notified
- 20 notices sent (owners and occupiers)
- 1 sign erected on site
- 6 objections received

Planning Conference (Non Statutory)

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

- The proposed height and scale is excessive for this location
- Stacker systems are not a safe or practical way of providing car parking
- Surroundings streets are already congested and near capacity
- The proposed screening measures will not prevent overlooking
- Reduction of car parking and waiver of loading bay requirements
- The development will conflict with existing uses in the immediate area in terms of car parking demand
- The development will present significant bulk and mass relative to existing buildings
- The rear laneway will be blocked by cars waiting to use the car lift
- Transition in setbacks to residential zones are not appropriate
- Loading in Poath Road will obstruct traffic flow

Undertakings by the Applicant

N/A

LINK TO COUNCIL PLAN

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

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 with the following conditions:

1. Before the commencement of the development, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application (identified as TP.11 – TP.18 Rev. B dated 18/10/2016 prepared by Ascui & Co Architects) but modified to show:
 - (a) Car parking spaces and accessways with the minimum dimensions outlined in Table 2 of Clause 52.06-8 of the Planning Scheme (excluding the disabled space and shared area).

- (b) A minimum height clearance of 2.1 metres provided above the opening and within the car park lift and within the basement car park levels. Headroom clearance must be shown as per Figure 5.3 of AS2890.1:2004 on the longitudinal cross-section plan;
- (c) The car lift set back a minimum of 5.4 metres from the west boundary.
- (d) The 300mm kerb on the southern side of the accessway ramp leading to the lower end of Basement Level 2 extended the whole way through to minimise the sudden fall between levels.
- (e) A ground clearance assessment undertaken by a suitably qualified Traffic Engineer to demonstrate that vehicles using the accessway in Basement Level 2 would not scrape.
- (f) The existing crossover on Poath Road removed and the nature strip / kerb reinstated.
- (g) The dimensions of the car stackers and car stacker spaces clearly indicated on the car park layout plans, including the section plan/s showing the space widths and lengths, clear platform widths and lengths, space heights, pit depths, height clearances). The cross-section plan should illustrate the car stacker pits and dimensions of each space.
- (h) The pedestrian paths should be clearly dimensioned on the plans. Pedestrian access must be a minimum of 1.0m wide.
- (i) All car spaces to be allocated to each dwelling / other user.
- (j) Bicycle parking for staff and residents separated from the visitor parking in accordance with Clause 52.34. The staff and resident bicycle spaces should be provided within a lockable compound whilst the visitor bicycle spaces be provided at bicycle hoops (or towel rails) at the ground level near the main entrance and/or foyer of the building. The spaces must be dimensioned.

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

2. The layout of the site and size, design and location of buildings and works as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority. Note: This does not obviate the need for a permit where one is required.
3. The car parking allocation for the approved development must be:
 - One (1) car space be allocated to each of the one / two-bedroom dwellings;
 - Two (2) car spaces be allocated to each of the three-bedroom dwellings;
 - A minimum of two (2) residential visitor car spaces;
 - A minimum of two (2) car spaces be provided for the retail shop.
4. Any existing crossing or crossing opening to Poath Road must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.

5. Areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
- (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all-weather sealcoat;
 - (d) drained;
 - (e) line-marked to indicate each car space and all access lanes;
 - (f) clearly marked to show the direction of traffic along the access lanes and driveways.

To the satisfaction of the Responsible Authority.

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

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

Once approved the CMP 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.

7. 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.

8. 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.
9. During the construction of the buildings and works allowed by this permit, the laneway(s) adjacent to the subject land must be kept free of parked or standing vehicles or any other obstruction, including building materials, equipment etc. so as to maintain free vehicular passage to abutting benefiting properties at all times, unless with the written consent of the Responsible Authority.
10. The walls on the boundary of adjoining properties must be cleaned and finished in a manner to the satisfaction of the Responsible Authority.
11. Adequate provision must be made for the storage and collection of garbage, bottles and other solid wastes in bins or receptacles in accordance with an approved Waste Management Plan to the satisfaction of the Responsible Authority. All bins and receptacles used for the storage and collection of garbage, bottles and other solid wastes must be kept in a storage area screened from view, to the satisfaction of the Responsible Authority. All bins and receptacles must be maintained in a clean and tidy condition and free from offensive odour, to the satisfaction of the Responsible Authority.
12. 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.
13. Air conditioning units located on balconies should be screened from view and not visible from the street or adjoining properties.
14. 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.
15. Prior to the completion of the basement floor constructions, written confirmation by a Licensed Land Surveyor must be provided to the Responsible Authority verifying that the car park floor levels have been constructed in accordance with the endorsed plans (prior to the construction of the levels above being commenced).
16. Prior to the occupation of the approved development, a permanent sign must be erected by the applicable planning permit holder in a prominent position in the car park and in any foyer/s stating that "Residents of this development will not be issued Residential Parking Permits (including visitor parking permits)". The sign must measure approximately 0.2 square metres in area, to the satisfaction of the Responsible Authority.

17. The permit holder must inform all purchasers about this planning permit, particularly drawing attention to 'Note C' that residents of the dwellings allowed under this permit will not be issued residential parking permits (including visitor parking permits).
18. Construction or carrying out of buildings and works associated with the development (excluding remediation works for the purpose of the environmental audit) hereby approved must not occur until, to the satisfaction of the Responsible Authority:
 - A certificate of environmental audit is issued for the land in accordance with Part IXD of the Environment Protection Act 1970; or
 - An environmental auditor appointed under the Environment Protection Act 1970 makes a statement in accordance with Part IXD of the Act that the environmental conditions of the land are suitable for the sensitive use.

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

Where there are conditions on a Statement of Environmental Audit that require ongoing maintenance and/or monitoring, the applicant must enter into a Section 173 Agreement under the Planning and Environment Act 1987 (unless deemed unnecessary by the Responsible Authority) to give effect to the ongoing maintenance and/or monitoring conditions contained in the Statement of Environmental Audit. The Agreement must be executed on title prior to the commencement of the use and prior to the issue of a Statement of Compliance under the Subdivision Act 1987. The applicant must meet all costs associated with drafting and execution of the Agreement, including those incurred by the responsible authority. A memorandum of the Agreement is to be entered on Title and the costs of the preparation and execution of the Agreement and entry of the memorandum on Title are to be paid by the owner.

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

19. Prior to the occupation of the approved development, the owner/permit holder must prepare and have approved in writing by the Responsible Authority, a car stacker system management plan including but not limited to the following:
 - (a) Allocation of car spaces according to vehicle size and type;
 - (b) Ongoing maintenance of the car stacker system;
 - (c) Instructions to owners/occupiers about the operation of the car stacker system; and
 - (d) Communicating to prospective residents about the availability of car stacker spaces and sizes.

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

20. The mechanical car stackers must be maintained by the Owner's Corporation in a good working order and be permanently available for the parking of vehicles in accordance with their purpose to the satisfaction of the Responsible Authority. Should no Owner's Corporation be established, then the lot owner must bear responsibility for ongoing maintenance of the car stacker.

21. This Permit will expire if:

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

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

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

Conditions End

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

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

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

- B. This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Glen Eira City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria to that adopted for the approval of this Planning Permit.
- C. Residents of the dwellings allowed under this permit will not be issued Residential Parking Permits (including visitor parking permits).
- D. 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.

- E. Nothing in the grant of this permit should be construed as granting any permission other than planning permission for the purpose described. It is the duty of the permit holder to acquaint themselves, and comply, with all other relevant legal obligations (including any obligation in relation to restrictive covenants and easements affecting the site) and to obtain other required permits, consents or approvals.
- F. 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

Asset Engineering Advice:

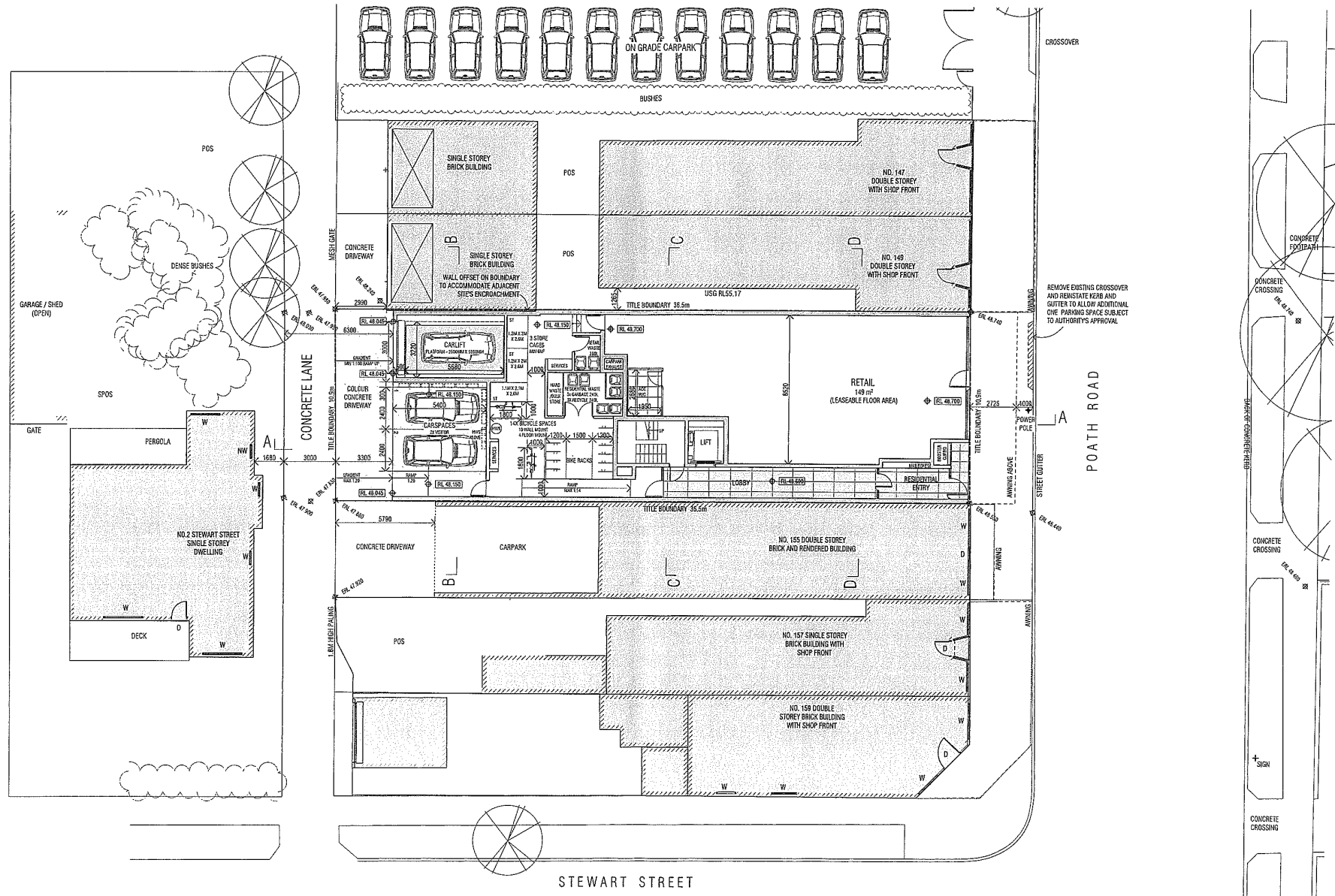
- G. The existing redundant vehicle crossings must be removed & footpath/kerb and channel/nature strip reinstated in matching to abutting conditions.
- H. The rear laneway is not lit by council. Any/all lighting (private/public) is to be provided by the developer/development.
- I. Any cracked and or sunken concrete slabs with in the Right of Way during or after the construction is to be reinstated by the developer at the developers cost.
- J. Connect storm water runoff from the allotment via an outfall drain to Council storm water drain/pit located at Lydson Street via laneway. The design and construction of the outfall drain must be approved by Engineering Assets and all costs associated with the outfall drain design and construction must be borne by the developer.
- K. Engineering Services encourage using of rainwater tanks for storage and reuse for toilet and irrigation purpose and or storm water detention system.
- L. All on-site storm water is to be collected from the hard surface areas and must not be allowed to flow uncontrolled into adjoining properties. The on-site drainage system must prevent discharge from each driveway onto the laneway. Such a system may include either:
 - trench grate (150mm minimum internal width) located within the property and/or;
 - Shaping the driveway so that water is collected in a grated pit on the property.
- M. Any firefighting equipment for the building shall be accommodated within title boundary. Firefighting facility as required under Building Act/Regulation shall be within the subject land and not in Council Road Reserve.
- N. Access to the development must be compliant with the Disability Discrimination Act (DDA). No alteration to footpath and or Right of Way is permitted.
- O. Asset Protection Permit must be obtained from Council Engineering Services Department prior commencement of any building works.
- P. All relevant Engineering Permits must be obtained prior any works within the Road Reserve and or stormwater connection to Council drainage network.
- Q. Any modifications, amendments or changes that could impact Council's infrastructure assets are to be discussed with the Engineering Services prior to issuing a planning permit.

Moved: Cr Esakoff**Seconded: Cr Athanasopoulos**

That Council issues a Notice of Decision to Grant a Planning Permit for Application No. GE/PP-29786/2016 for the construction of a four storey building comprising a ground floor shop, eight (8) dwellings and a two level basement car park, reduction of car parking requirements for the shop and waiver of loading bay requirements in accordance with the conditions contained in the Conclusion section of this report with the inclusion of conditions 1(k) and 1(l).

- 1(k) Deletion of Apartment 302 at third floor with any consequential changes absorbed within the approved building envelope.
- 1(l) The second floor setback a minimum of 7 metres from the rear (west) boundary with any consequential changes absorbed within the approved building envelope. This will require the consolidation of Apartments 203 & 204 as a single dwelling to the satisfaction of the Responsible Authority.

CARRIED UNANIMOUSLY



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REV No.	AMENDMENTS / ISSUE	DRAWN
A	TOWN PLANNING APPLICATION	W
A	TOWN PLANNING APPLICATION	W

Ground Floor,
162 Williams Road
Pahran, Victoria 3181
Australia

T (+61 3) 9528 3999
info@ascuiandco.com.au
ascuiandco.com.au
424 189 128 192



DRAWING
GROUND FLOOR

PROJECT
MIXED USE DEVELOPMENT
153 POATH ROAD
MURRUMBIDGEA

Ascui & Co.
Architects

SCALE @ A1
1:100
DRAWN
CH

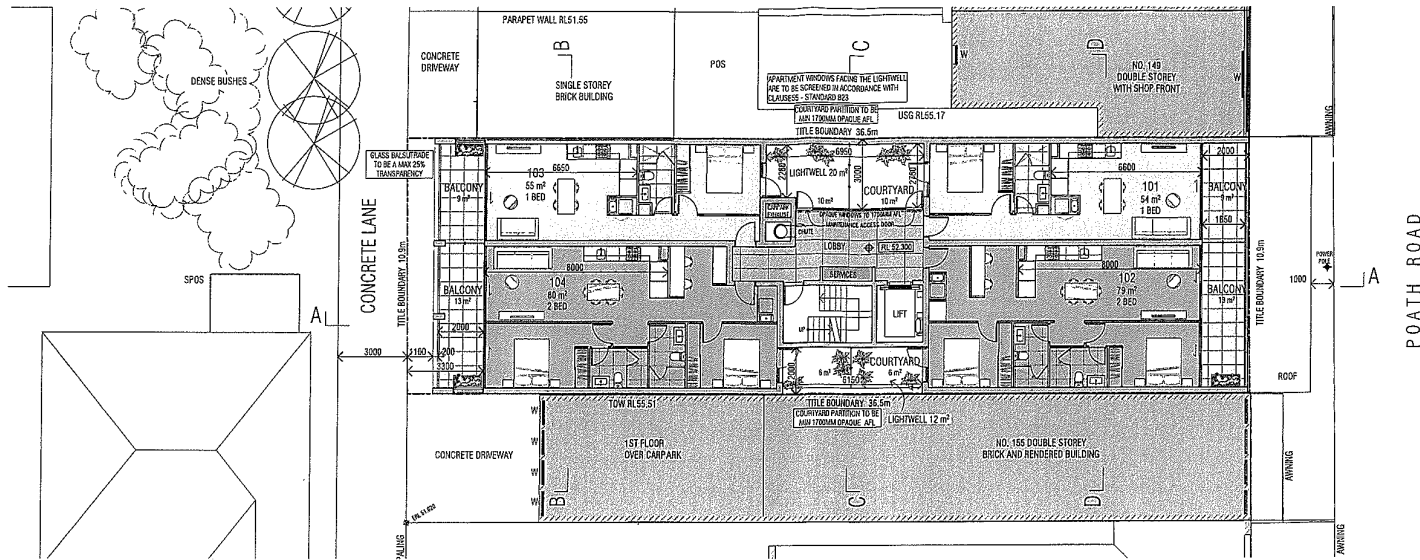
TOWN
PLANNING

DATE
18-10-2016

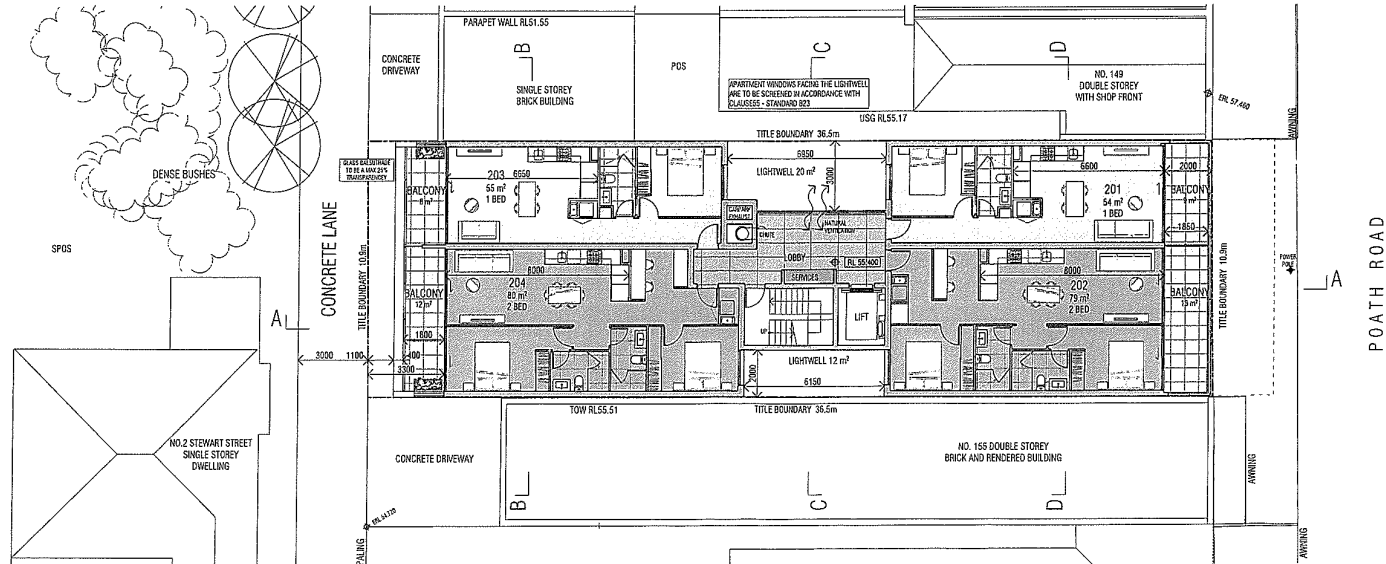
208 No.
1519

DRAWING No.
TP-12

REV No.
B



LEVEL 1



LEVEL 2

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A	TOWNPLANNING APPLICATION	AK
A	TOWNPLANNING APPLICATION	AK

Ground Floor,
162 Williams Road
Prahran, Victoria 3181
Australia

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info@ascuiandco.com.au
ascuiandco.com.au
ACN 148 228 762

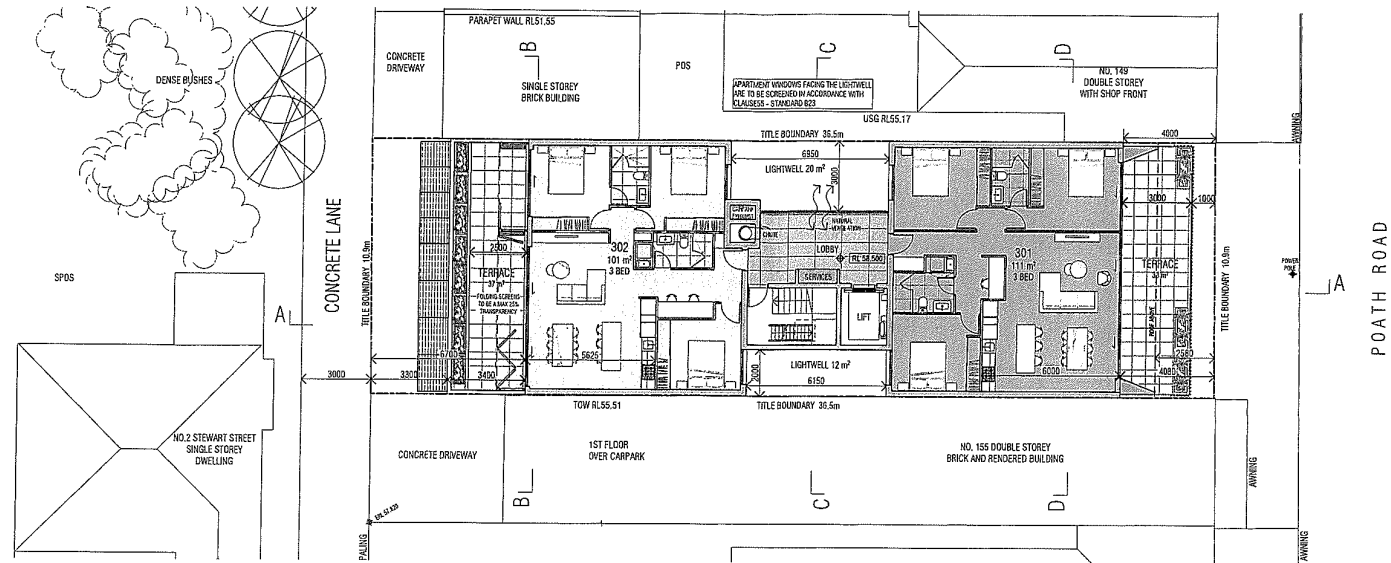


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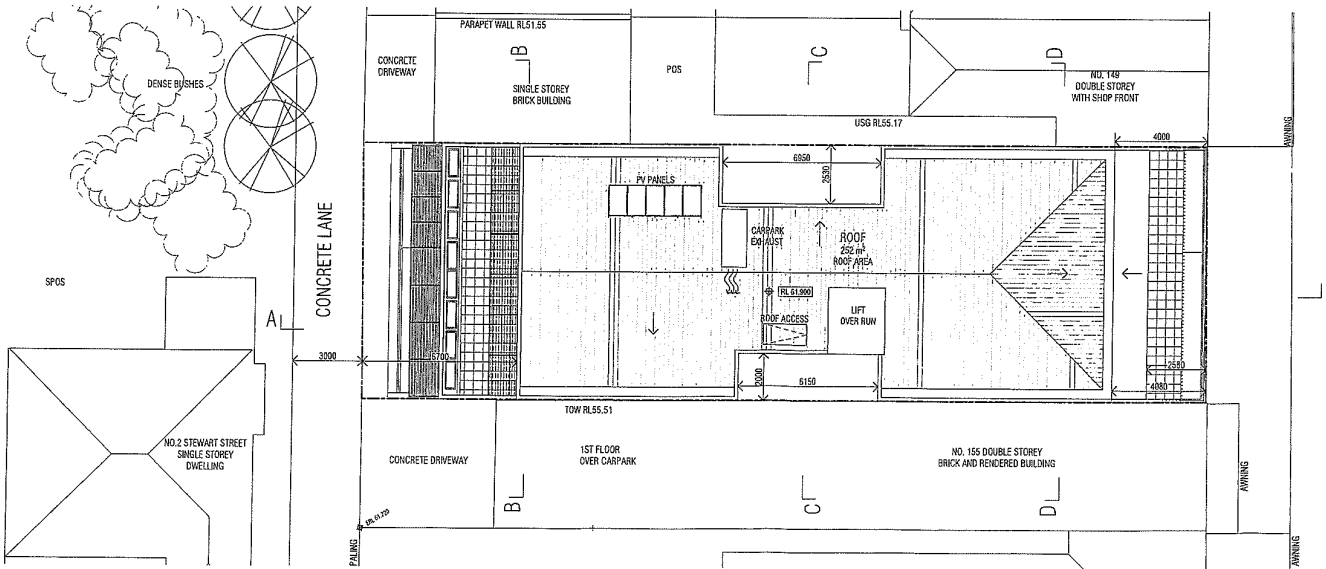
PROJECT
MIXED USE DEVELOPMENT
153 POATH ROAD
MURRUMBEEENA

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Architects

SCALE @ A1 1:100	DATE 18-10-2016
DRAWN OL	303 Rn. 1519
TOWN PLANNING	DRAWING No. TP-13
	REV No. B



LEVEL 3



ROOF

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B	TOWNPLANNING APPLICATION - H1	AL

Ground Floor,
162 Williams Road
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Australia

T (+61 3) 9529 3999
info@ascuiandco.com.au
ascuiandco.com.au
ASIN 003 228 789

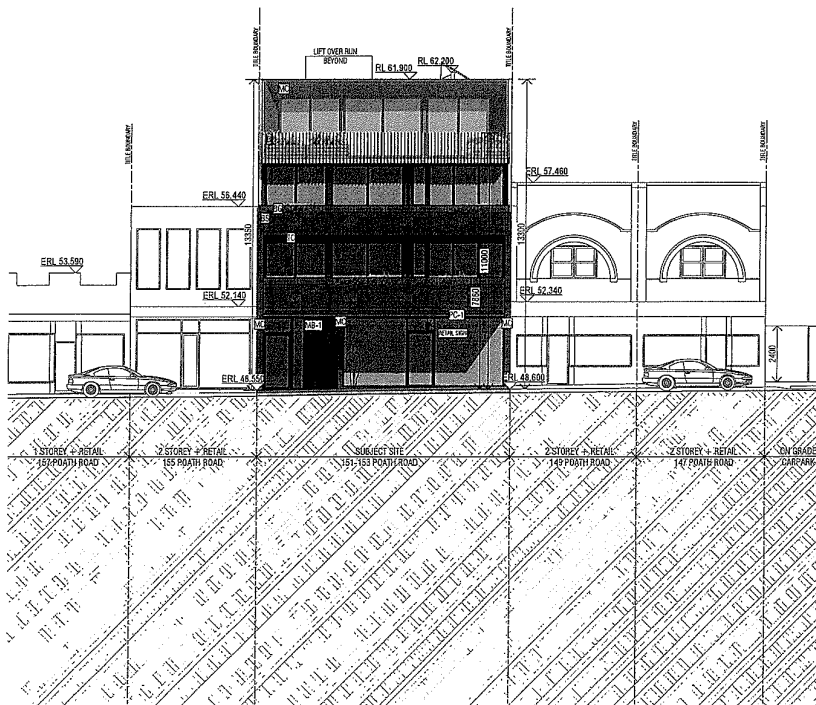


DRAWING
LEVEL 3 AND ROOF

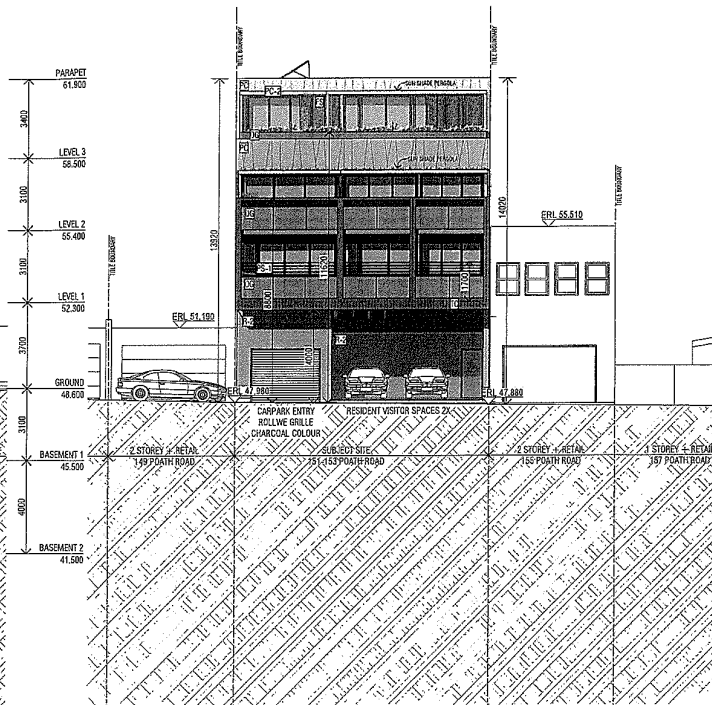
PROJECT
MIXED USE DEVELOPMENT
153 POATH ROAD
MURRUMBEENA

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Architects

SCALE @ A1 1:100	DATE 18-10-2016
DRAWN CL	DWG No. 1512
TOWN PLANNING	DRAWING No. TP-14
	REV No. B



EAST ELEVATION



WEST ELEVATION

LEGEND FINISHES

BUILDING SUBSTRATE
COLOUR (WHERE APPLICABLE)

- TC COMPOSITE TIMBER CLADDING VERTICAL SHIPLAP - SPOTTED GUM
- PC PRECAST CONCRETE PATTERN - LIGHT GREY OXIDE
- BS BLUESTONE TILES 600 X 300
- B VERTICAL ANGLE METAL BALUSTRADE POWDERCOAT COLOUR 1
- WM STAINLESS STEEL WOVEN MESH TRELLIS
- MC COMPOSITE ALUMINIUM CLADDING - CHARCOAL
- PS-1 HORIZONTAL PRIVACY SCREEN - POWDERCOAT COLOUR 1
- PS-2 ALUMINIUM BOX SECTION MAXIMUM 50% OPENNESS
- PS-3 HORIZONTAL LOUVERS - POWDERCOAT COLOUR 1
- PS-4 PRIVACY SCREEN TO 1700MM AFL
- BS GLASS BALUSTRADE - GREY TINT
- OG OPAQUE GLASS, BALCONY DIVIDER 1.7M HIGH
- PS FEATURE SUNSHADE BIFOLD SCREEN DOORS POWDERCOAT COLOUR 2
- MS-1 METAL BATTERY SCREEN - POWDERCOAT COLOUR 1

PAINT AND RENDER COLOURS

- 1 DULUX PAINT COLOUR WHISPER WHITE "PW1, F2"
- 2 DULUX PAINT COLOUR TRISTAN "P02, C5"

POWDERCOAT COLOURS

- 1 INTERPON SABLE "BASS" YY 397 A
- 2 INTERPON SABLE "CORTEN" YX 350 A

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REV No.	AMENDMENTS / ISSUE	DRAWN
A	TOWN PLANNING APPLICATION	OK
A	TOWN PLANNING APPLICATION - RT	OK

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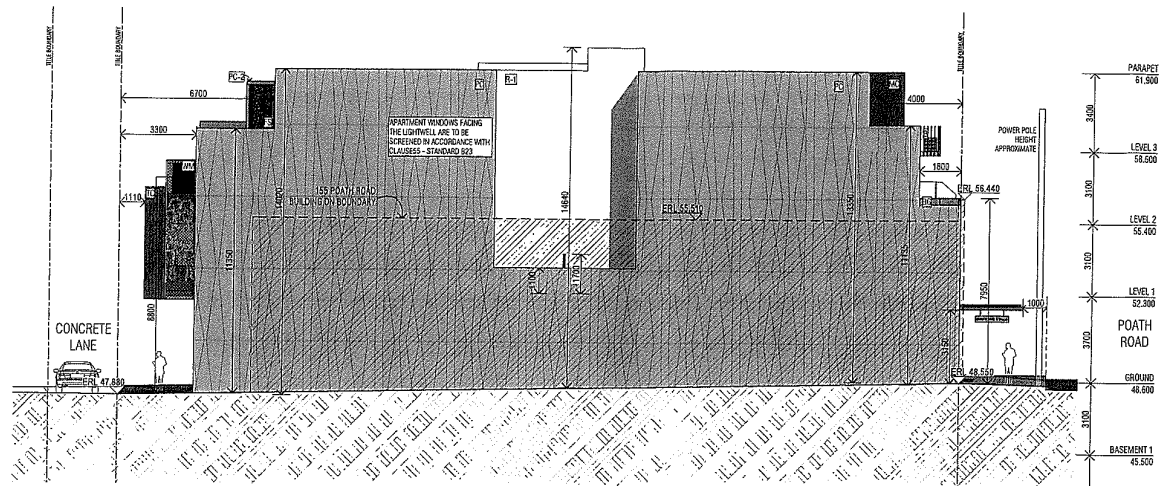
T (+61 3) 9529 3999
info@ascuiandco.com.au
ascuiandco.com.au
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ELEVATIONS

PROJECT
MIXED USE DEVELOPMENT
153 POATH ROAD
MURRUMBEEENA

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SCALE # A1	DATE
1:100	15-10-2015
DRAWN	309 Mm
CL	1519
TOWN PLANNING	DRAWING No. REV No.
TP-15	B



SOUTH ELEVATION

LEGEND FINISHES

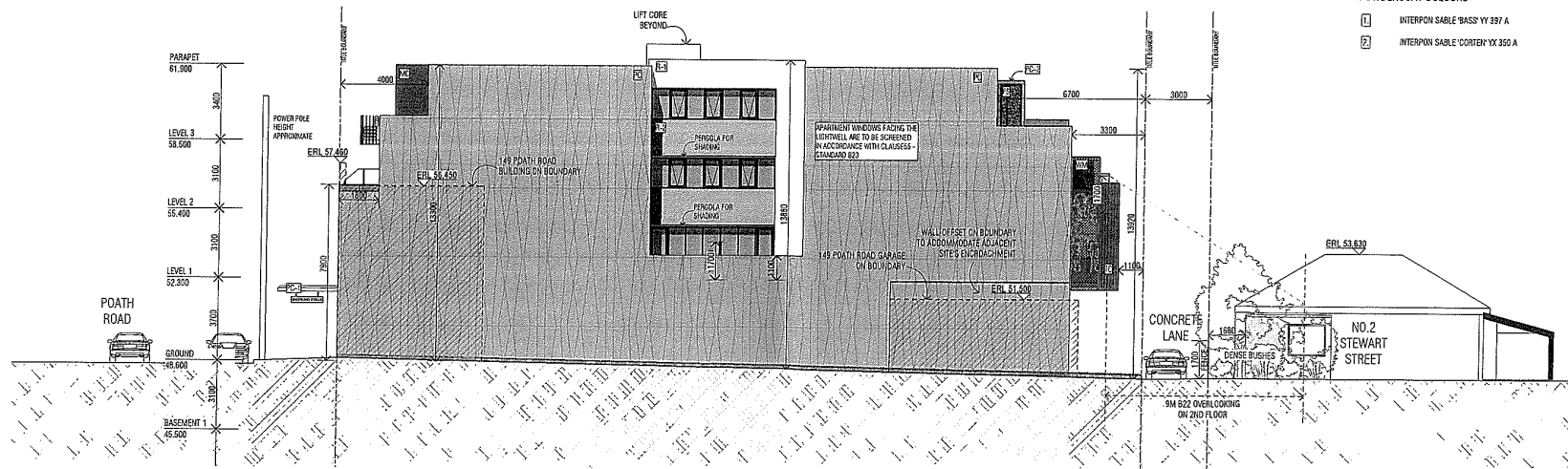
- BUILDING SUBSTRATE**
- COLOUR (WHERE APPLICABLE)**
- TC** COMPOSITE TIMBER CLADDING - VERTICAL SHIPLAP - 'SPOTTED GUM'
- PC** PRECAST CONCRETE - PATTERN - LIGHT GREY ONDE
- BS** BLUESTONE TILES 600 X 300
- B** VERTICAL ANGLE METAL BALUSTRADE - POWDERCOAT COLOUR 1
- WM** STAINLESS STEEL WOVEN MESH TRELLIS
- MC** COMPOSITE ALUMINIUM CLADDING - CHARCOAL
- PS-1** HORIZONTAL PRIVACY SCREEN - POWDERCOAT COLOUR 1 - ALUMINIUM BOX SECTION MAXIMUM 25% OPENNESS
- PS-2** HORIZONTAL LOUVERS - POWDERCOAT COLOUR 1 - PRIVACY SCREEN TO 1700MM APL
- GB** GLASS BALUSTRADE - GREY TINT
- GC** OPAQUE GLASS, BALCONY OVERHANG 1.7M HIGH
- FS** FEATURE SUNSHADE BIFOLD SCREEN DOORS - POWDERCOAT COLOUR 2
- MB-1** METAL BATTEN SCREEN - POWDERCOAT COLOUR 1

PAINT AND RENDER COLOURS

- 1** DULUX PAINT COLOUR WHISPER WHITE 'P41, P2'
- 2** DULUX PAINT COLOUR TRISTAN 'P42, C5'

POWDERCOAT COLOURS

- 1** INTERPON SABLE 'BASS' YX 397 A
- 2** INTERPON SABLE 'CORTEX' YX 350 A



NORTH ELEVATION

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REV No.	AMENDMENTS / ISSUE	DRAWN
1	TEMPORARY APPROXIMATION	AL
2	TEMPORARY APPLICATION - MH	AL

Ground Floor,
162 Williams Road
Prahran, Victoria 3181
Australia

T (+61 3) 9529 3999
info@ascuiandco.com.au
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DRAWING ELEVATIONS

PROJECT
MIXED USE DEVELOPMENT
153 POATH ROAD
MURRUMBEENA

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SCALE @ A1 1:100	DATE 15-10-2016
DRAWN OL	108 Hrs.
TOWN PLANNING	1510
TP-16	DRAWING No. REV No.
	B

ITEM 9.7 CITY STRATEGY AND PLACE MAKING

Author: Aidan Mullen, Manager City Futures

File No: N/A

Attachments: 1. Shopping Strip Consultation – Example of Poster
2. Shopping Strip Consultation – Example of Webpage

PURPOSE AND SUMMARY

The next 12 months presents a unique and pivotal period for Glen Eira's shopping strips. This report seeks to provide Council with an overview of upcoming projects and initiatives, including:

1. Council-led projects as adopted in the Planning Scheme Review Work Plan;
2. Non Council-led projects and Planning Scheme Amendments;
3. Opportunities to achieve positive outcomes through aligned works along the Dandenong Line involving advocacy to the Level Crossing Removal Authority (LXRA), and;
4. An ongoing engagement program that will manage the communication of the above three projects over the next 12-18 months.

RECOMMENDATION

That Council:

- Endorses the commencement of Council-led projects and initiatives outlined in this report, including:
 - The proposed engagement program
 - Revision of the Glen Eira Activity Centre Strategy
 - Structure Planning at Bentleigh, Carnegie and Elsternwick
- Notes that Officers will provide further reports to Council at the key decision points on the projects outlined in this report.

BACKGROUND

Glen Eira is currently experiencing a time of significant change with level crossing removal works along two railway lines, a Melbourne-wide housing boom and a transition of the local job market, business demands and land uses. These significant, externally-driven changes present both challenges and opportunities which need to be proactively addressed by Council.

In order to respond to these changes, Council adopted a progressive Work Plan to update the Planning Scheme following extensive community engagement as part of the Planning Scheme Review. The Work Plan, adopted in August 2016, seeks to:

- Update Glen Eira's strategic vision which guides the future planning of the city, and;
- Undertake a new focus on planning for Glen Eira's activity centres (or shopping strips).

This previous engagement was the starting point for an ongoing conversation with the Glen Eira community and stakeholders. Upcoming engagement will be tailored around the City's 17 shopping strips. These local conversations will foster community input that guides strategic decision making on issues and opportunities that are important for each community and place.

In particular, the feedback from this engagement will be used to guide the significant city-shaping projects outlined below.

ISSUES AND DISCUSSION

1. PROJECTS

Key Council-Driven Projects

Revised Activity Centre Strategy (All activity centres)

The Activity Centre Strategy provides the strategic context, vision and objectives for each shopping strip across Glen Eira. The Strategy guides our strategic planning position on where to focus housing and commercial developments. Council's existing Activity Centre Strategy was adopted in 2005 and requires updating to address the significant changes occurring in Glen Eira.

It is proposed that over the next six months Council revises its Activity Centre Strategy through significant community and expert input. The revised Activity Centre Strategy will become a key basis for the Council updated strategic vision (Municipal Strategic Statement) and is critical to inform subsequent projects such as Structure Plans.

Building and Development Guidelines (All commercial areas)

The revised Activity Centre Strategy will inform Building and Development (or Urban Design) Guidelines which will guide the design of future developments within all commercial areas. This work is to address the recognised community concern regarding development and will go through a clear community consultation process.

This work will manage development in key sensitive areas whilst also aiming to strategically unlock some key sites close to train stations for redevelopment. Following consultation, the Guidelines will be taken to Council for consideration late 2017. Once the Guidelines are adopted by Council, permission will be sought from the Planning Minister to incorporate built form controls into the Planning Scheme.

Structure Plans (Bentleigh, Carnegie & Elsternwick)

In August this year Council adopted the Planning Scheme Review Work Plan, with the key action to undertake Structure Planning for three of Glen Eira's activity centres. Structure Plans provide a shared future vision, outlining objectives and projects that relate to public space, buildings, transport, community services and business.

Over the next 12-18 months, three new Structure Plans will be developed for Bentleigh, Carnegie and Elsternwick shopping precincts and will involve extensive community engagement with these communities. Once adopted, permission will be sought from the Planning Minister to include the Structure Plans within the Planning Scheme.

Level Crossing Removals**Aligned Works Advocacy (Carnegie, Murrumbeena, Hughesdale)**

The State Government, through the Level Crossing Removal Authority (LXRA), has begun construction on the railway line between Caulfield and Dandenong. There is a current window of opportunity for Council to have input in shaping 'aligned' or adjacent opportunities either side of the railway corridor. The LXRA has advised that the deadline to provide a clear direction on such aligned opportunities is by the middle of 2017. This is a once-in-a-century opportunity to reconsider how the streets and public spaces operate in and around the train stations and activity centres which may assist with economic recovery post-construction.

It is proposed that between December and April next year consultation is undertaken with the communities at Carnegie, Murrumbeena and Hughesdale to explore what opportunities are supported with a Council resolution sought around May/June 2017.

Continue to Support Affected Centres (Ormond, McKinnon, Bentleigh, Murrumbeena, Carnegie and Hughesdale)

Over the last year Ormond, McKinnon and Bentleigh have experienced significant disruption to local business and community vibrancy due to the construction of the level crossing works. Through this time Council has supported local businesses by providing an independent retail expert to work with the Trader Associations and individual businesses, as well as running marketing campaigns to build a community database for the further ongoing trader marketing.

The planned work across Glen Eira's shopping strips presents an opportunity to reconsider how Council looks to support the level crossing affected centres. Council has an opportunity to significantly aid these centres for the long term through the measures outlined in this report and through a new focus on 'place-making', which includes the exploration of local opportunities that Council can deliver or facilitate.

Ormond Station

Council has recently adopted a submission to the Ministerial Advisory Committee regarding the proposed Planning Scheme Amendment at Ormond Station. The submission seeks to achieve positive urban design outcomes and minimise negative effects on existing local businesses.

Non-Council Led Projects Requiring Councils Response**East Village Masterplan (Virginia Park)**

Over the last 12 months, the major land owners of the area known as Virginia Park have undertaken a consultation process independent of Council to establish a masterplan for the site. As commonly undertaken with amendments of this size, it is anticipated that the land owners will engage with Council Officers prior to formal lodgement. This approach which is accommodated by the Victoria planning system, allows time for Council Officers to independently review the proposed material (including the use of independent external experts).

Following the review stage, the proposal will be put to Council for a formal decision on whether to proceed to the formal Planning Scheme Amendment process which involves a public exhibition process and ultimately requires approval from the Minister for Planning. It is planned that the revision of the Activity Centre Strategy will assist in providing Council with direction on the East Village proposal and its potential future role.

2. ENGAGEMENT

Traditionally, Councils engage with the community separately on each individual project. This approach can work well when there are limited projects occurring and when projects are tangible for the community, such as a public park upgrade. However, the upcoming 12-18 months will be a uniquely busy period with engagement required on many significant planning and infrastructure projects across Glen Eira.

Planning is often an abstract subject for the community and the formal consultation processes can be confusing for community members who are not familiar with planning jargon. As such, to truly seek community input on these projects, Council must adopt the following principles when engaging with the community:

- Foster an ongoing two-way conversation with the local community;
- Communicate in a way that makes sense to the community;
- Coordinate community feedback across all projects, and;
- Inform long term thinking, not just immediate project needs.

A dedicated on-line community forum has been established for each of Glen Eira's 17 shopping strips which can be found at www.gleneira.vic.gov.au/yourshops_

These new shopping strip forums will allow each local community to provide ongoing feedback on issues and opportunities that matter for that local area. Upcoming projects will be clearly communicated through these new individual forums.

It is also proposed that further engagement is undertaken across the following centres currently experiencing significant change:

- Bentleigh, Elsternwick, Carnegie (Structure Plans);
- Hughesdale and Murrumbeena (Dandenong Line Level crossing removals), and;
- Ormond and McKinnon (Frankston Line Level crossing removals).

The further engagement measures in these seven centres are expected to include:

- Drop-in and pop-up engagement in each centre;
- Workshops and information stands at key periods;
- Exploration of pop-up spaces within centres
- Posters, postcards and other media for display in shops and cafes, and;
- Key stakeholder meetings.

Officers will also explore the possibility of temporarily occupying space in a local shop or café as part of the community engagement program.

Overview of Proposed Engagement Program

Stage 1: Visioning – November 2016 to February 2017

This stage has already commenced and is referred to as the Shopping Strip Engagement Program (outlined in further detail below). The program seeks to create a community-owned vision for each activity centre through a new engagement campaign which encourages the community to ***'Tell us what you love about your shopping strip'***.

Stage 2: Legacy and 'place-making' Projects – March to April 2017

For the centres undergoing Structure Planning and level crossing works, the engagement seeks community input on key project ideas that will leave a lasting 'legacy' for that centre as well as short-term 'place-making' opportunities.

Stage 3: Built Form Controls – May to June 2017

Community feedback will be sought on built form controls across all commercial areas with a more detailed focus on Urban Villages.

Stage 4: Draft Structure Plan – July to August 2017

Feedback will be sought on the Draft Structure Plans for the three Urban Villages which will incorporate the previous three themes of vision, legacy projects and built form.

Stage 5: Final Draft Structure Plan – September to October 2017

The community's comments will be sought on the final Structure Plans before seeking adoption by Council in November/December 2017.

Each engagement stage will be reported on and further consulted on during each subsequent engagement period.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The majority of projects to be completed within the current financial year will be carried out in-house and within the existing budget parameters. However, some projects will require input from external specialists and will be taken into account during the upcoming Council budgeting process.

POLICY AND LEGISLATIVE IMPLICATIONS

This report outlines how to deliver and engage on key city-shaping projects that are outlined in the Planning Scheme Review Work Plan, adopted by Council in August 2016. The delivery of these projects will result in newly adopted Council strategies, projects and updates to the Planning Scheme.

COMMUNICATION AND ENGAGEMENT

As outlined in this report.

LINK TO COUNCIL PLAN

Theme 8: Community building and engagement

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 next 18 months will be a busy period for Council with multiple projects and initiatives to be undertaken. A coordinated approach is required to ensure the community is properly informed and engagement is undertaken for all of the abovementioned projects.

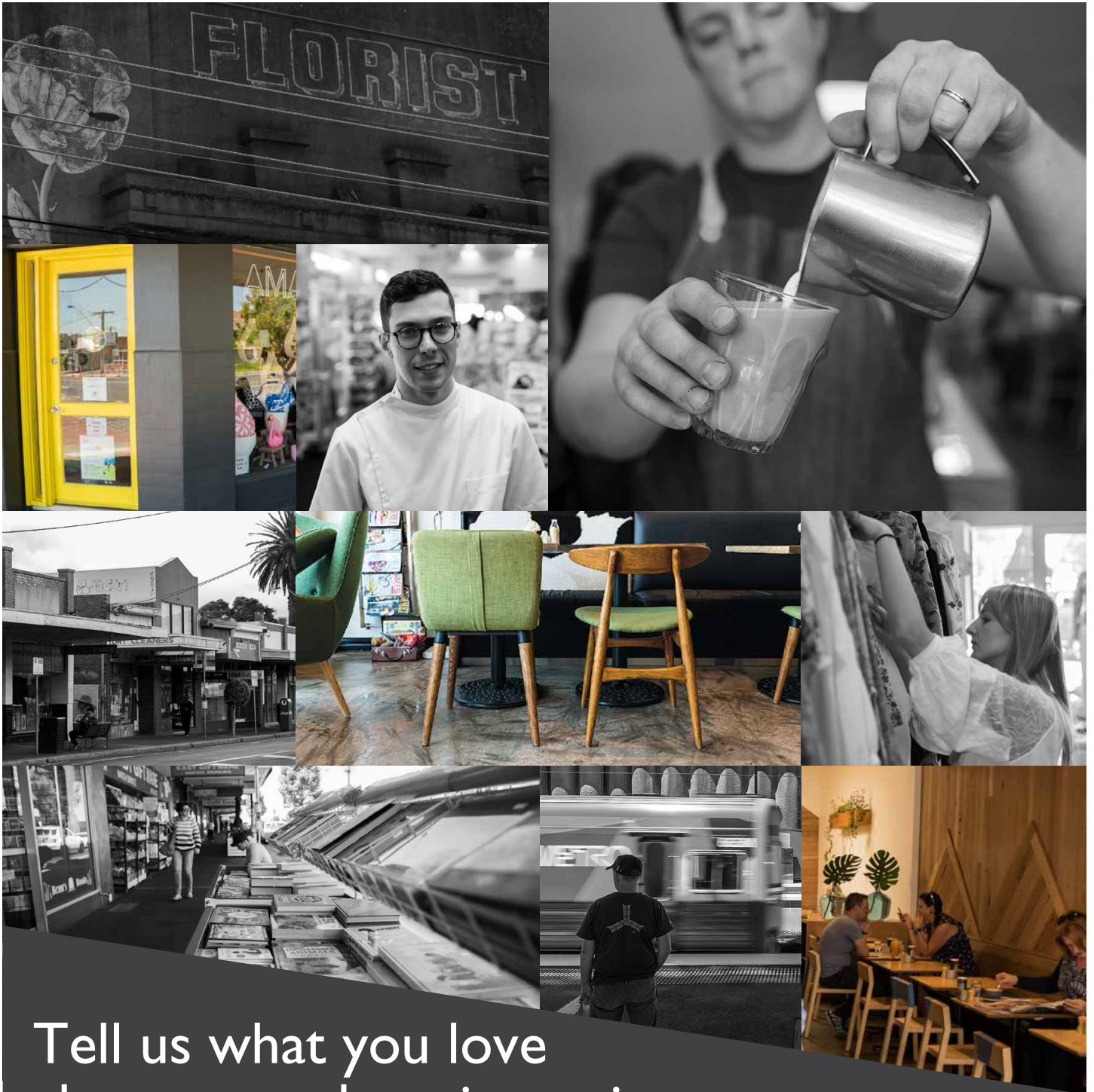
Moved: Cr Hyams

Seconded: Cr Silver

That Council:

1. endorses the commencement of Council-led projects and initiatives outlined in this report, including:
 - a) The proposed engagement program
 - b) Revision of the Glen Eira Activity Centre Strategy
 - c) Structure Planning at Bentleigh, Carnegie and Elsternwick
2. notes that Officers will provide further reports to Council at the key decision points on the projects outlined in this report.

CARRIED UNANIMOUSLY



Tell us what you love about your shopping strip

Our shopping strips are changing, with new developments, level crossing removals and station works. What do you love about your shopping precinct? What would you like to change?

To help shape the future of your shopping strip, tell us what you think www.gleneira.vic.gov.au/yourshops

If your strip is in the following areas, we want to hear from you:

- Bentleigh
- McKinnon
- Moorabbin
- Caulfield Park
- Patterson
- Carnegie
- Murrumbeena
- Glenhuntly
- Caulfield South
- Ripponlea
- Elsternwick
- Ormond
- Alma Village
- Gardenvale
- Hughesdale
- Caulfield
- Bentleigh East

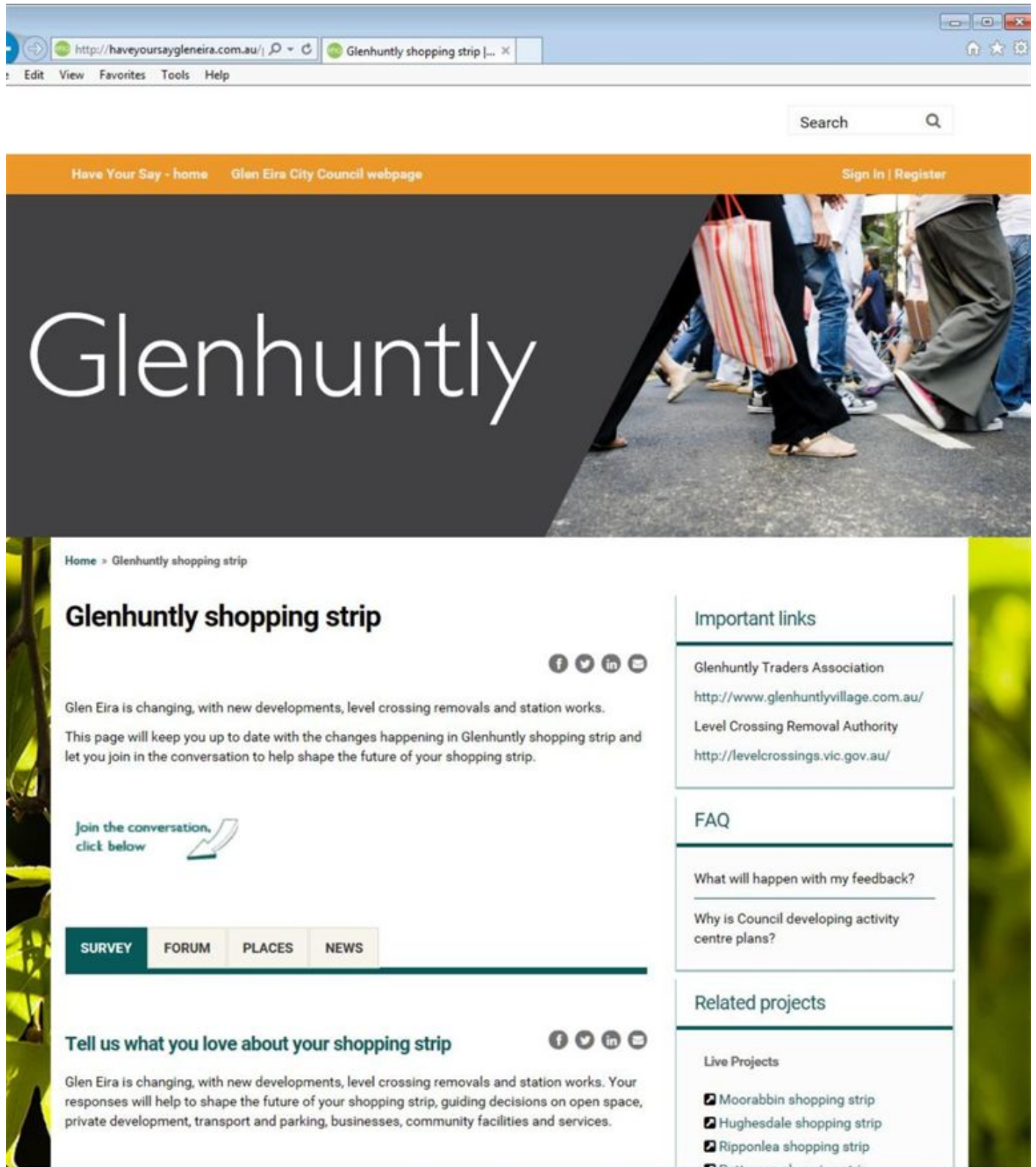
Tell us your thoughts www.gleneira.vic.gov.au/yourshops



ITEM 9.7 Attachment 2:

Example from the new webpages for each shopping strip

www.gleneria.vic.gov.au/yourshops



ITEM 9.8 VICTORIA'S FUTURE PORTS CAPACITY – REQUEST FOR REPORT

Author: *Aidan Mullen, Manager City Futures*

File No: *N/A*

Attachments: *N/A*

PURPOSE AND SUMMARY

The purpose of this report is to provide Council with a summary of the implications for Glen Eira of the future location of a potential new shipping port in Victoria, most notably at Hastings. It is considered that a new port at Hastings will bring important economic benefits to the South East region and will potentially reduce on-road freight, however there are some concerns on the amenity impacts that the potential new dedicated freight railway line will have along the Dandenong rail corridor.

RECOMMENDATION

That Council:

1. Notes the report on the potential implications for Glen Eira on the potential new port at Hastings

BACKGROUNDCouncil Resolution for Report

On the 10 October 2016, Council resolved that:

'a report be prepared in response to the Discussion Paper recently released by Infrastructure Victoria, 'Preparing Advice on Victoria's Future Ports Capacity'. The discussion paper raises questions about the future location and capacity of Victoria's container ports.

The report should outline the implications for Glen Eira, including potential impacts on Council's infrastructure, as well as the environmental and traffic management impacts brought about by new or increased freight links arising from new port locations and capacities.'

Infrastructure Victoria Discussion Paper

Infrastructure Victoria has been requested by the Special Minister of State to provide advice on the preferred sequencing, timing and location of investment in future Victorian commercial port capacity.

There are two matters that Infrastructure Victoria is investigating:

1. If and when we need to build a second container port, and what that means for the distribution of trades across Victorian commercial ports.
2. Whether a second port should be located at Bay West or Hastings.

The 'Preparing Advice on Victoria's Future Ports Capacity' Discussion Paper outlines that it is important to acknowledge that the planning for future commercial port capacity has a high degree of uncertainty. The Discussion paper outlines that there are a number of key factors that need to be considered including the:

- ultimate capacity at the Port of Melbourne
- future demand for Victorian import and export trade volumes, as well as interstate trade volumes
- changes in international and national supply chains
- distribution of trades across Victorian commercial ports
- feasibility, advantages and drawbacks of a second container port at Port of Hastings or Bay West.

The formal consultation period for this Discussion Paper has now closed. However, Infrastructure Victoria expected to release a further report and seek engagement in early 2017.

South East Melbourne Alliance Submission

The CEO of Mornington Peninsula Shire on behalf of the South East Melbourne Alliance wrote to Council on 12 October 2016, outlining the Alliance's submission and requesting Glen Eira's support. The Submission represents the Bass Coast, Cardinia, Casey, Greater Dandenong, Frankston, Kingston and Mornington Peninsula councils.

The South East Melbourne Alliance supports the Port of Hastings as the preferred site for Melbourne's second major container port, for the following reasons:

- close linkages to the South East existing strong industry including manufacture, exports, and agriculture.
- Reduction of on-road freight through the south-east region
- Supporting the region's jobs and economy, with the new port expected to add an *'estimated \$9 billion of spending in the Victorian economy and an average 400 jobs per year over a 30-year period. This will include an estimated benefit to South East Melbourne's economy of \$1 billion per year in GRP by the 2030's.'*

ISSUES AND DISCUSSION

While the Discussion Paper does not clearly the outline impacts of either the Hastings or Bay West proposals, Officers have outlined the below assumed high level impacts on the Glen Eira region:

- Manufacturing Jobs Impact:

The construction of a new port at Hastings will support the South East region's existing and future manufacturing, industrial and agricultural sectors, providing direct and indirect jobs for this region. The south-eastern Melbourne region is the second largest employer of manufacturing jobs in Australia with 90,000 manufacturing jobs, followed only by the 100,000 jobs provided in Western Sydney.

An investment in a new port at Bay West would most likely pull manufacturing business and jobs further west and away from the South East region.

- On-rail freight Impact:

It is assumed that the construction of new port at Hastings will require an upgrade of the supporting rail infrastructure. As outlined in the Alliance's Submission this is assumed to be through an upgrade of the Dandenong line, through construction of a new dedicated 'standard gauge' line.

The State Government's Plan Melbourne document outlines the need to '*develop the Port of Hastings, and as part of planning, investigate a south-east rail link to provide a dedicated rail line between Dandenong and Dynon for freight and V/Line trains which will increase the volume of freight carried on rail.*'

However, there is no detail of how this dedicated freight rail link would be constructed. If this was to run along the existing Dandenong rail corridor, which is currently being upgraded with level crossing removals, it is assumed that the additional two railway lines will need to be constructed adjacent to the planned elevated lines currently under construction.

While the current level crossing removal works account for the existing freight movements, the prospect of an additional dedicated 'third and fourth tracks' have not been overtly considered as part of the consultation and design process. It is assumed that these additional tracks would bring further amenity impacts along the railway corridor which will need to be carefully considered through any design process.

- On-road freight Impact:

It is assumed that the construction of a new port at Hastings will reduce some of the on-road freight movements currently travelling to Webb Dock in the city. These freight movements directly impact Glen Eira through travelling along Nepean Highway, South Road and Dandenong Road.

While the construction of a new port at Bay West would most likely pull freight demand further west and away from the South East region, it is expected that there will still be an on-road freight demand to travel through the Glen Eira region.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

N/A

POLICY AND LEGISLATIVE IMPLICATIONS

Not detailed at this stage.

COMMUNICATION AND ENGAGEMENT

Infrastructure Victoria released the Discussion paper in September 2016 and over the following period has received community feedback. The formal consultation period for this Discussion Paper has now closed, however Infrastructure Victoria expected to release a further report seeking engagement in early 2017.

LINK TO COUNCIL PLAN

Governance – to deliver strong local leadership and governance in an open and responsible manner in the best interest of the community.

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 provision of port infrastructure and associated freight is the responsibility of the State Government. However, the decision of the location of a new port and associated freight movements may bring both positive and negative impacts to the Glen Eira region.

In particular, a future Port at Hastings would bring significant economic benefits to the South-east region, bringing with it new direct and in-direct jobs. However, if a dedicated freight railway line is required to be constructed along the Dandenong corridor, there would be an impact on amenity and assets that would need to be carefully considered.

Moved: Cr Hyams

Seconded: Cr Esakoff

That Council notes the report on the potential implications for Glen Eira on the potential new port at Hastings.

CARRIED UNANIMOUSLY

ITEM 9.9 SHELFORD GIRLS' GRAMMAR PEDESTRIAN SIGNALS

Author: Terry Alexandrou, Traffic Engineering Team Leader

Attachments: *Photographs of Speed Limit Signs*

PURPOSE AND SUMMARY

This report responds to a Council resolution requesting a report from officers.

At the 5 November 2016 Ordinary Council Meeting, it was resolved:

"That Council receives a report detailing:

- 1. any relevant traffic and pedestrian studies conducted around the area of Shelford Girls' Grammar;*
- 2. the best way to engage VicRoads to install a controlled pedestrian crossing (pedestrian operated signals) at Oaktree Anglican Church on Glen Eira Road, to enable safe crossing for Shelford students."*

RECOMMENDATION

That Council:

1. notes this report;
2. writes to the Minister for Roads and Road Safety, the Minister for Education, and other relevant State and Federal Members to advocate for:
 - a. the provision of pedestrian operated signals at Glen Eira Road in the vicinity of Shelford Girl's Grammar;
 - b. the installation of variable electronic school speed limit signs;
3. commences consultation on increasing the No Stopping area on the north side of Glen Eira Road adjacent to the existing crossing.

BACKGROUND

(refer to **Figure 1**)

Shelford Girls' Grammar is located at Hood Crescent in Caulfield.

While the school does not front Glen Eira Road a children's crossing is provided on Glen Eira Road to enable school children to cross the road safely during the peak drop off and pick-up periods. The children's crossing is supervised by a Council staff member.

Glen Eira Road is a VicRoads road. That is, it is not a local road under Council management and control.

When 40 km/h school speed limits were first implemented in Victoria around 2004, these were typically only applied (allowed by VicRoads) along roads to which a school gate opened onto. Given that Shelford Girls' Grammar only fronts Hood Crescent, a 40 km/h school speed limit was not implemented along the section of Glen Eira Road where the children's crossing is located. VicRoads implemented a 40 km/h part-time school speed limit at Glen Eira Road either side of the children's crossing in October 2010 following further requests from the school to improve safety at the crossing. However the 40 km/h speed limit at this section of the road (between Orrong Road and Park Street) is signed with static signs as

opposed to the electronic speed limit signs used for the part-time 40 km/h school speed limit between Hotham Street and Orrong Road. (See **Attachment 1** for photos of static and electronic speed limit signs.)



Figure 1
Shelford Girls' Grammar and surrounds

Council's Walking Strategy requires that at least two schools be audited each year. A road safety audit (RSA) of the existing conditions in the vicinity of the Shelford Girls' Grammar was completed in 2014. In regards to the Glen Eira Road children's crossing, the RSA noted that the crossing was located in very close proximity to Hood Crescent in such a way that a vehicle turning right into Hood Crescent obstructed the visibility of the crossing for drivers heading west. The RSA recommended that the school crossing be relocated further to the west to improve the visibility of the crossing during such occurrences. The crossing was relocated in 2015.

In addition, pedestrian surveys are conducted at the children's crossing about every three years to monitor the pedestrian activity at the crossing for the VicRoads children's crossing supervisor subsidy. A survey at the Glen Eira Road crossing was carried out in March 2016. The survey data indicates:

- That there are approximately 100 pedestrians using the crossing between 8am and 9am on a school day, including 21 primary school children and 58 secondary school children. During this period there were approximately 930 vehicles travelling through the crossing.

- That there are approximately 125 pedestrians using the crossing between 3pm and 4pm on a school day, including 22 primary school children and 72 secondary school children. During this period there were approximately 540 vehicles travelling through the crossing.

Based on the above pedestrian and traffic volumes, pedestrian operated signals (POS) are an appropriate treatment for this location.

ISSUES AND DISCUSSION

The school has previously raised concerns about the safety of the children's crossing near Hood Crescent. It would like it converted to POS. One of the main reasons appears to be that there are often activities after school when the crossing is not operating, making it difficult for students to cross the road.

Council officers have liaised with VicRoads on this matter on various occasions since at least 2003. Reports have been submitted to VicRoads justifying the conversion of the children's crossing to POS. Unfortunately these applications have been unsuccessful.

A similar situation exists further to the west, along Glen Eira Road, at an unsignalised children's crossing near Caulfield Grammar, with students crossing the road outside of school hours due to afterschool activities. Council has also spoken to VicRoads about pedestrian safety at this crossing and the possibility of increasing the time periods of the part-time 40 km/h school speed limit. VicRoads' position has been that the provision of a crossing at this location is not warranted at this stage, and that altering the periods of the school speed limit will not be supported.

The closest alternative crossings for Shelford students are at the Orrong Road intersection 350 meters to the west or at the Kooyong Road intersections 450 meters to the east.

Council's Traffic Engineering Team Leader inspected the children's crossing during both the morning and afternoon peak periods in mid-November 2016. It was observed that:

- The children's crossing supervisor was careful to ensure that vehicles were stopped before directing pedestrians to commence crossing.
- Some older students and adults followed the children's crossing supervisor onto the crossing before he indicated that he felt it was safe for them to cross. The supervisor may need to remind pedestrians to wait at the side of the road until he indicates that it is safe to cross.
- One vehicle was observed to run through the crossing during each of the morning and afternoon inspections when the supervisor was on the crossing but before he indicated it was safe to cross. The vehicles were in the opposing lane to the lane the supervisor was standing in.
- The view of the children's crossing flag on the northern side of the road was partially obstructed from the view of eastbound drivers by parked cars. This can readily be improved by increasing the No Stopping area on the approach to the crossing during the operation of the crossing.
- Most traffic appeared to comply with the 40 km/h school speed limit. However, the school crossing supervisor indicated that it is not uncommon for the police to enforce the school speed limit and fine drivers for exceeding the limit.

Based on the observations it is considered that the children's crossing is operated well by the supervisor and the substantial majority of drivers are stopping at the crossing when required.

With driver adherence to the speed limit, this could be improved by replacing the static speed limit signs with electronic variable signs. This would need to be funded by VicRoads. Also, VicRoads would need to be satisfied that the road satisfies its traffic volume thresholds for electronic variable signs.

VicRoads was recently contacted about converting the children's crossing to a POS and indicated that this location it is not a high priority for pedestrian operated signals when ranked against other locations. However, VicRoads will continue to monitor the conditions.

As the matter of funding for POS and electronic variable speed limit signs rests with the State Government, it is suggested that the best way to advocate for the treatments is to write to the Minister for Roads and Roads Safety, The Hon. Luke Donnellan MP and the Minister for Education, The Hon. James Merlino MP, in support of the school's request. It may also be advantageous to invite the Ministers, along with VicRoads officers to attend the site at a time nominated by the school, so that they can see the issues first hand.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

N/A

LINK TO COUNCIL PLAN

Transport Planning – To promote the safe movement of pedestrian, bicycle and vehicle traffic in a way that minimises the impact of traffic and parking on the local amenity and physical environment.

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

VicRoads, as the relevant road authority in this instance, is best placed to investigate any concerns raised by the community. VicRoads has indicated that this location is not currently a high priority for pedestrian operated signals when ranked against other locations throughout the State.

Council could support the School's concerns by writing a letter to the Minister for Roads and Road Safety, and the Minister for Education to advocate for the children's crossing to be upgraded to POS and for variable electronic speed limit signs to be installed.

Moved: Cr Silver**Seconded: Cr Athanasopoulos**

That Council:

1. notes this report;
2. writes to the Minister for Roads and Road Safety, the Minister for Education, and other relevant State and Federal members to advocate for;
 - a) The provision of pedestrian operated signals at Glen Eira Road in the vicinity of Shelford Girl's Grammar;
 - b) The installation of variable electronic school speed limit signs;
3. commences consultation on increasing the No Stopping area on the north side of Glen Eira Road adjacent to the existing crossing.

CARRIED UNANIMOUSLY

Attachment 1**Static Part-Time 40km/h School Speed Limit Sign****Electronic Variable School Speed Limit Sign**

**ITEM 9.10 ORMOND RAILWAY STATION - LEVEL CROSSING REMOVAL
AUTHORITY PLANNING SCHEME AMENDMENT**

Author: *Aidan Mullen, Manager City Futures*

File No: *N/A*

Attachments: *N/A*

PURPOSE AND SUMMARY

At the Ordinary Council Meeting on 29 November 2016, Council adopted its submission on the proposed Ormond Station Development Amendment.

This report seeks to update Council on the progress of preparing a strong case in line with this submission, for the upcoming Public Hearing in February 2017.

RECOMMENDATION

That Council:

Notes the Officers' preparation for the Standing Advisory Committee Hearing for the Ormond Railway Station Planning Scheme Amendment proposal.

ISSUES AND DISCUSSION

Following adoption, the submission has been formally submitted to the Standing Advisory Committee.

In order to give Council the strongest possible case in defending its adopted submission, Officers are assembling the below expert team:

- A planning lawyer to prepare Council's position and represent Council at the directions and public hearings
- An urban designer to undertake independent and rigorous urban design analysis to advise Council on a recommended building form, including height
- An economic expert to undertake independent and rigorous economic impact analysis
- A traffic engineering consultant to undertake independent and rigorous traffic impact analysis

Key Dates:

- A Directions Hearing is scheduled for Tuesday 20 December 2016
- Evidence is expected to be submitted by Monday 6 February, however an extension of time will be sought to follow the February Council meeting date
- A Council Report will be presented to at the Ordinary Council Meeting on 7 February 2017
- A Public Hearing is scheduled for the weeks commencing 13 and 20 February 2017.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The consultancy budget for the above scope of works is still being determined and is dependent on the length of the hearing. However, it is expected to be in the vicinity of \$50,000-\$75,000 in total. This cost is being accommodated in the existing City Futures budget and within a cost range expected for similar amendments.

POLICY AND LEGISLATIVE IMPLICATIONS

The Council Submission seeks to maintain the integrity of Council planning policy in relation to Activity Centre hierarchy.

COMMUNICATION AND ENGAGEMENT

There was no communication and engagement associated with this report.

LINK TO COUNCIL PLAN

Theme 3: Town Planning and Development

To manage the rate and extent of change to the built environment consistent with State and local planning policies to achieve a diversity of housing as sympathetic as possible to neighbourhood character.

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

Officers are working with the above expert team to provide further advice to Council at the next Ordinary Council Meeting in February 2017.

Moved: Cr Esakoff

Seconded: Cr Silver

That Council notes the officers' preparation for the Standing Advisory Committee Hearing for the Ormond Railway Station Planning Scheme Amendment proposal.

CARRIED UNANIMOUSLY

Item 9.11 CAULFIELD RACECOURSE WEDGE - CROWN ALLOTMENT 2031**Author: Mark Collins, Group Manager Recreation and Leisure****File No:****Attachments: Attachment 1 – Plan**

PURPOSE AND SUMMARY

To consider the potential options for Crown Allotment 2031 which the State Government Department of Environment, Land, Water and Planning (DELWP) has offered to Council to manage as a public recreation reserve.

The offer states that, whilst the land must be maintained for the purposes of public recreation, the type of recreation facilities appropriate for the reserve are for Council's consideration. It also states that should Council agree to accept the committee of management responsibility, approximately \$350,000 would be transferred to Council for use to develop the reserve for public recreation purposes.

This relates to a historical land swap facilitated between the State Government and Melbourne Racing Club (MRC).

RECOMMENDATION

THAT Council:

1. authorises officers to meet with DELWP to negotiate favourable conditions for Council's use of the land, including clarity on the type of recreation facilities that could be incorporated onto the site;
2. authorises officers to undertake any due diligence on the site and commence the process to form the Committee of Management for Crown Allotment 2031;
3. writes to the Minister for Energy, Environment, Climate Change and Suburban Development requesting:
 - (a) Potential for the site to be rezoned in future for other uses, without a nett reduction in open space across the municipality;
 - (b) An allocation of funds received by the State Government from the Melbourne Racing Club be made available to facilitate the development of this site;
 - (c) That Council be considered as the Committee of Management when the adjacent land is vacated by Melbourne Racing Club.
4. receives a further report outlining this information for Council consideration prior to accepting the offer of Committee of Management.

BACKGROUND

This parcel of land was part of the initial land swap transaction involving the Melbourne Racing Club (MRC) acquiring the Crown Land triangle carpark opposite the racecourse entrance (bordered by Normanby Rd, Station St and Smith St) in

exchange for freehold MRC land adjacent the intersection of Glen Eira, Booran and Kambrook Roads (now known as Crown Allotment 2031) (see Attachment 1 below).

The MRC paid the State Government for the difference between the value of Crown land and the freehold land.

DELWP has made a current offer to Council to manage the land and \$350,000 to develop it. The MRC occupy a small portion of the reserve on its southern boundary which is valued at \$25,000 per annum. It is intended that Council would receive this income as a committee of management to reinvest into the reserve.

ISSUES AND DISCUSSION

This reserve has previously been offered to, and refused by Council, with Council's previous position on the land swap arrangement being that any land should be of equivalent value and made available for public use. In the original offer to Council, the (then) Department of Sustainability and Environment (DSE) had stipulated that the land had to be utilised as public open space.

The new offer from DELWP still states the condition that the reserve is to be used for public recreation purposes. However, officers understand that the current offer is potentially open for discussion on the restrictions, which enables other options for discussion on use of the land.

Council's Open Space Strategy outlines guidelines for developing public open space. An assessment of Crown Allotment 2031 was undertaken as part of the Open Space Strategy and concluded that the land does not meet all the criteria for local open space. In summary, the site is problematic in that it:

- is located on a busy five-way intersection and is difficult to reach safely
- has little parking
- is not connected to any other public land
- would not meet Crime Prevention Through Environmental Design principles (CPTED), and
- is nearly 1 kilometre from the new medium to high density development.

The strategy recommended that the south east area of the site (Neerim Rd stables) would be a more preferable location.

Additional factors since the original assessment under the Open Space Strategy for consideration are:

- The new Booran Reserve which is in close proximity.
- Further progress on the overall Caulfield Racecourse precinct and governance arrangements.
- The MRC intentions to move training from the site in the near future.

Council is undertaking a refresh of the Open Space Strategy in 2017 and the intention would be to further investigate potential options for this piece of land at this time if Council proceeds with becoming the committee of management.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

A current offer has been made of the land of \$350,000 to develop it and approximately \$25,000 per annum to use to maintain it. This will be inadequate to deliver a quality open space. However, it will be enough to ensure that Council is not

disadvantaged by taking on the reserve in the short term, and will enable Council to implement some potential low cost temporary uses for the space.

It has been Council's previous position that funds received by the State Government from the MRC in the original land swap should be used to facilitate the development of this site. It is intended that Council continue to advocate for additional funds.

POLICY AND LEGISLATIVE IMPLICATIONS

N/A

COMMUNICATION AND ENGAGEMENT

If supported by Councillors, officers would meet with DEWLP to clarify the final position on the potential uses of the reserve and any conditions associated with Council becoming a committee of management for the land.

LINK TO COUNCIL PLAN

Theme 5: Recreation and Open Space

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

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

Officers recommend there is a strategic benefit for Council to consider accepting a committee of management role for the land in the short term. The future of Caulfield Racecourse Reserve is becoming clearer and it may be strategically beneficial in future discussions for Council to manage this parcel of land as the Committee of Management.

Subject to the due diligence on the site not raising any significant issues, a report will be presented to Council for final approval and endorsement at a future Ordinary Meeting.

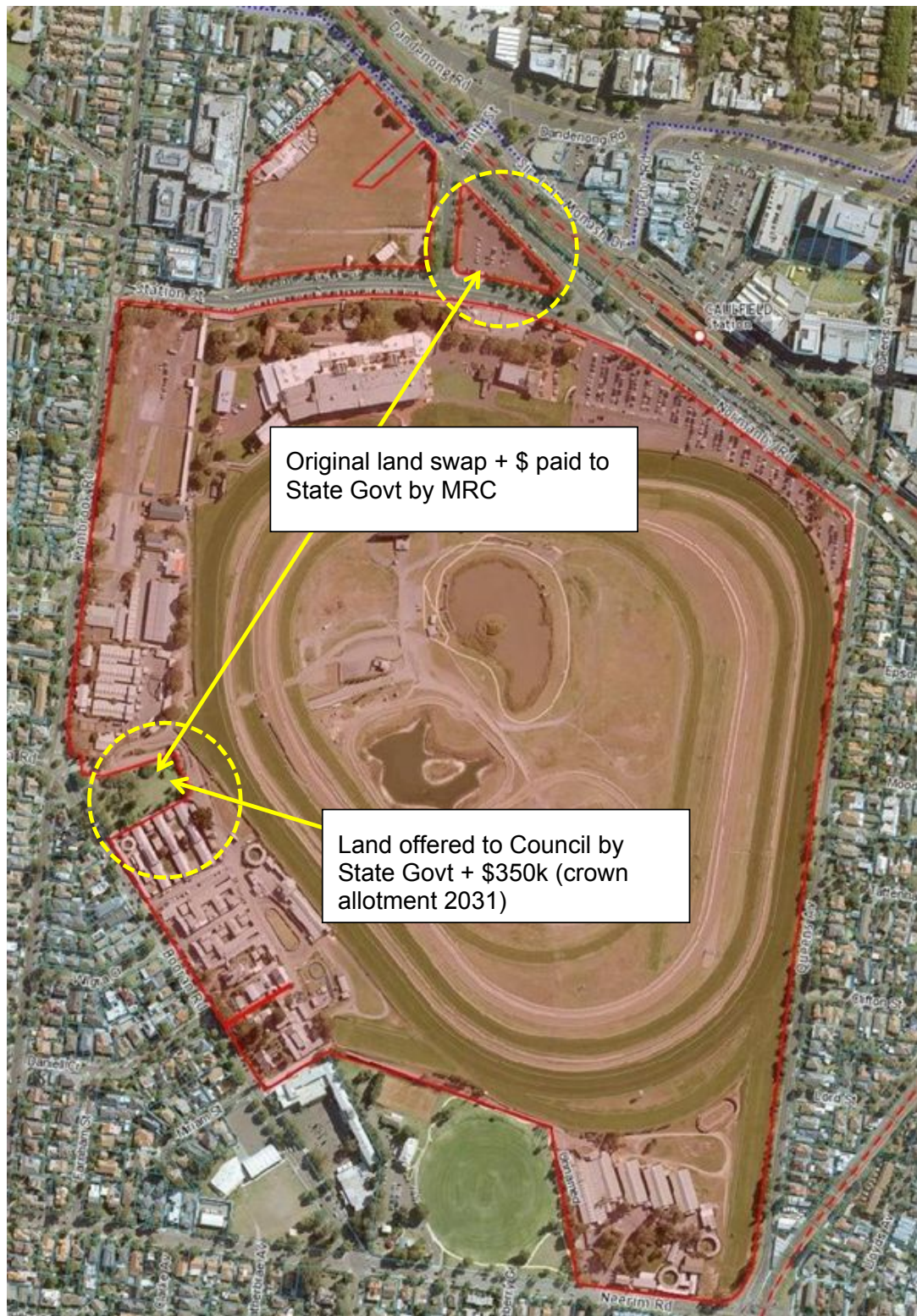
Moved: Cr Hyams**Seconded: Cr Taylor**

That Council:

1. authorises officers to meet with DELWP to negotiate favourable conditions for Council's use of the land, including clarity on the type of recreation facilities that could be incorporated onto the site;
2. authorises officers to undertake any due diligence on the site and commence the process to form the Committee of Management for Crown Allotment 2031;
3. writes to the Minister for Energy, Environment, Climate Change and Suburban Development requesting:
 - (a) Potential for the site to be rezoned in future for other uses, without a nett reduction in open space across the municipality;
 - (b) An allocation of funds received by the State Government from the Melbourne Racing Club be made available to facilitate the development of this site;
4. receives a further report outlining this information for Council consideration prior to accepting the offer of Committee of Management.

CARRIED UNANIMOUSLY

ATTACHMENT 1



**ITEM 9.12 APPOINTMENT OF COUNCILLOR REPRESENTATIVES TO
COMMUNITY GRANTS COMMITTEE 2017**

Author: *Peter Jones*

File No: *16/1754354*

Attachments: *None*

PURPOSE AND SUMMARY

To appoint three (3) Councillor Representatives (one from each Ward) for the Community Grants Committee 2017.

RECOMMENDATION

That Council appoints Councillor _____, Councillor _____ and Councillor _____ to the Community Grants Committee 2017.

BACKGROUND

Council delivers an annual Community Grants Program that administers grants for Community Services, Festivals and Events, Facility Hire and Venue Hire for Schools.

Each year the Council distributes approximately \$360,000 in Community Grants. Approximately \$300,000 is allocated to Community Services Grants and a further \$45,000 to Festivals and Events Grants. These grants are typically assessed in May/June of each year against guidelines approved by Council. A further \$15,000 is held in reserve and allocated across the year for incidental Facilities Only Grants.

The aim of the Glen Eira Community Grants Program is to:

- a) strengthen community connections;
- b) encourage new initiatives that respond to community needs;
- c) build a community that is inclusive of all people; and
- d) support the community in planning and delivering services.

ISSUES AND DISCUSSION

A Community Grants Committee is established to assist Council by receiving and assessing applications for community grants and making recommendations to Council.

Council has received a number of applications for Community Grants which need to be assessed by the Community Grants Committee. In addition, the 2017-2018 Community Services Grant Guidelines and 2017-2018 Community Festival and Events Grant Guidelines need to be reviewed by the Committee in preparation for applications to be opened on 1 March 2017.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

None

POLICY AND LEGISLATIVE IMPLICATIONS

None

COMMUNICATION AND ENGAGEMENT

None

LINK TO COUNCIL PLAN

Community building and engagement

To build a strong connected community that actively participates and engages with Council to improve outcomes for the community.

Reference 8G - Support local community groups through the provision of community grants to assist groups to meet identified community needs.

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

That Council appoint three (3) Councillor Representatives (one from each Ward) to be on the Community Grants Committee.

Moved: Cr Esakoff

Seconded: Cr Silver

That Council appoints Cr Sztrajt, Cr Athanasopoulos and Cr Taylor to the 2017 Community Grants Committee.

CARRIED UNANIMOUSLY

ITEM 9.13 HISTORICAL PHOTOGRAPHS AND DIGITISATION

Author: *Cameron Auty, History and Heritage Consultant*

File No: 16/1753084

Attachments: *None*

PURPOSE AND SUMMARY

At the Council meeting of 29 November 2016 Council resolved to receive a report on:

1. The number of photographs held that document the history of the Cities of Glen Eira, Caulfield and Moorabbin;
2. The preferred method of digitising these resources and making them available online.

RECOMMENDATION

That Council notes the report.

BACKGROUND*History and Heritage Collection and Victorian Collections*

The Glen Eira City Council History and Heritage Collection consists of a small group of artefacts, records and documents relating to the municipal activities and history of Glen Eira City Council and the former Councils of Moorabbin and Caulfield. These include historic photographs, plaques and ephemera created by and/or about Council. Artefacts are stored in the Glen Eira Town Hall as well as being mounted or displayed in public areas.

To date the majority of items in the history and heritage collection have been uploaded to **Victorian Collections**, a publicly accessible, online collections cataloguing system designed and managed by Museum Victoria and Museums Australia (Victoria), and funded by Creative Victoria. The program is free to use, and is used by over 400 collecting organisations including museums, councils, historical societies, galleries, and schools to digitise over 85,000 artefacts, of which 80,000 are viewable by the public. www.victoriancollections.net.au. This collection was uploaded in August 2016.

Images are scanned in-house using a professional high quality scanner at a minimum of 300dpi and as uncompressed TIFF files. Images are captured and stored in line with the National Library of Australia's Digitisation Standards and Guidelines.

ISSUES AND DISCUSSION

There are currently 31 original photographs registered as part of the History and Heritage collection. These include images of the Town Hall from the 1930s and photographs of some former Councillors. These have been scanned and uploaded to Victorian Collections. The Glen Eira Council page on Victorian Collections can be seen here:

<https://victoriancollections.net.au/organisations/glen-eira-city-council-history-and-heritage-collection#collection-records>

There are currently 84 photographs in the clocktower foyer of former Mayors and Councillors which have yet to be digitised and/or added to Victorian Collections.

There are a number of photographs held within other Council departments yet to be investigated by the History and Heritage department. In 2017 a number of images from other Council departments will be collected, accessioned and digitised.

The History and Heritage department has also identified a number of external repositories that hold photographs related to the history of Glen Eira, Caulfield and Moorabbin Councils. These include:

Glen Eira and Moorabbin historical societies

Caulfield and Bentleigh RSLs

Public Record Office of Victoria

State Library of Victoria

The History and Heritage department has accessed and received digital copies of 200 of these images, and maintains them on an internal file in HP Records Manager. These are usable for research purposes, but in most cases Council is not the copyright holder so publishing them online is problematic.

Council's History and Heritage Unit focus on the development and collection of significant material relating to the history of Glen Eira City Council and the former Councils of Caulfield and Moorabbin i.e. not general local history. Given storage and space restrictions, efforts have been made to capture most of this in digital format i.e digital photographs, plans, maps and records.

Support is provided to local collecting groups in the form of collection management and exhibition development advice and support. A Heritage Network was established in 2015 with the aim of bringing together museum staff, historical society members, archivists and others to share skills, resources and to collaborate on projects. As well as providing an opportunity to network and share ideas, the heritage network provides training opportunities such as introductions to oral histories. The next meeting is tentatively scheduled for early 2017.

In 2017 the History and Heritage department will work with local community groups such as the historical societies to discuss digitising and publishing any relevant images owned by them to the Council Victorian Collections page. This will require a decision to be made as to whether Council publishes images owned by other organisations, or collects and holds the

originals itself and only publishes images owned by Council. Many of these organisations have their own Victorian Collections pages, so have already digitised a number of images.

It is expected that 100-200 new images could be added to Council's digitised collection from these community groups in 2017.

Images owned by larger state agencies will not be able to be digitised and shared by Council due to ownership and copyright issues.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

None

POLICY AND LEGISLATIVE IMPLICATIONS

None

COMMUNICATION AND ENGAGEMENT

Council History and Heritage Department is in regular contact with members of the community in searching for items of municipal historical significance. Once published, the images are shared online on Victorian Collections. This is a publicly accessible portal with over 200,000 per annum. Visitors range from researchers, genealogists, students to interested members of the public. As Council's online presence grows the share of this audience will increase.

LINK TO COUNCIL PLAN

Theme 8: Community building and engagement

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 City Council's History and Heritage department is committed to conserving and recording the municipal history of the area through the collection and dissemination of artefacts and photographs.

It is recorded that Cr Hyams vacated the Chamber at 9.29pm and re-entered at 9.31pm.

It is further recorded that Cr Taylor vacated the Chamber at 9.31pm.

Moved: Cr Silver

Seconded: Cr Athanasopoulos

That Council notes the report.

CARRIED UNANIMOUSLY

ITEM 9.14 NATIONAL DISABILITY SCHEME IMPACT ON THOSE TURNING 65 PRIOR TO 1 APRIL 2018.

Author: Belinda Jordan, Community Development Officer Metro Access

File No:

Attachments: None

PURPOSE AND SUMMARY

At the Council meeting of 15 November 2016 Council resolved to receive a report on:
“what effect the National Disability Insurance Scheme (NDIS) will have on a Glen Eira resident who will turn 65 before 1 April 2018.”

This report responds to that resolution and provides a comparison of services offered to people with a disability through the National Disability Insurance Scheme (NDIS) and Commonwealth Home Support Programme (CHSP). A key factor in the comparison is whether people aged over 65 with a disability will be disadvantaged by not being eligible for the NDIS.

RECOMMENDATION

That Council notes the report and will be writing a letter to share our concerns with the Minister for Housing, Disability and Ageing.

BACKGROUND

The National Disability Insurance scheme is due to commence in Glen Eira on 1 April 2018. Glen Eira falls in the latter part of a national roll out of the scheme that commenced in July 2016 and will be fully implemented by the July 2019.

In summary, residents who turn 65 prior to 1 April 2018 will not be eligible for services provided under the National Disability Insurance Scheme.

To be eligible for the NDIS a person must be aged less than 65 when they first access the scheme. Residents who are accepted into the NDIS and subsequently turn 65 remain eligible for the NDIS support throughout their lives.

Residents who turn 65 prior to 1 April 2018 will be supported under the Commonwealth Home Support Program which is the Commonwealth program that provides entry-level home support for older people who need assistance to keep living independently.

The finding of the comparison analysis is that the NDIS and CHSP offer very similar services to people with a disability. The major difference is that CHSP services are income tested whereas NDIS is not. Income testing may have some impact on residents receiving CHSP depending on their personal circumstances and level of specialist support required.

ISSUES AND DISCUSSION

NDIS eligibility

Both the disability and aged care sectors in Australia are currently experiencing major reforms. The implementation of the National Disability Insurance Scheme (NDIS) commenced on 1 July 2016 and will roll-out in Glen Eira from 1 April 2018. By July 2019, it is estimated that 105,000 people will transition to the NDIS in Victoria. However, not everyone with a disability will be eligible for the NDIS, including those aged 65 and over.

To be eligible for NDIS a person must meet the following requirements:

- have a permanent disability that significantly affects their ability to take part in everyday activities
- be aged less than 65 when they first access the scheme
- be an Australian citizen, live in Australia and hold a permanent visa or hold a Protected Special Category Visa.

The NDIS will look at the impact a person's impairment has on their life and fund supports that are deemed 'reasonable and necessary'. Mobility, vision, hearing, intellectual impairments will all be covered, as will mental health conditions so long as they have a significant impact on a person's daily life. The average NDIS package is currently approximately \$35,000 per annum

CHSP eligibility

People with a disability who turn 65 before the implementation of NDIS in their area will receive services under the Commonwealth Home Support Program packages system.

The majority of people who have a significant disability and are about to turn 65 currently have a disability Individual Support Package (ISP). The Commonwealth has made a commitment to provide continued support to older people with disability who are over 65 either through existing aged care programs or a new Commonwealth Continuity of Support Program. The continuity of support arrangements will aim to enable clients to continue to receive services, particularly those with an ISP without significant disruption to their support arrangements

Types of support services provided

Both the NDIS and CHSP provide a broad range of services and supports that are determined through an individual assessment process and tailored to meet individual needs and goals.

A comparison of the types of supports that the NDIS and CHSP may fund for participants may include:

ACTIVITY/SERVICE	NDIS	CHSP
• Assistance with daily personal care activities	✓	✓
• Social support and activities	✓	✓
• Help staying physically active	✓	✓
• Transport to enable participation in community, social and daily life	✓	✓
• Transport to enable participation in economic activities (employment)	✓	X
• Help to get or keep employment in the open or supported labour market	✓	X
• Therapeutic supports including behaviour support	✓	*

(CONT.)

• assistance with housework, meal preparation	✓	✓
• allied health support such as physiotherapy, podiatry	✓	✓
• home modification design and installation and maintenance	✓	✓
• mobility aids and equipment	✓	✓
• vehicle modifications.	✓	*
• nursing care	X	✓

* These supports may be covered for under 65s through the Commonwealth Continuity of Support Programme. Details are to be advised

The main difference is that the NDIS has a greater focus on social and economic participation, particularly regarding encouraging younger people with disabilities to enter the workforce. However both programs are focused on the individual and give more choice and control to participants than previous models of care.

For the majority of people who have a disability and already receive funding and supports, these will continue with minimal change or disruption.

The intent is that the types of support provided are similar in both schemes. As the broad rollout of the NDIS has only recently commenced it is difficult to determine the extent to which one scheme is likely to provide a greater level of support than the other. Officers are aware that some people with a disability are likely to receive a greater level of support under NDIS. However, this is not necessarily the case for those over 65. Both systems will determine supports based on the individual needs of the person and the outcome of the assessment process undertaken.

Income testing and co-payments

Those who receive NDIS support and turn 65 will continue to be supported by the NDIS. The NDIS is not income tested, however, people who receive services through the Commonwealth Home Support Program are asked to make a contribution to the cost of delivering those services based on their income.

Furthermore the purchase of aids and equipment is significantly different between the two funding sources. The NDIS will currently cover the full cost of major equipment, e.g. a motorised wheelchair and is over and above any service package funding. For the CHSP package funds are capped and if additional funds are required for aids and equipment recipients are required to contribute the additional cost.

Date of entry to the NDIS

The rollout of the NDIS in Glen Eira is 21 months after the initial rollout in the Northern Metropolitan area of Victoria. Thus a Glen Eira resident who turns 65 during that 21 month maybe disadvantaged by the rollout; if they had lived elsewhere then then they may have entered the NDIS prior to the 65 year eligibility cut off and thus remained eligible for NDIS throughout their lives.

However as stated above it is difficult to determine the impact on any individual of being in either the NDIS or the CHSP because service in each is dependent on determining individual needs and an assessment process. It would be wrong to conclude that the NDIS for those over 65 will always provide a greater level of service.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

None

POLICY AND LEGISLATIVE IMPLICATIONS

None

COMMUNICATION AND ENGAGEMENT

Council will play an important role in informing the community and supporting transition to the new system through advocacy and practical support where necessary.

LINK TO COUNCIL PLAN

Theme 1: Services to support the community

Theme 8: Community building and engagement

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

As the changes to both the aged and disability sectors roll out it is difficult to determine the impact on an individual of being in either the NDIS or the CHSP because service in each is dependent on determining individual needs. However some people, particularly those who have a need for aids and equipment, may be required to make larger co-payments under the CHSP.

A priority for Glen Eira City Council is to ensure that residents are aware of the NDIS, who is eligible and how to register. Council is already collaborating with the National Disability Insurance Agency and other local service providers in the lead up to the roll out in April 2018 and ensuring that residents are aware of the NDIS rollout process.

Moved: Cr Delahunty

Seconded: Cr Hyams

That Council defers item 9.14 - National Disability Scheme Impact on those turning 65 prior to 1 April 2018 to the 7 February 2017 Council Meeting.

CARRIED UNANIMOUSLY

Item 9.15 AUDIT COMMITTEE - 2015-16 ANNUAL REPORT

Author: *John Vastianos (Chief Financial Officer)*

File No: *16/1670651*

Attachments: *Glen Eira Audit Committee 2015-16 Annual Report*

PURPOSE AND SUMMARY

For Council's Audit Committee to report annually to Council.

RECOMMENDATION

That the Audit Committee's 2015-16 Annual Report be noted.

BACKGROUND

The Audit Committee is a formally appointed Advisory Committee of the Council. The Committee does not have executive powers or authority to implement actions in areas over which management has responsibility and is therefore independent of management.

The Audit Committee's role is to report to Council and provide appropriate advice and recommendations on matters relevant to its Charter in order to facilitate decision making by Council in relation to the discharge of its responsibilities.

The Audit Committee considered and approved a report on its work for 2015-16 at the meeting on 24 November 2016 (refer to attached report).

ISSUES AND DISCUSSION

The main objectives and functions of the Committee include:

- The enhancement of the credibility and objectivity of internal and external financial reporting;
- Effective management of financial and other risks and the protection of Council assets;
- Compliance with laws and regulations as well as use of best practice guidelines;
- The effectiveness of the internal audit function; and
- The provision of an effective means of communication between the external auditor, internal audit, management and the Council.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The Committee meets for approximately three to four hours on a quarterly basis.

POLICY AND LEGISLATIVE IMPLICATIONS

Section 139 of the *Local Government Act* 1989.

COMMUNICATION AND ENGAGEMENT

Not Applicable.

LINK TO COUNCIL PLAN

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

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

That the Audit Committee's 2015-16 Annual Report be noted.

Moved: Cr Delahunty

Seconded: Cr Silver

It is recorded that Cr Taylor entered the Chamber at 9.34pm.

That the Audit Committee's 2015-16 Annual Report be noted.

CARRIED UNANIMOUSLY

ATTACHMENT 1:**GLEN EIRA AUDIT COMMITTEE – 2015-16 ANNUAL REPORT**

The Glen Eira Audit Committee Charter states that:

“The Committee, through its Chairperson, will report to Council after each Committee meeting and minutes of the Committee meetings will be incorporated in Council's agenda papers. The Chairperson shall submit an annual report to Council summarising the Committee's activities and principal findings during the year.”

Audit Committee

The Audit Committee's charter is to assist the Council to fulfil its responsibilities in relation to accounting policies, external financial reporting practices, risk assessment, risk management, internal control, management and reporting policies and systems and any other matters referred to it by Council. The committee determines the scope of internal audit work and liaises with external auditors.

Committee Members

During 2015–16, Committee membership included:

- David Gibbs – Independent Chairperson
- Dr Craig Nisbet – Independent Member
- Lisa Woolmer – Independent Member
- Cr Michael Lipshutz
- Cr Mary Delahunty

Committee Meetings

Four meetings were held over the past year. The number of Audit Committee meetings held and the number of meetings attended by each Audit Committee member during the year was:

Audit Committee Member	No. of meetings held during the time the Member held office during the year	No. of meetings attended
David Gibbs	4	4
Dr Craig Nisbet	4	3
Lisa Woolmer	4	4
Cr Michael Lipshutz	4	4
Cr Mary Delahunty	4	3

The CEO and CFO attended all meetings, as did representatives from Council's Internal Auditors (Oakton). All Councillors are invited and welcome to attend all Committee meetings as observers.

The minutes of each meeting of the Committee were included in the next available Ordinary Council Meeting agenda and were noted as part of the public proceedings of the Council.

Committee Activities

Over the course of the year the Committee considered the following reports prepared by Council's internal auditors (Oakton):

- Financial Compliance (Transaction Analysis) Review – February 2016;
- Risk Management Framework Review – February 2016;
- IT General Controls Review – May 2016;
- Home & Community Care ('HACC') Review – May 2016;
- IT Architecture Review – August 2016; and
- Follow-up Review – August 2016.

The total number of outstanding issues (rated as a serious weakness or a control weakness) considered as part of the follow-up review in August 2016 was 21. Of these, 15 have been satisfactorily completed. Four of the remaining six findings are partially complete and are expected to be fully completed by 30 September 2016. The remaining two findings are expected to be fully completed by 31 October 2016.

As a result of the internal audit reviews, management implemented the following procedures and improvements in order to enhance the existing controls already in place:

- Updating the Risk Management Policy to reflect current practice including statements in relation to risk tolerance levels;
- Review and consolidation of the top Corporate risks;
- Enhancing IT security by implementing regular communication to users of IT threats to ensure sound IT security practices are followed;
- Improved the IT controls framework by modifying the IT change management processes;
- Improved network access controls around system administrator and domain administrator accounts and passwords;
- Tightened patch management controls of desktop applications;
- Strengthened reconciliation processes between systems for the payment of Community Care employees and improved access controls and validation controls for Community Care payroll data;

In addition to internal audit reports, the Committee considered reports in relation to:

- Risk Management — regular progress reports; reviews of strategic corporate risks; rolling risk reviews; risk assurance map review, including receiving directorate presentations highlighting risks and mitigation strategies.
- Rate Capping updates
- The Clayton landfill including – preparations for the closure and capping of the landfill site; EPA audit findings around undercharged gate fees
- Tree management policy, procedure, compliance and risk
- Community Care transition arrangements
- GESAC Lifesaving Victoria Audit Results
- Councillor expenses

- Immunisation rates
- VAGO report on aquatic facilities
- Commission of enquiry report on Geelong City Council
- Local Government Performance Reporting and 'Know Your Council Website' updates
- Business Continuity Planning progress report
- Amendments to the *Audit Act 1994*
- Local Government Investigations and Compliance Inspectorate Audit
- Purchasing delegation levels
- Workers' Compensation Management Review
- Cyber Liability Insurance
- Renewal of insurance portfolio

At the November 2015 meeting, the Committee completed a self-assessment questionnaire. This periodic assessment allows the Committee to evaluate the effectiveness of its activities against the audit committee Charter.

The Audit Committee reviewed the scope of, and approved the internal audit plan covering the years 2016-17 to 2018-19.

At the February 2016 meeting, Oakton delivered a presentation to the Committee on the IT environment. Matters included: digital technologies; customer engagement and business trends; and customer focused digital strategies.

Each year the Committee conducts an annual review of the Audit Committee Charter to ensure the currency of the Charter. This review was conducted in February 2016. In addition the Annual Report of the Audit Committee was approved.

At the February 2016 meeting, the Committee considered the external audit strategy document from VAGO in connection with the 2015-16 Financial Statements and Performance Statement. The Committee discussed a number of items with Mr Loughnan from VAGO, including: form and content of the financial report; local government council elections; management override of controls; changes in key management personnel; superannuation funding call; revaluation of property, plant and equipment; infrastructure assets; revenue recognition and information technology and data integrity.

At the August 2016 meeting, the Committee discussed and considered the 2015-16 Annual Financial Statements and Performance Statements and recommended that Council adopt, 'in principle', the Financial Statements and Performance Statement.

Other Committee Matters

At each meeting the Chairman asks whether any person present (including Councillors, senior officers and auditors) are aware of any breaches of any Act, any other irregularity or any other matter which should be brought before the Committee? During the year in review, no breaches or irregularities were reported.

Throughout 2015-16, the Committee considered or noted a number of risk management reports prepared by management. The Committee reviewed specific risk areas across Council and in some instances across specific projects, and examined the controls in place to mitigate those risks.

ITEM 9.16 QUARTERLY REPORTING

Author: *Peter Swabey (Director, Corporate Services)*

Attachments: *Services Report for period ending September 2016*

PURPOSE AND SUMMARY

To report to Council on the Services Report, Community Plan, Public Questions, and Action Items from Council Meetings.

RECOMMENDATION

That Council notes the attached Services Report, Community Plan Report, and reporting on Public Questions.

BACKGROUND

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.

ISSUES AND DISCUSSION**Services Report**

The attached Services Report provides statistical information on services provided to the Glen Eira community for the period ending 30 September 2016. Of particular note in this report is:

- Storytime and Babytime attendance at Libraries continues to receive large numbers of attendees.
- Maternal and Child Health key age and stage visits are well above target.
- Total In-Home Support hours were under target by 2,088 hours.
- The building boom is seeing higher levels of active statutory planning applications
- Parking tickets issued for the first quarter of 2016-17 has increased compared to the previous year to emphasise safety around schools and balancing trader and patron parking due to increased building activity and the grade separation works.
- Council has a low number of bins missed across all streams of bin collections (green waste; recycling; and general waste collections).

Community Plan

The attached Community Plan report is the updated report for the period ending 30 September 2016 against the Glen Eira Community Plan that was updated by Council in June 2016 and provides a benchmark against which to measure the Council's 2016/17 performance. This report lists the Key Strategic Activities outlined in Council's Community Plan and the progress towards achieving the 2016/17 performance measures.

Public Questions

Public questions for the period 19 July'16 to the Ordinary Council meetings of 19 September'16 were as follows:

Number asked	48
Number ruled inadmissible	2
Number answered at the Meetings	43
Number taken on notice	3
Time taken to reply to questions taken on notice (average)	15 days

Items for action from Council Meetings

Refer Attachment

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

Not applicable

POLICY AND LEGISLATIVE IMPLICATIONS

Not applicable

COMMUNICATION AND ENGAGEMENT

Not applicable

LINK TO COUNCIL PLAN

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

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

Statistical information complements monthly financial reporting and provides more detailed information on the diverse range of activities undertaken by Council.

Moved: Cr Silver

Seconded: Cr Athanasopoulos

That Council notes the attached Services Report, Community Plan Report and reporting on Public Questions.

CARRIED UNANIMOUSLY

Glen Eira City Council

SERVICES REPORT



Period ended September 2016

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Community Wellbeing

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Property, Environment & Sustainability	14.1 – 14.7
Projects & Infrastructure	14.8 - 14.11
Recreation & Leisure	14.12 – 14.14

Corporate Services

Service Centre	15.1 – 15.5
Risk	16.1

Please note that the figures disclosed in the Services Report were correct at time of printing, however may be subject to amendment following review by the external auditors and/or use in the Annual Report.

Arts and Culture

Exhibition Attendance	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD 16/17	YTD 15/16
Visitors – 16/17	2,821	694	656										4,171	
Visitors – 15/16	2,166	551	1,295	1,816	1,669	1,260	N/A	817	1,269	875	748	1,660		4,012

My Brother Jack Awards	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD 16/17	YTD 15/16
Entries 16/17	N/A	N/A	N/A										0	
Entries 15/16	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	613	N/A	N/A		0

Storytelling Festival	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD 16/17	YTD 15/16
Attendance 16/17	N/A	N/A	N/A										0	
Attendance 15/16	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	10,076		0

Carols	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD 16/17	YTD 15/16
Attendance 16/17	N/A	NA	N/A										0	
Attendance 15/16	N/A	N/A	N/A	N/A	N/A	5,500	N/A	N/A	N/A	N/A	N/A	N/A		0

Outdoor Events	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD 16/17	YTD 15/16
Attendance 16/17	N/A	N/A	N/A										0	
Attendance 15/16	N/A	N/A	N/A	431	6,425	N/A	3,000	6,000	8,500	N/A	250	N/A		0

Library Services

Services	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	YTD 16/17	YTD 15/16
Loans*	119,365	114,644	112,457										346,466	357,049
Visits	61,693	61,010	59,676										182,379	180,872
Home Visits	189	189	190										568	557
Storytime & Babytime attendance**	5,466	6,368	5,224										17,058	16,608

Comments:

* Includes loans from library branches, web page, and e-collections (eBooks, eAudio books, music downloads and eMagazines)

** Storytime and Babytime attendance includes children and adults.

Childcare

Utilisation Rate

Location	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD AV 16/17	YTD AV 15/16
Carnegie 16/17	90.97	91.12	92.81										92	
Carnegie 15/16	82.53	80.63	86.51											83
Caulfield 16/17	99.24	96.68	97.07										98	
Caulfield 15/16	93.24	93.16	94.62											94
Murrumbeena 16/17	91.22	91.78	89.51										91	
Murrumbeena 15/16	89.17	90.49	93.22											91

Comments: All Centres are above budgeted utilisation

Budgeted Utilisation is 90%

Number of Children using the service

Location	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD AV 16/17	YTD AV 15/16
Carnegie 16/17	62	65	65										64	
Carnegie 15/16	59	60	64											61
Caulfield 16/17	84	87	90										87	
Caulfield 15/16	88	90	86											88
Murrumbeena 16/17	68	65	68										67	
Murrumbeena 15/16	76	77	78											77

Comments: At the Murrumbeena Children's Centre the number of children is down slightly from this time last year and this is due to children dropping days and going from potentially full time care to part time.

Number of families using the service

Location	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD AV 16/17	YTD AV 15/16
Carnegie 16/17	54	59	58										57	
Carnegie 15/16	55	53	57											55
Caulfield 16/17	72	74	72										73	
Caulfield 15/16	73	76	74											74
Murrumbeena 16/17	65	61	65										64	
Murrumbeena 15/16	74	79	83											79

Comments: Number of families using the Murrumbeena service is down slightly this year compared to this time last year as some families have more than one child at the Centre.

Number of agency hours used by the service

Location	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD AV 16/17	YTD AV 15/16
Carnegie 16/17	0	0	0										0	
Carnegie 15/16	0	0	0											0
Caulfield 16/17	0	0	0										0	
Caulfield 15/16	0	0	0											0
Murrumbeena 16/17	0	0	0										0	
Murrumbeena 15/16	0	0	0											0

Comments:

Family Day Care

Services	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD AV 16/17	YTD AV 15/16
Numbers of hours care provided: 16/17	13521	13805	13264										#13530	
Numbers of hours care provided: 15/16	14215	13902	17697											15271
Number of children cared for: 16/17	175	183	178										#179	
Number of children cared for: 15/16	175	175	224											191
Average hours of care per child: 16/17	77	75	74										75	
Average hours of care per child: 15/16	81	79	79											80
Effective full time places (target 140): 16/17	96	98	94										96	
Effective full time places (target 140): 15/16	101	99	126											109
*Number of home visits by field workers 16/17	54	55	57										55	
*Number of home visits by field workers 15/16	75	63	53											64

Comments:

*Fieldwork staff visit educators in their homes to monitor the childcare, support and resource the educators. Target 53

Lower number of children resulted in reduced hours of care provided in 2016/17

Maternal and Child Health

% of key visits for children at each significant milestone

GECC Key Age and Stage Visits	GECC Targets %	Average % Year to Date 2016/2017 (Financial Year)	Average % 2015/2016 (Financial Year)
Home Visit	98	101	101**
2 weeks	98	98	98
4 weeks	98	99	98
8 weeks	95	95	96
4 months	95	97	95
8 months	90	100	93
12 months	90	87	93
18 months	85	83	87
2 years	81	86	89
3.5years	77	92	91

Enhanced Maternal & Child Health Families	GECC Target	2016/2017 (Financial Year) To date	2015/2016 (Financial Year)
Number of Closed Cases	72	24	85

4,350 Key Ages and Stages visits year to date (Yearly Target 15,000)

** Targets are aligned with the specific ages of children in each month. Percentages over 100% can occur when children seen in a month exceed those due a visit.

Youth Services**Program activity and participation [Each person counted by number of contacts]**

Location	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD 16/17	YTD 15/16
Number of Program Sessions 2016/2017	21	23	17										61	
Number of Program Sessions 2015/2016	18	31*	35*	57*	50*	6	2	18	17	12	28	18		84
Number of young people participating in overall sessions 2016/2017	827	476	597										1900	
Number of young people participating in overall sessions 2015/2016	165	770*	545*	1100*	744*	62	16	171	231	163	628 [@]	342		1480
Special Events (i.e. talks, street festivals) 2016/2017	432	0	186										618	
Special Events (i.e. talks, street festivals) 2015/2016	42	0	309 [^]	0	24	90 ^{&}	0	100	0	160	56	0		351
Client support (individual young people) 2016/2017	4	9	3										16	
Client support (individual young people) 2015/2016	4	0	2	1	3	2	0	6	34 ^{\$}	15 ^{\$}	11 ^{\$}	5		6

Comments: 2015/2016

* Moving Up & KidsMatter school based programs continue to be highly requested programs in Primary schools.

[^] Sounds Of Glen Eira (SOG) 2015 and Parent Information Night 'Tricky conversations with boys'. The attendance for SOGE was down compared to 2014 due to 2 bands pulling out last minute before the event.

[&] One off program, Sound Session; run for young people with additional needs who created and presented their song at the Disability Awareness Day held at GESAC.

^{\$} Increased promotion of Youth Worker Support saw a large number of complex clients access our services multiple times over March, April and May (issues around housing, education and mental health)

[@] New Secondary and Primary Schools programs introduced around Leadership and Healthy Relationships.

Comments: 2016/2017

Public Health Food Safety

Services	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD 16/17	YTD 15/16
Total Inspections 16/17	195	184	132										511	
Total Inspections 15/16	195	162	192	154	176	99	60	87	88	95	124	92		549

Comments: Food businesses receive at least one statutory inspection each year to assess compliance with relevant food safety standards and to determine the risk they pose to the public. As part of this inspection all food safety risks are examined and businesses are assessed against 5 star criteria. In addition to these statutory assessments, a number of other inspections are completed including inspections to obtain food samples, to investigate complaints or to follow up food safety concerns identified during previous assessments.

Food Sampling

Services	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD 16/17	YTD 15/16
Food samples taken 16/17	39	35	45										119	
Food samples taken 15/16	65	31	24	31	32	49	21	22	29	29	38	66		120
Compliant % – 16/17	95%	77%	98%										90%	
Compliant % - 15/16	97%	90%	92%	100%	96%	98%	94%	82%	86%	94%	95%	100%		93%

Comments: The *Victorian Food Act* requires Council to take a minimum of 189 food samples each year from childcare centres, aged care facilities, hospitals, restaurants, cafes and takeaway businesses. Food samples are analysed for levels of bacteria and non-conformances are followed up by Environmental Health Officers.

Immunisation

Services	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD 16/17	YTD 15/16
Immunisation encounters 16/17	449	2,478	459										3,386	
Immunisation encounters 15/16	519	1,237	634	447	441	423	431	391	1,757	846	2,813	429		2,390

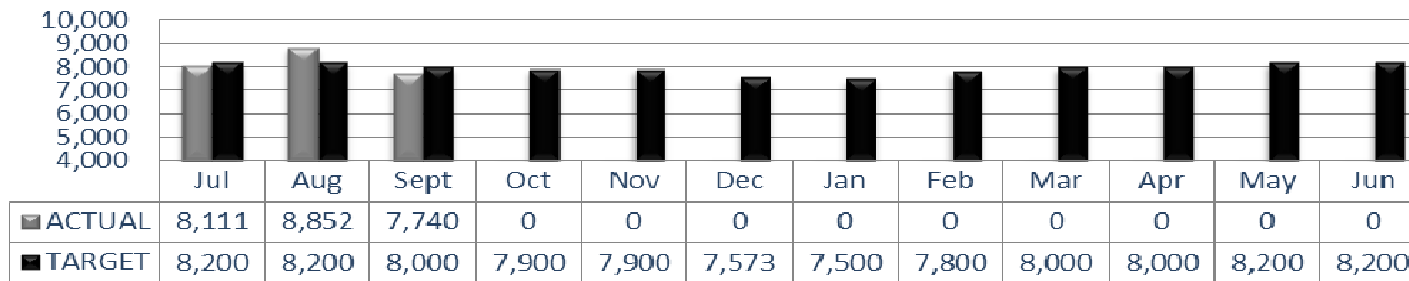
Comments: Council provides 11 community immunisations each month at various locations throughout the municipality. Children receive vaccinations at ages 2 months, 4 months, 6 months, 12 months and 4 years of age. Council also provides a Secondary School Vaccination Program to all Year 7 Students and Year 10 students.

Quarterly Immunisation Coverage 2016/2017

Services	Sep 16	Dec 16	Mar 17	Jun 17
Cohort 1	91.65%			
Cohort 2	92.57%			
Cohort 3	94.94%			

Comments: Cohort 1 = children aged of 1 year and three months
Cohort 2 = children aged of 2 years and three months
Cohort 3 = children aged of 5 years and three months

Total Hours - In Home Support (Domestic Assistance, Personal Care, Respite Care)



Comments: The Home Support program transitioned to My Aged Care (MAC) in August 2016 and this resulted in increased referrals in that month. The new MAC system is impacting on the seasonalised targets and these have been distributed in accordance with best estimates for the full year. The number of hours delivered dipped in September as the referrals coming from the Commonwealth (MAC Website) were disrupted by the new system implementation. It is expected we will meet our annual target of 95,473 hours in this financial year



Comments: *There were no residents on the In Home Support waiting list in the September quarter.*

DELIVERED MEALS REFERRALS - JULY 16 TO SEPT 16

Number of Meal Referrals for the quarter (July 16 - Sept 16)	Number of Meal Referrals Accepted for the quarter (July 16- Sept 16)	Year to Date Meal Referrals (July 16 - Sept 16)	Year to Date Meal Referrals Accepted (July 16 - Sept 16)	Year to Date Meals Delivered (July 16 - Sept 16)
33	33	33	33	11,491

Comments:

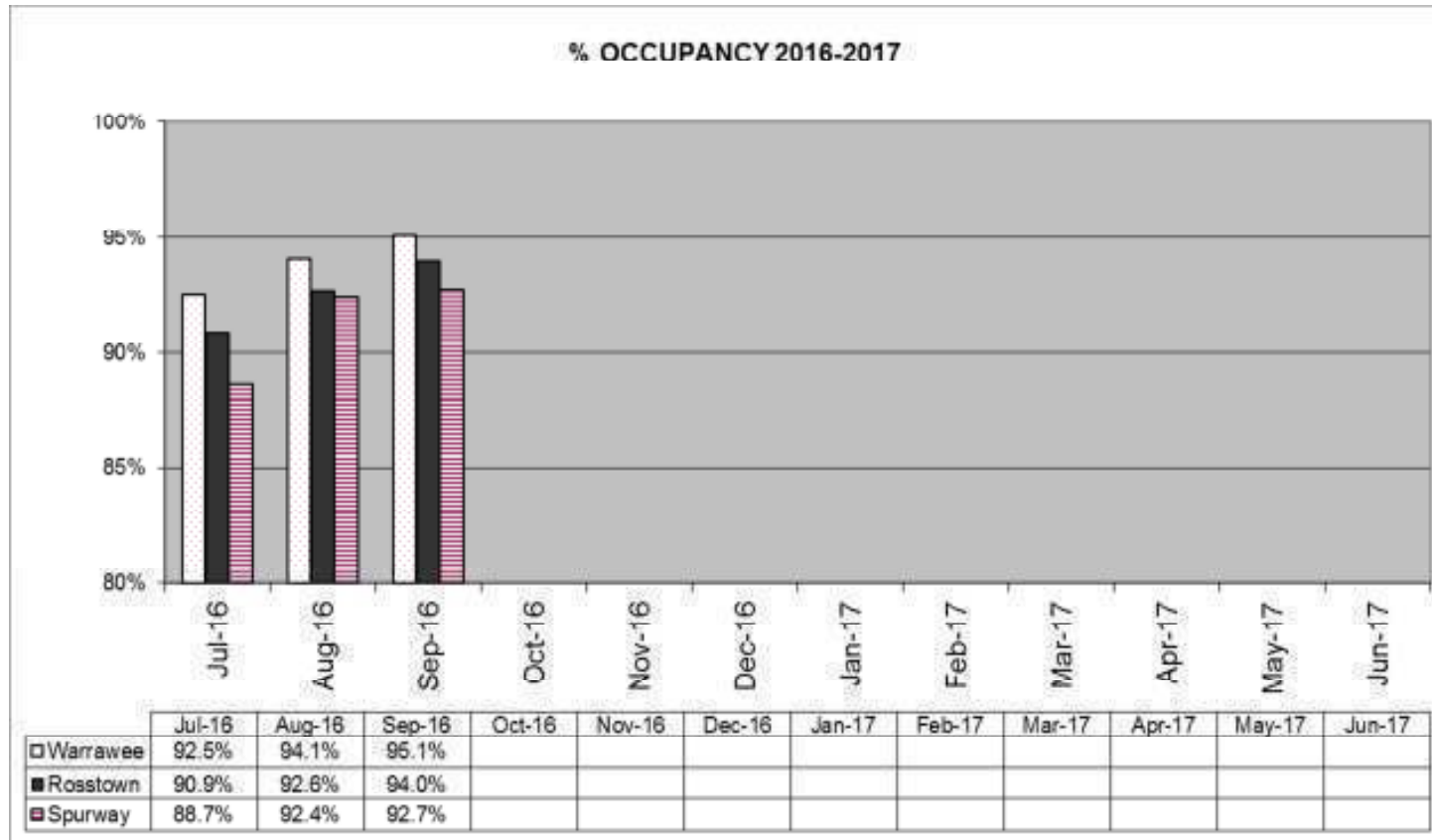
For the September quarter delivered meals were under target with 11,491 meals delivered against a target of 12,000 (-509 meals). All requests for meals are being met.

Total Hours - Home Maintenance



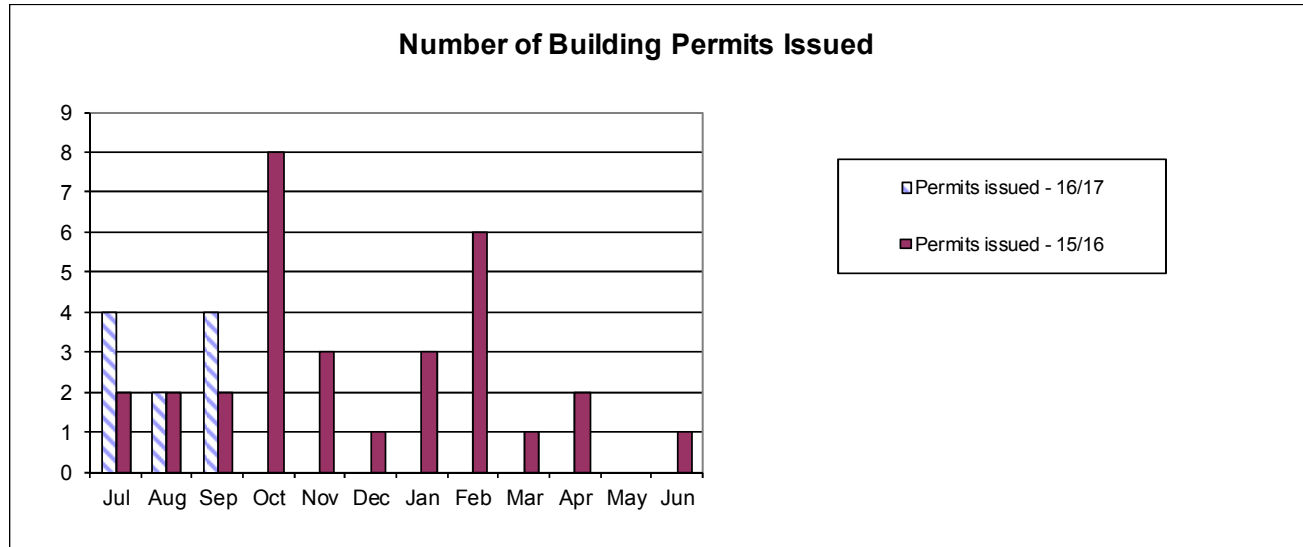
Comments: For the September quarter, Home Maintenance hours were over target (+133hrs).

Residential Aged Care Services – Occupancy



Civic Compliance

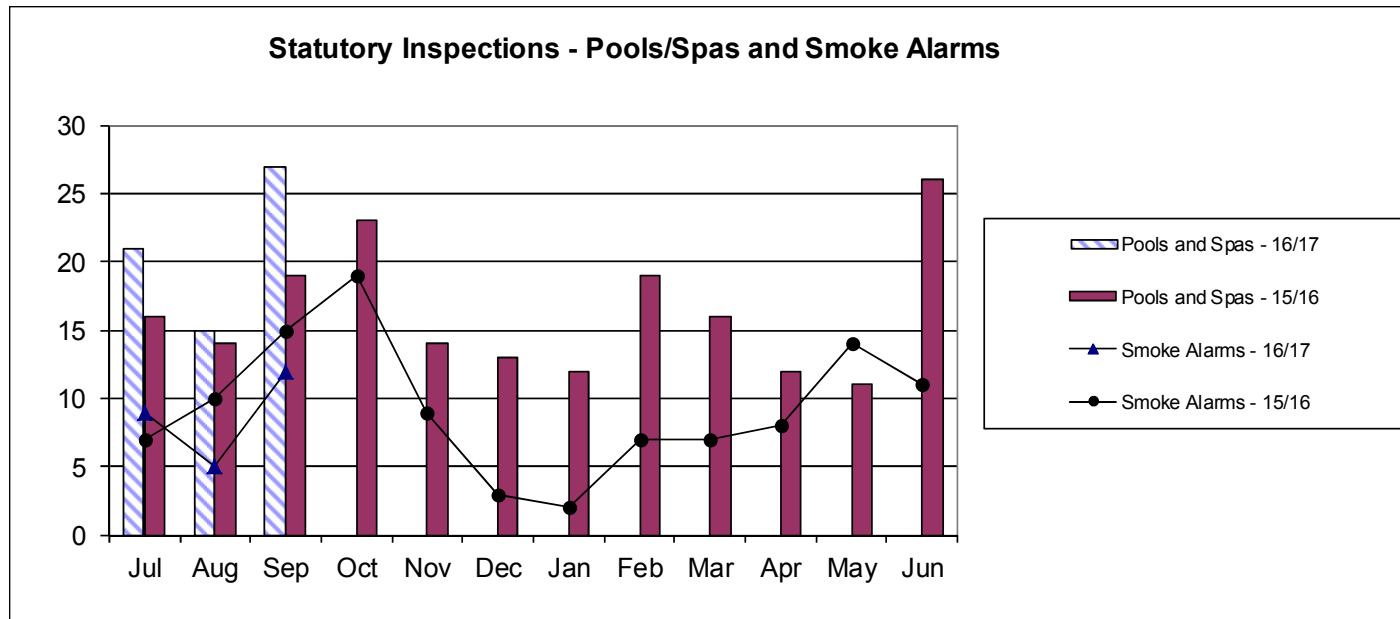
Building



Building Permits	YTD 2016-17	YTD 2015-16
Permits issued	10	6

Comments:

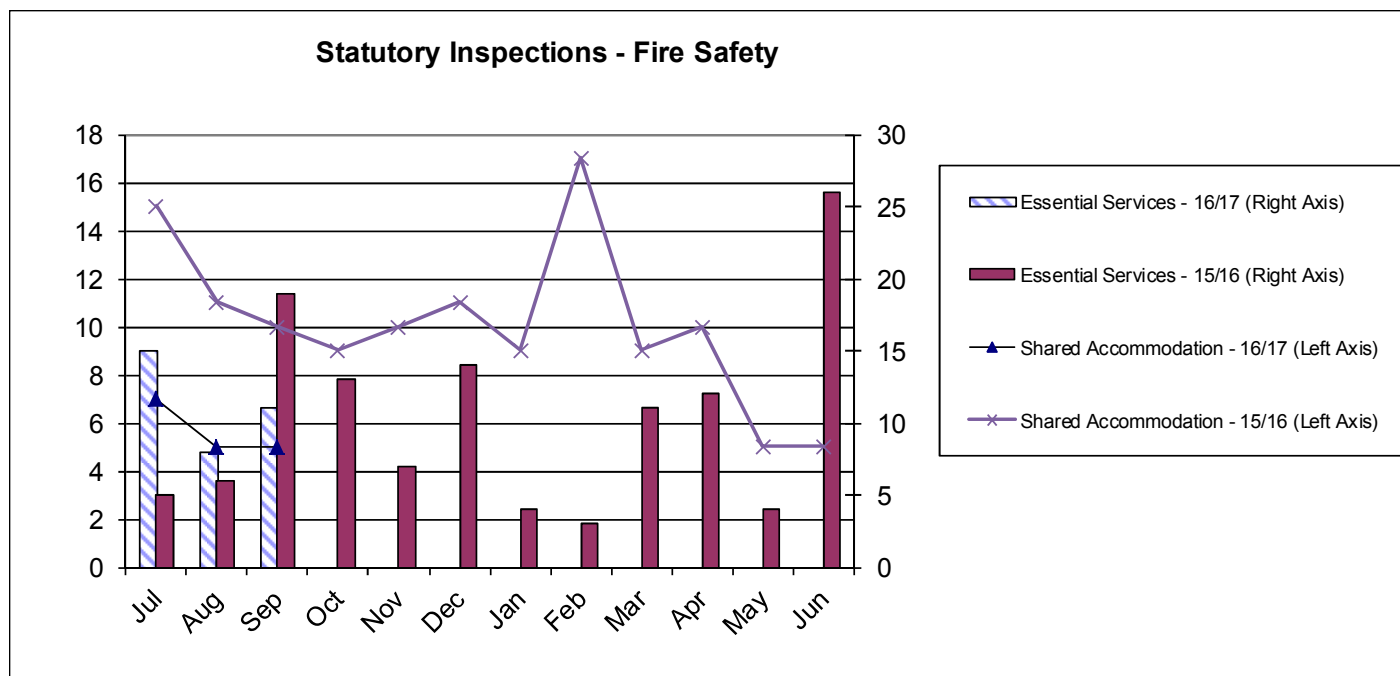
Private building surveyors continue to issue the majority and the more complex building permits in the municipality.



Statutory inspections - Pools/Spas & Smoke Alarms	YTD 2016-17	YTD 2015-16
Pools and Spas	63	49
Smoke Alarms	26	32

Comments:

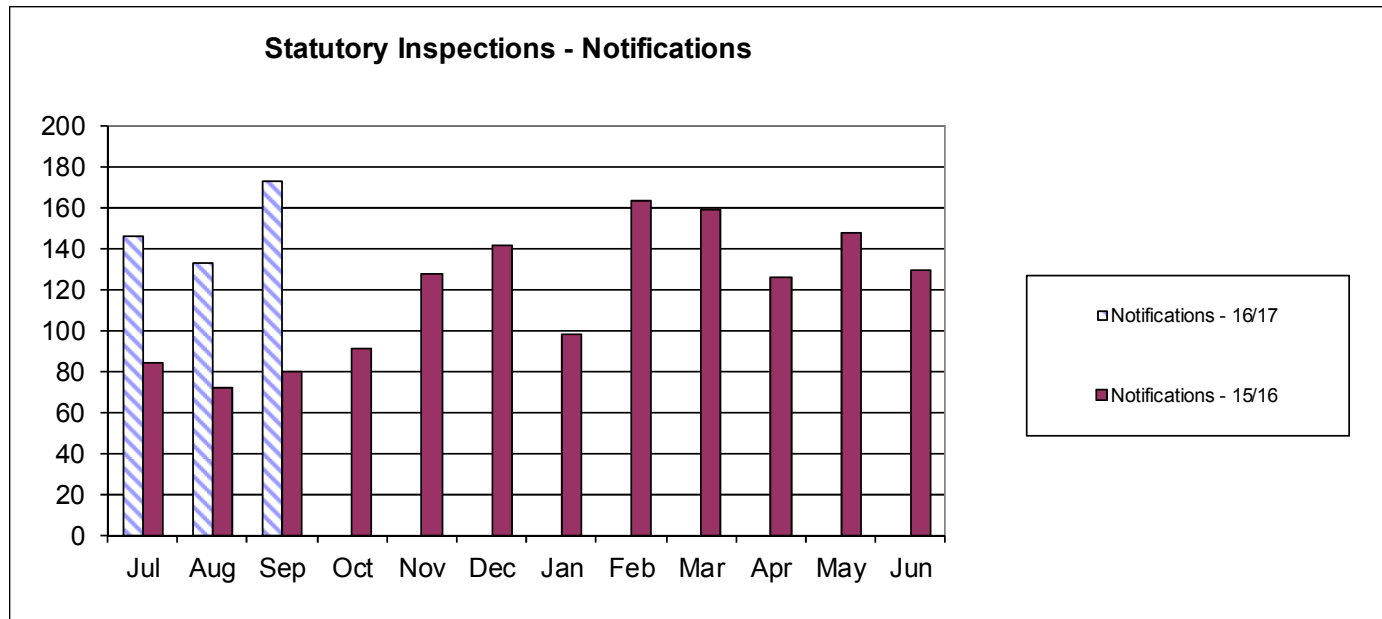
Council's pool/spa and smoke alarm inspections continue to safeguard the community.



Statutory inspections - Fire Safety	YTD 2016-17	YTD 2015-16
Essential Services	34	30
Shared Accommodation	17	36

Comments:

The number of shared accommodation inspections is dependent upon information from the community and Consumer Affairs Victoria. Over the last quarter, the number of essential service inspections continues to remain high. Follow up inspections are booked in advance at 1,2 and 5 yearly intervals depending on the risk analysis.



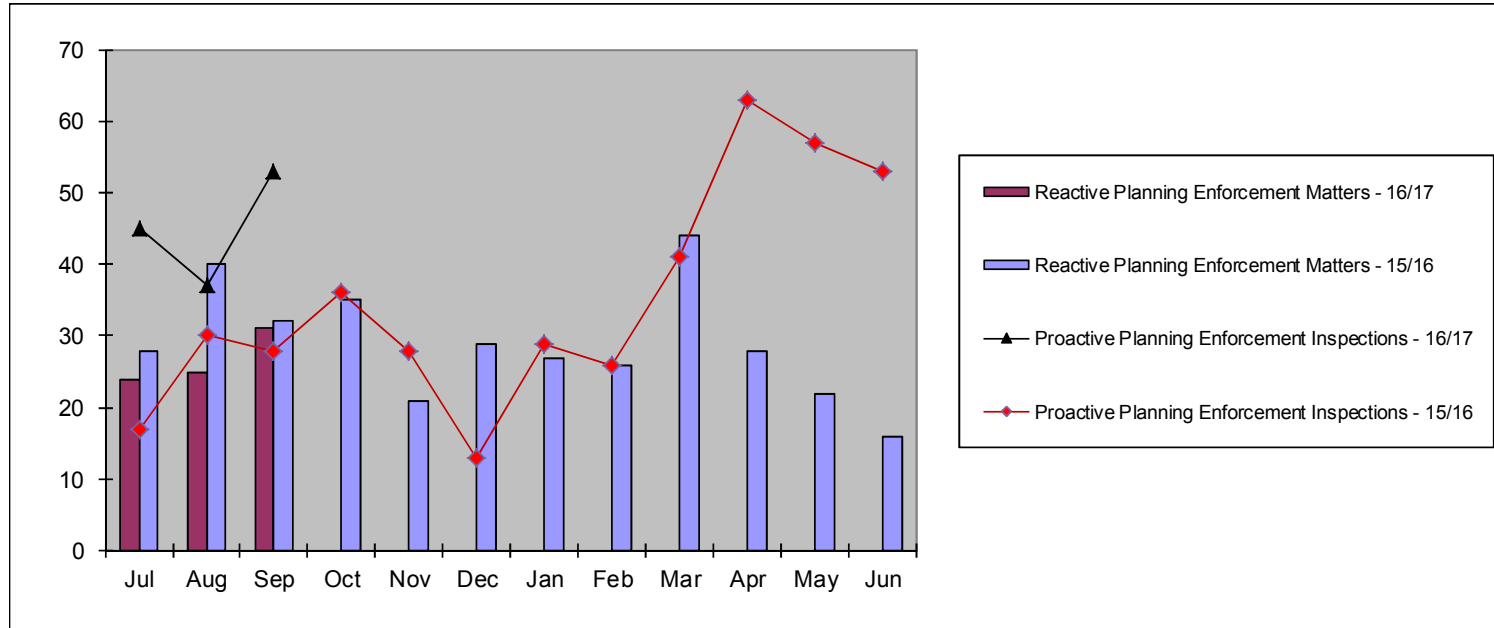
Statutory inspections - Notifications	YTD 2016-17	YTD 2015-16
Notifications	452	236

Comments:

Growth continues within the building industry particularly with large scale developments which attract greater attention from community. High levels are expected to continue.

Planning Enforcement

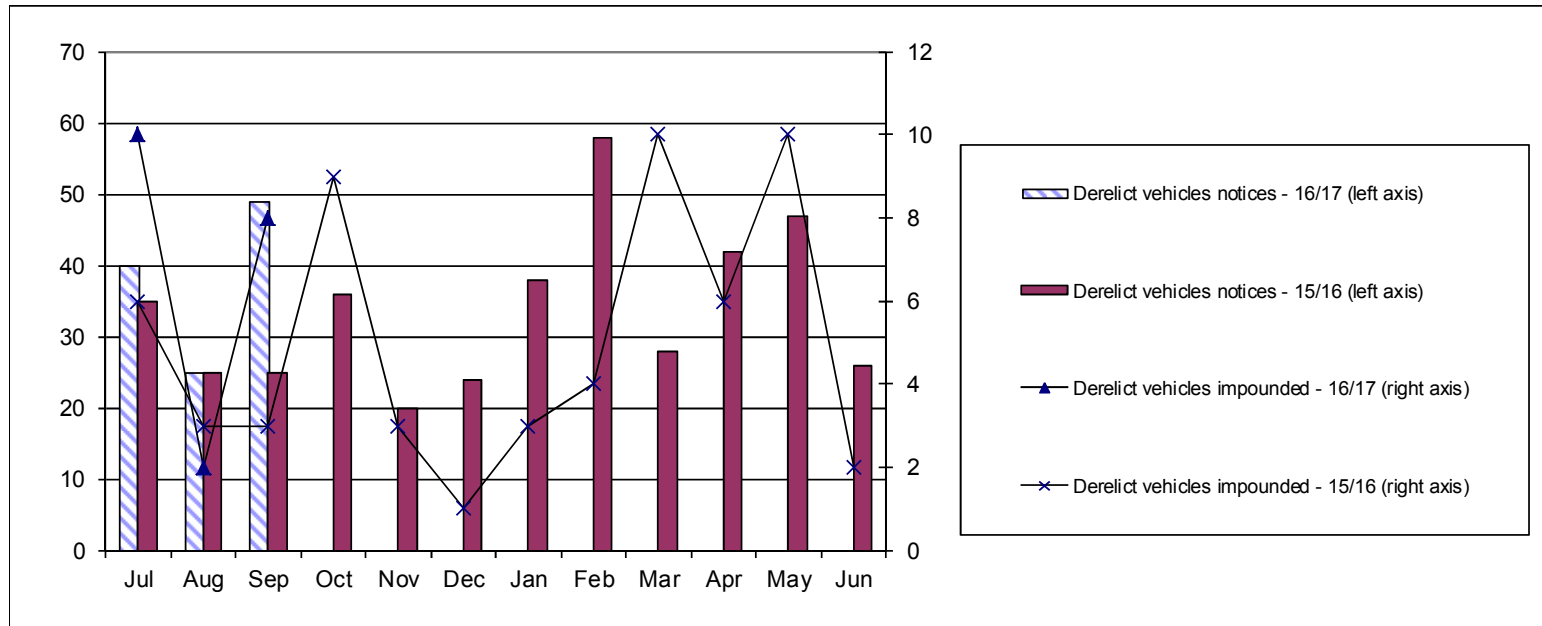
Number of Planning Enforcement Matters – inquiries, follow ups and investigations



Planning Enforcement Matters	YTD 2016-17	YTD 2015-16
Reactive Planning Enforcement Matters	80	100
Proactive Planning Enforcement Inspections	135	75

Comments: With the adoption of Construction Management Plans, builders are made accountable of their responsibilities at the commencement of works. This has assisted with reducing reactive inspections.

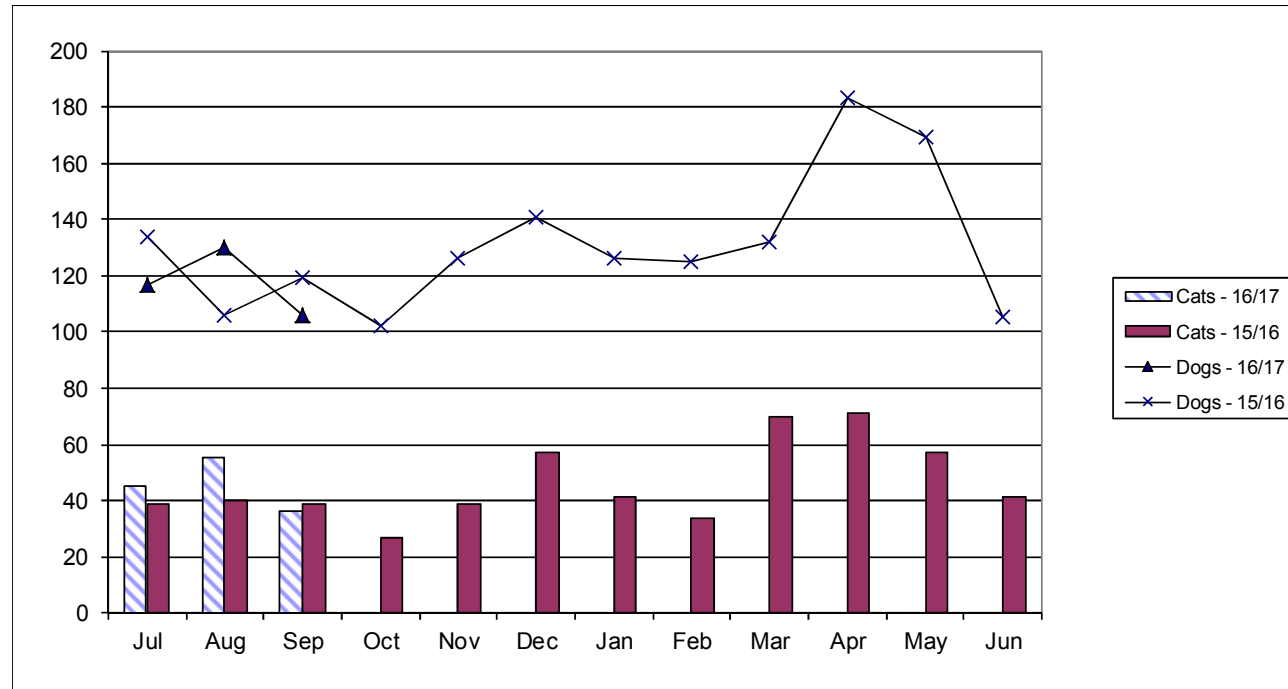
Number of Derelict vehicle notices issued vs Derelict vehicles impounded



Derelict Vehicles	YTD 2016-17	YTD 2015-16
Derelict vehicles notices	114	85
Derelict vehicles impounded	20	12

Comments:

The current high building activity and grade separation works, has put pressure on the availability of street parking. Residents are more aware of abandoned occupying street parking spaces.

Animal Management - new dog and cat registrations received (first time registrations)

Animal Registration	YTD 2016-17	YTD 2015-16
Cats	136	118
Dogs	353	359

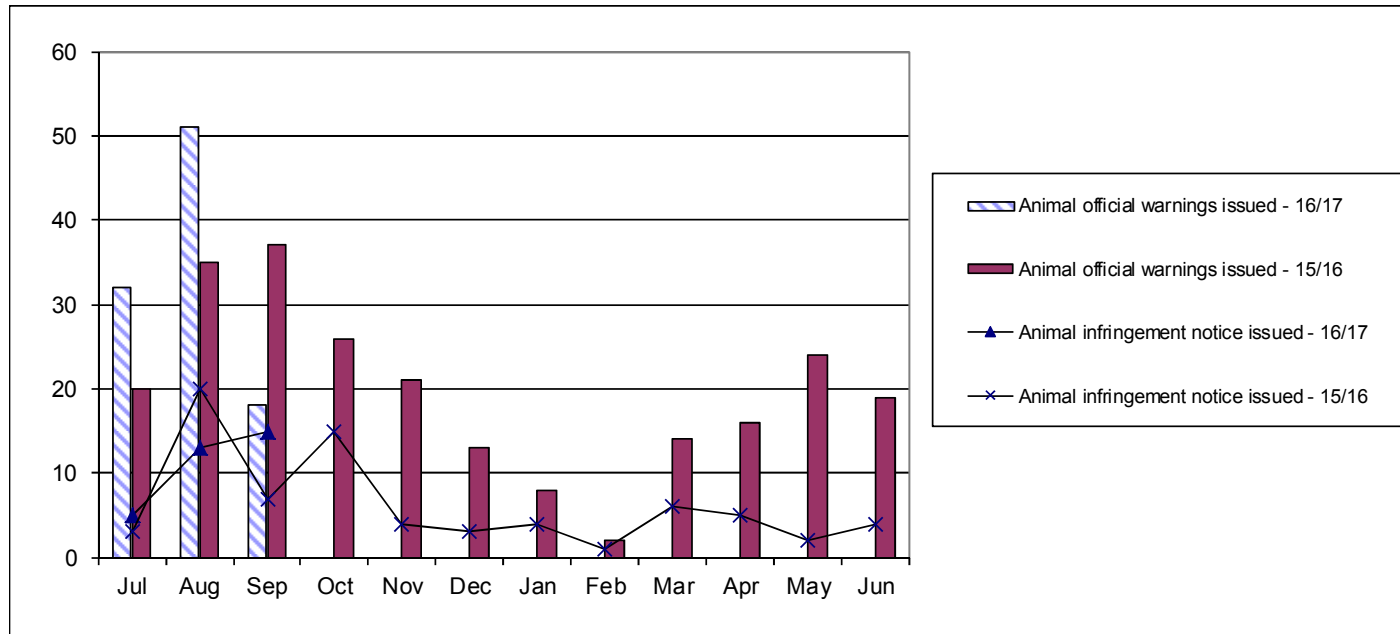
Total Registration Figures – all dogs/cats currently registered with Council

Registrations	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	2016/2017
Dog	11265	11489	11441	11600	11375	12053	12342	11924	11945	11953	353
Cat	6157	5950	5742	5581	5164	5305	5349	5100	5124	5113	136

Comments:

Registration levels remain in the expected range. Increased educational awareness program “meet and greet dog owners” in parks has resulted in a number of animals being registered over past months.

Number of Animal Official Warnings vs Infringement Notices issued



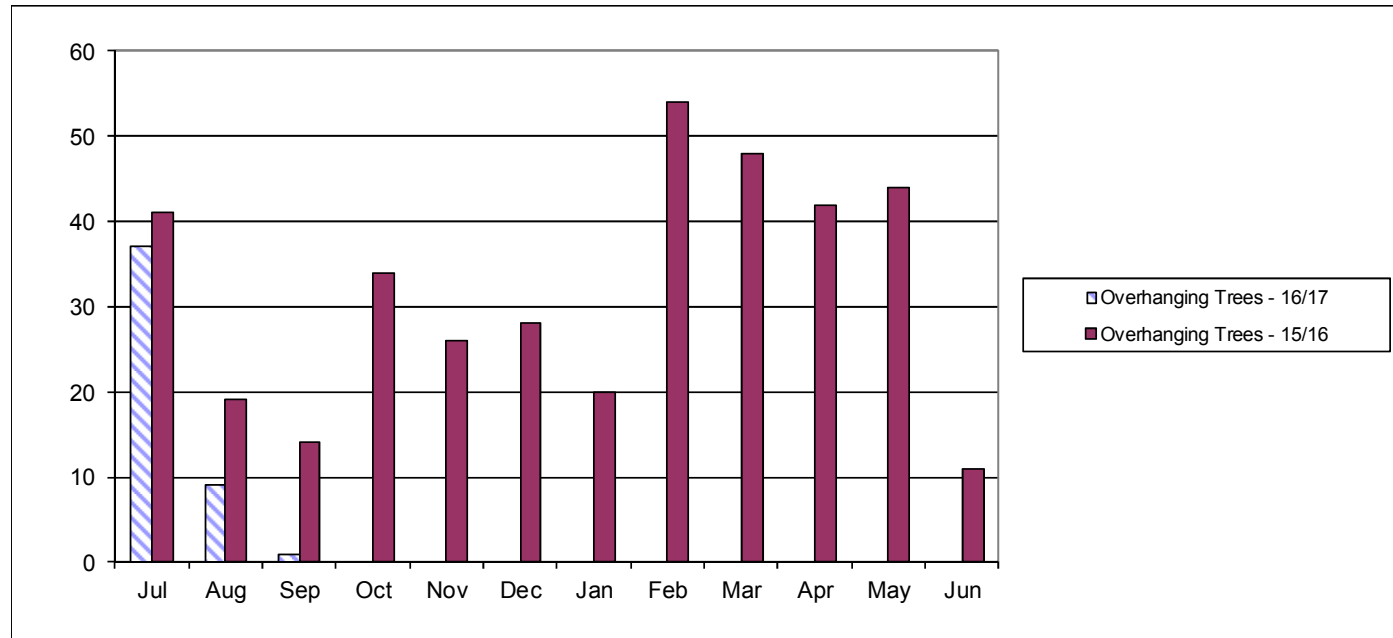
	YTD 2016-17	YTD 2015-16
Animal Infringements		
Animal official warnings issued	101	92
Animal infringement notice issued	33	33

Comments:

Official warnings result from following up unpaid animal registrations.

Local Laws

Number of overhanging tree notices issued

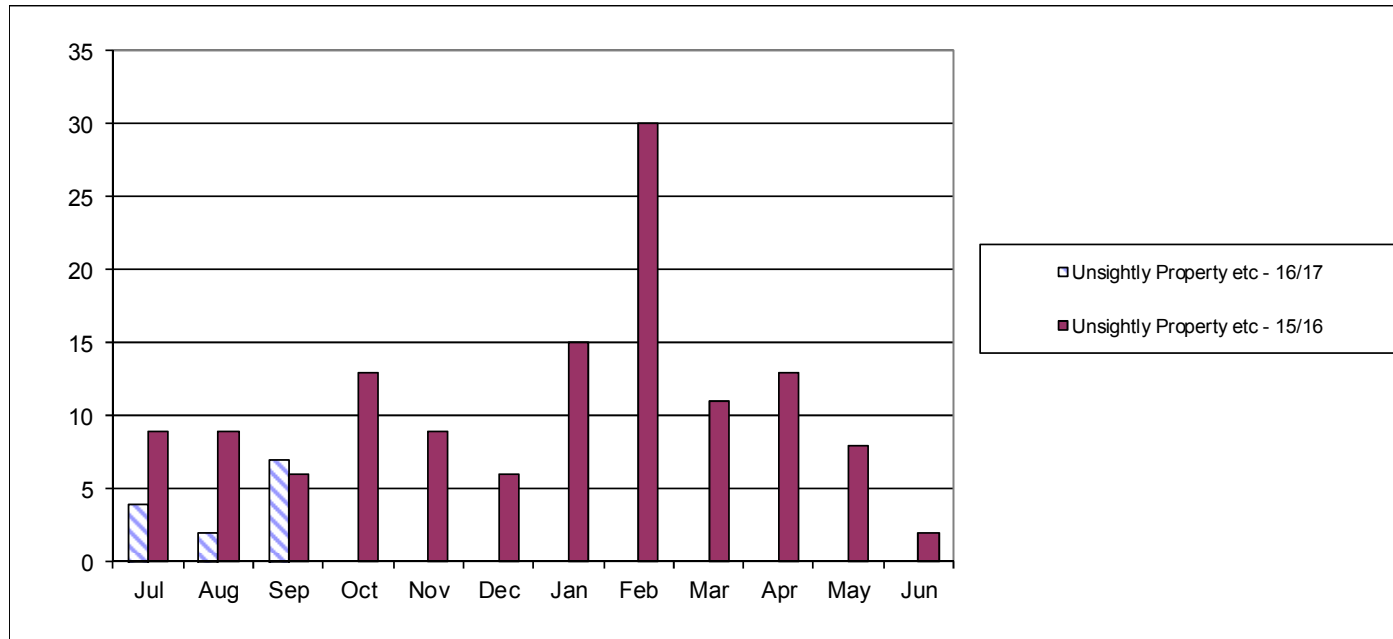


Notices Issued - Overhanging Trees	YTD 2016-17	YTD 2015-16
Overhanging trees	47	74

Comments:

Overhanging notices are dictated by seasonal factors such as rainfall and other weather conditions.

Number of Unsightly Property, Dangerous Land and Fire Hazard notices issued

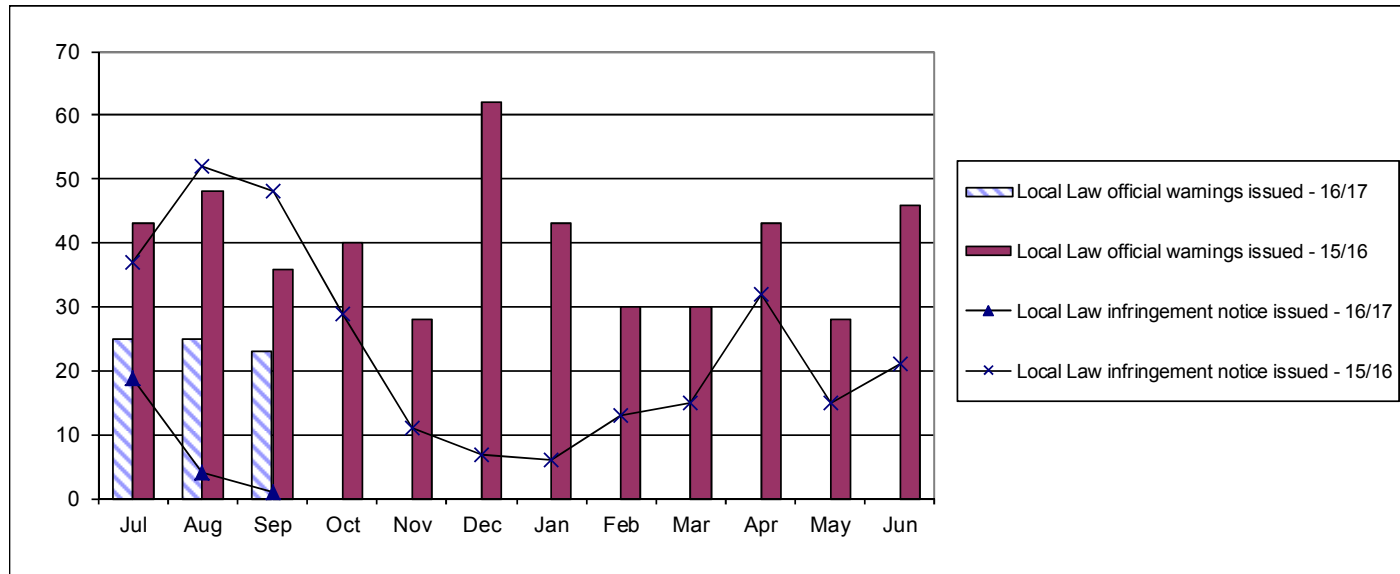


Unsightly Property Notices	YTD 2016-17	YTD 2015-16
Unsightly property notices issued	13	24

Comments:

The level of unsightly property inspections continues to decline as old housing stock is removed for new developments.

Number of Local Law Official Warnings versus Infringement Notices issued

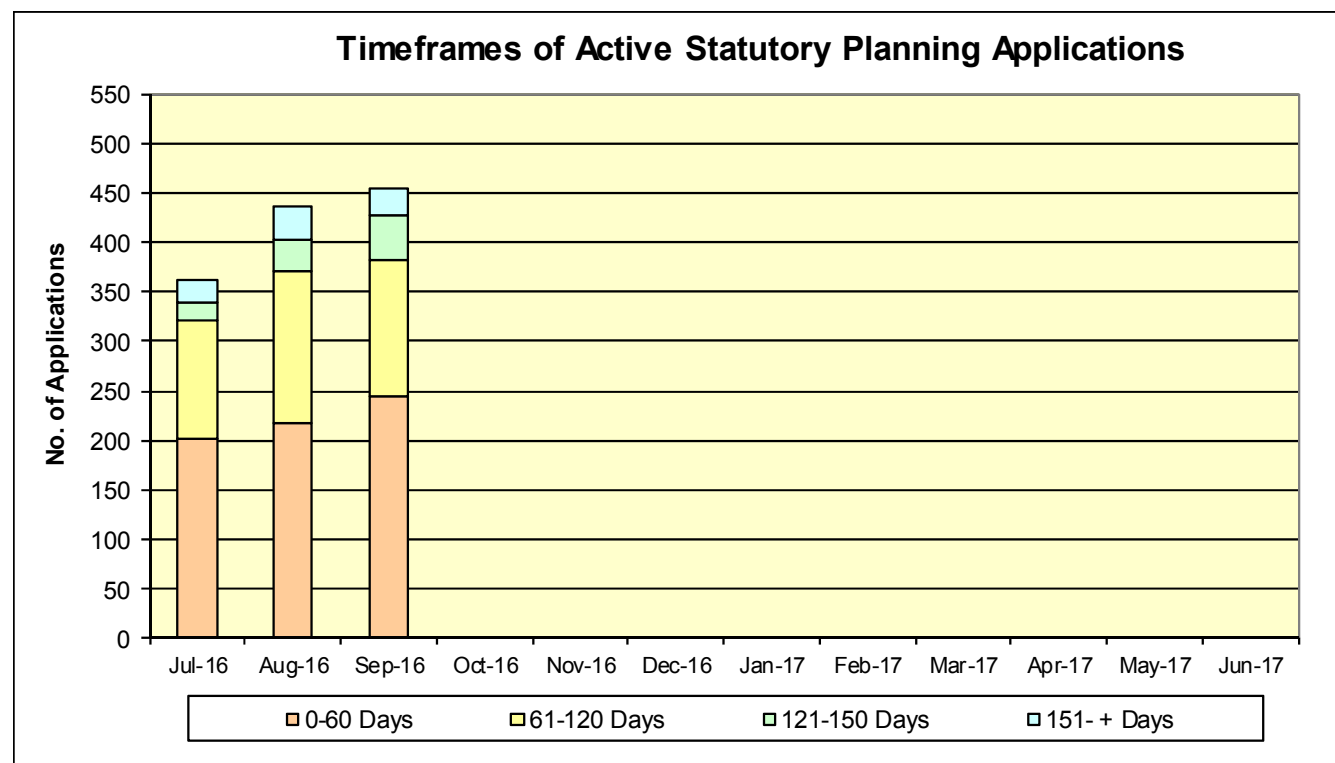


Local Law Notices	YTD 2016-17	YTD 2015-16
Local Law official warnings issued	73	127
Local Law infringement notice issued	24	137

Comments:

The adoption of the Construction Management Plans for large scale developments enables infringements to be issued under the *Planning and Environment Act*. This has had the desired deterrent effect.

Total Active Statutory Planning Applications

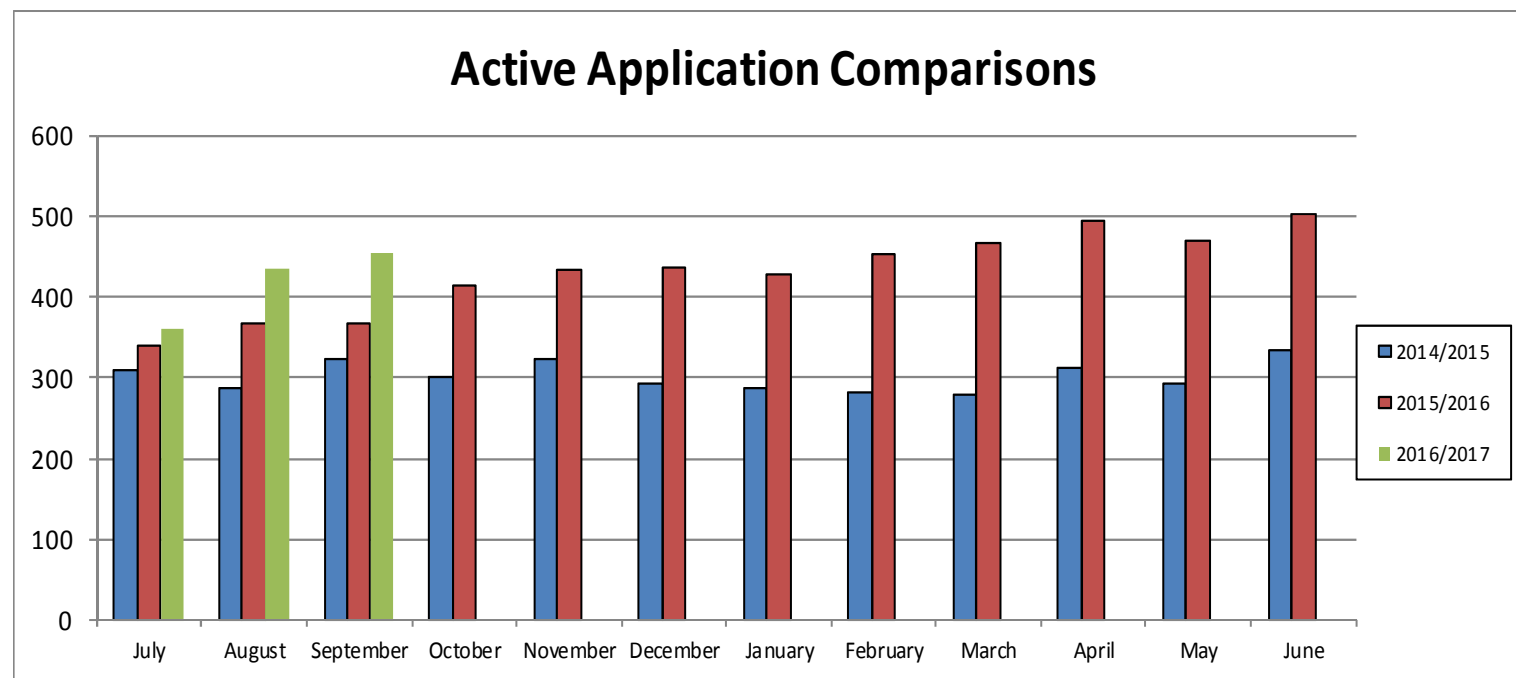


Statutory Planning Applications - Active (Critical Issues / Councillors Report 16-17)												
No of days	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17
0-60 Days	202	217	245									
61-120 Days	120	155	138									
121-150 Days	17	31	45									
151- + Days	22	33	27									
Total	361	436	455	0	0	0	0	0	0	0	0	0

Comments:

Whilst active application numbers have increased the majority are within 0-60 days.

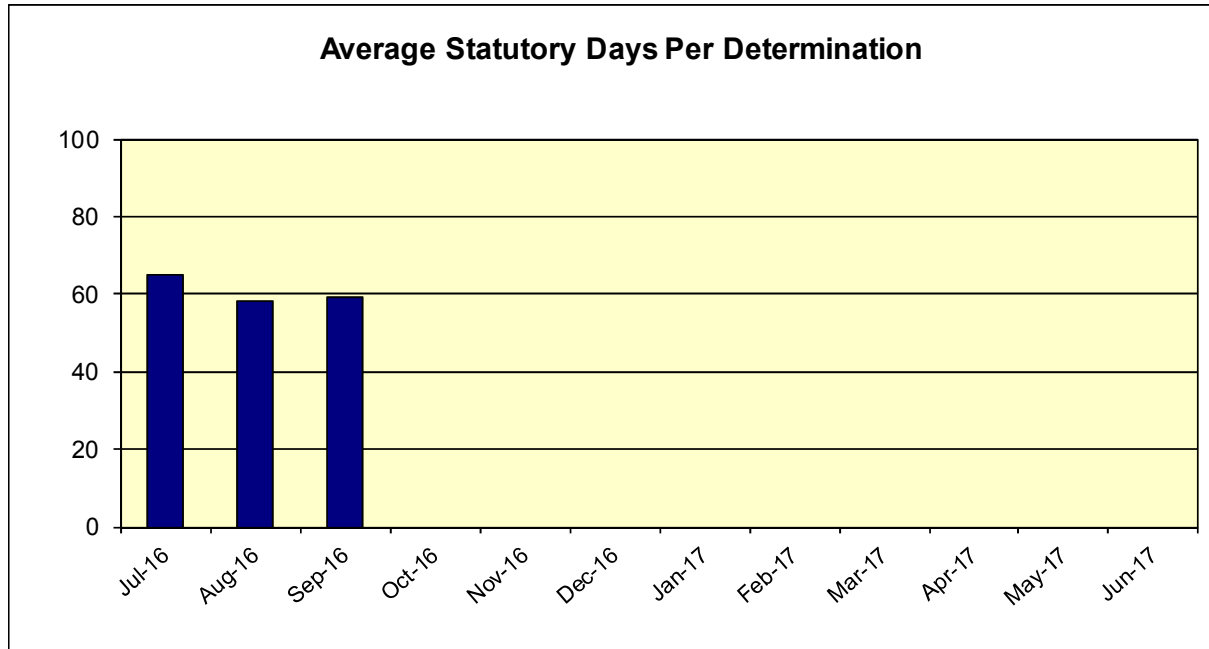
Total Active Statutory Planning Applications



Total Active Apps / Month												
	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17
2014/2015	310	287	322	302	323	293	288	281	278	313	292	335
2015/2016	339	368	368	413	434	435	429	453	466	495	470	501
2016/2017	361	436	455	0	0	0	0	0	0	0	0	0

Comments:

The number of active applications in the current financial year is higher than previous years due to Metropolitan Melbourne's ongoing development boom.

Average Statutory Days Per Determination**Comments**

The high application numbers have had an impact on decision timelines.

PLANNING DECISIONS BY DECISION MAKER – RESIDENTIAL DEVELOPMENT ONLY – for quarter ending 30 September 2016

Decision Maker	Total Number of Residential Applications Decided	Average Number of Objections per Decision	Number of decisions made by application type			
			Dwellings		Storeys	
			4 dwellings or more	3 dwellings or less	4 storeys or more	3 storeys or less
Council Resolution	10	5	5	2	5	2
D.P.C.	93	3	33	75	1	76

Comments:

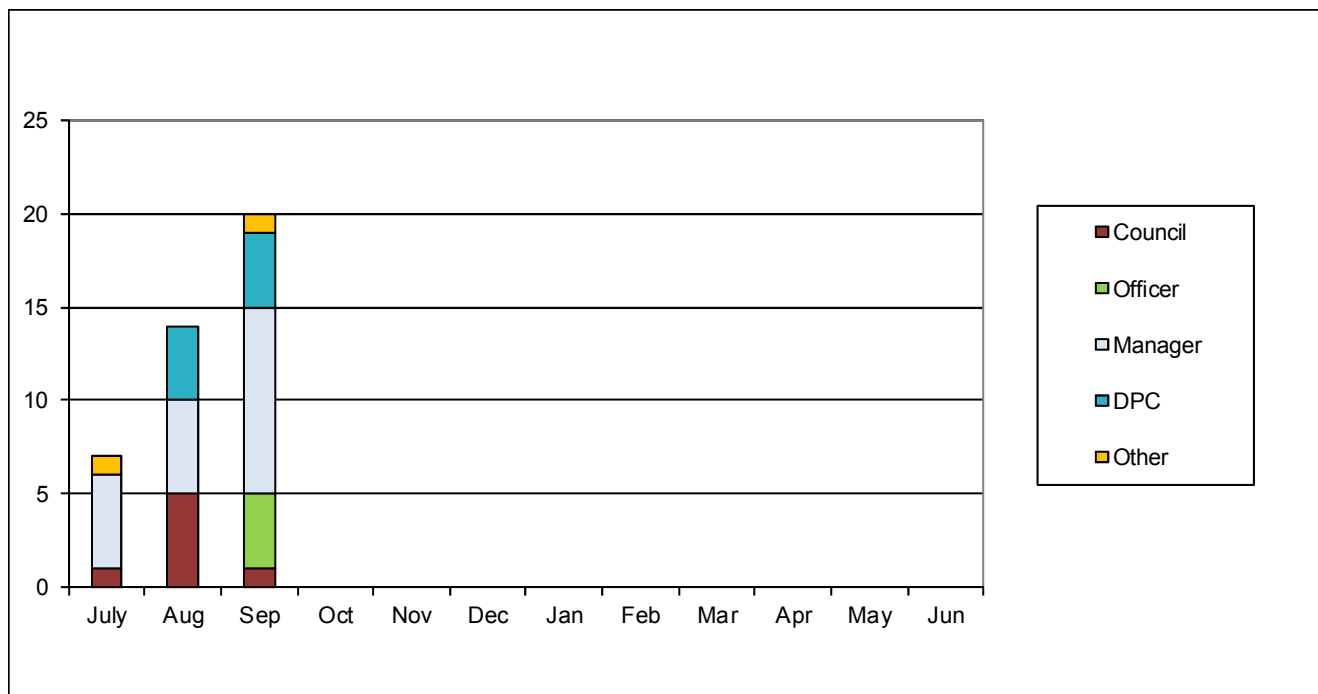
This Table covers applications for residential development which have received objections. Other matters such as Planning Scheme Amendments, applications for non-residential development and applications which have not attracted objections are not included.

The Act requires Council to consider all written objections.

At Glen Eira, all objectors have the opportunity to speak to their objection either at a Planning Conference or at a Delegated Planning Forum meeting.

All of the above decisions are subject to appeal at VCAT.

Planning Appeals Lodged – 2016 / 2017



Comments:

Non-compliant applications continue to be refused by the Statutory Planning Manager. As a result, the majority of appeals lodged are against Manager decisions.

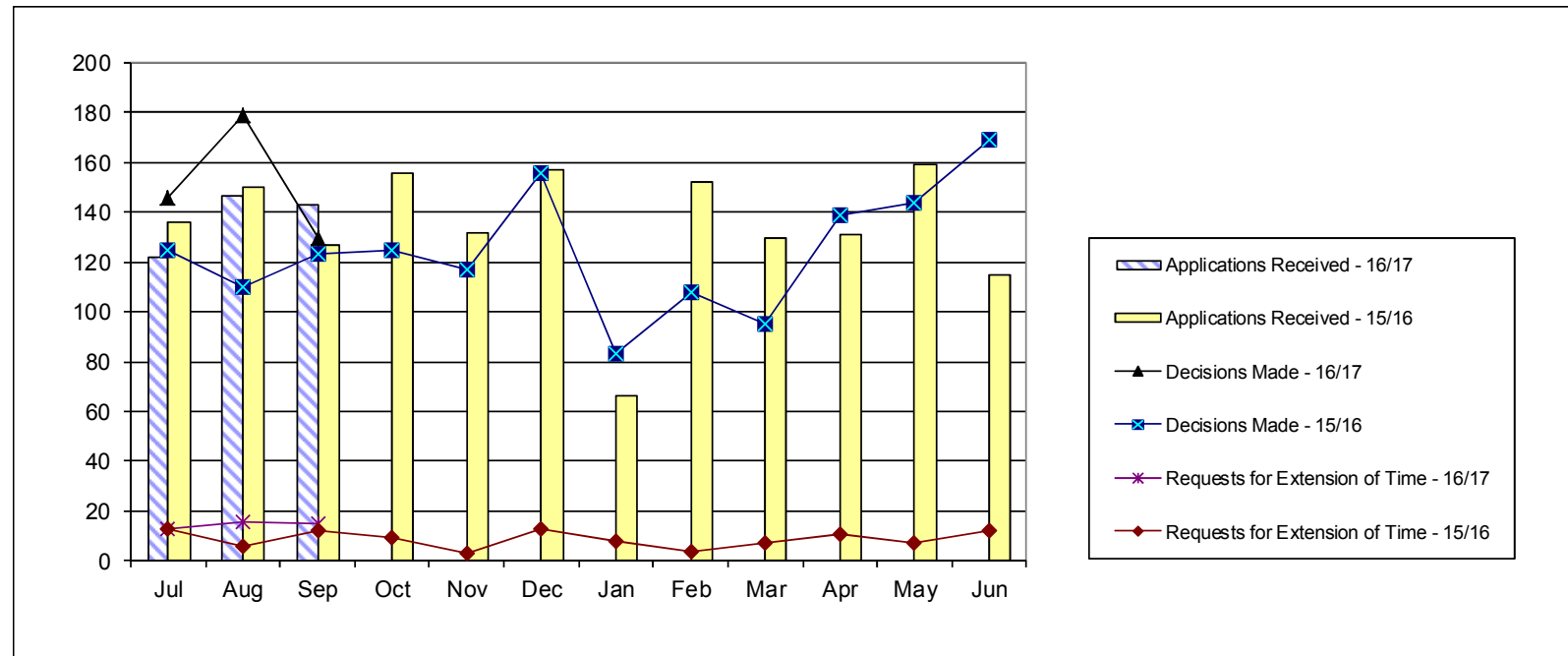
Planning Appeals Lodged – 2015/2016 and 2016/2017 comparison

Authority	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD 2016/2017	YTD 2015/2016
Council - 2016/2017	1	5	1	0	0	0	0	0	0	0	0	0	7	
Council - 2015/2016	7	2	2	1	2	1	2	2	3	2	2	1		11
Officer - 2016/2017	0	0	4	0	0	0	0	0	0	0	0	0	4	
Officer - 2015/2016	0	2	0	3	0	2	0	0	0	0	0	0		2
Manager - 2016/2017	5	5	10	0	0	0	0	0	0	0	0	0	20	
Manager - 2015/2016	12	8	7	12	8	5	11	18	14	6	14	11		27
DPC - 2016/2017	0	4	4	0	0	0	0	0	0	0	0	0	8	
DPC - 2015/2016	5	7	7	5	2	0	4	3	4	5	2	5		19
Other - 2016/2017	1	0	1	0	0	0	0	0	0	0	0	0	2	
Other - 2015/2016	0	0	0	0	2	0	0	1	0	0	0	0		0

Comments:

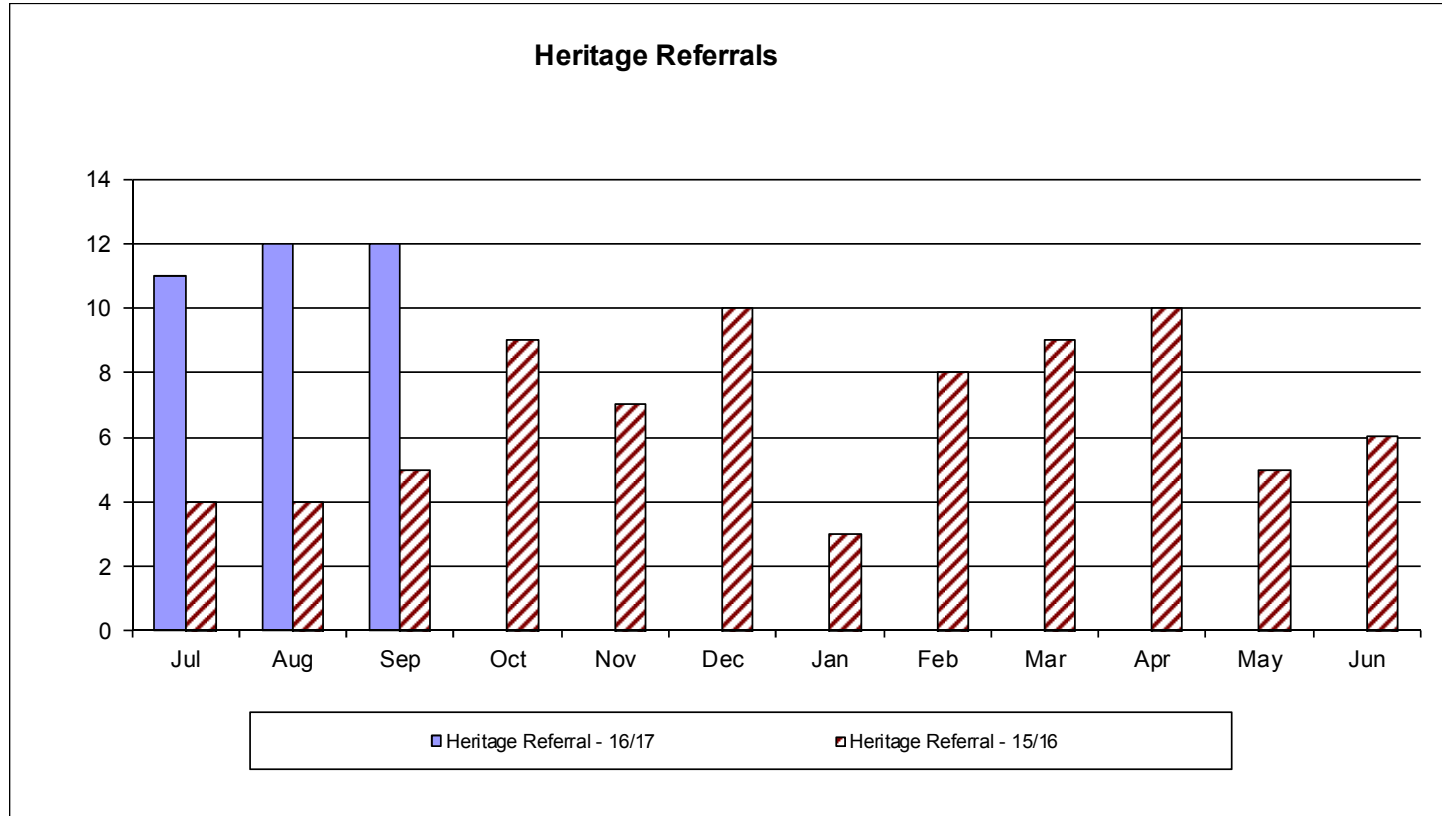
Appeal numbers as a result of refusal decisions made by the Manager remain high.

Planning Applications Received and Decisions Made



Planning Applications Received & Decisions Made	YTD 2016-17	YTD 2015-16
Applications Received	412	413
Decisions Made	455	358
Requests for Extension of Time	44	31

Comments: There has been a consistently high number of planning applications received and active applications.

Strategic Planning**Heritage Referrals****Comments:**

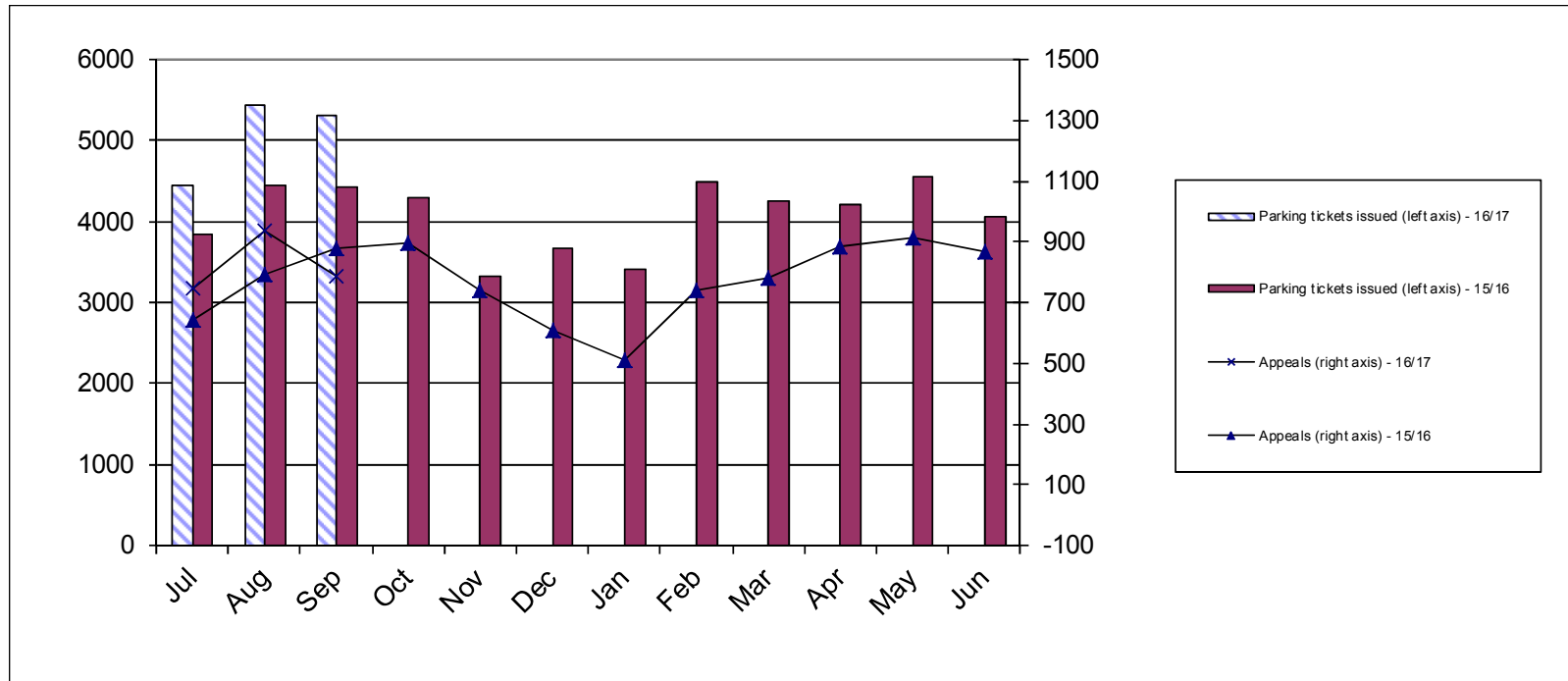
The heritage referral service continues to benefit the community.

STATUS OF PLANNING SCHEME AMENDMENTS

Amendment	Prepared	Exhibited	Panel	Council Decision	Minister
Amendment C70 Special Building Overlay Additions and overlay boundary alterations (The Special Building Overlay relates to flood prone areas throughout the municipality)	On hold. (Melbourne Water)				
Amendment C71 Special Building Overlay Subtractions	On hold. (Melbourne Water)				
Amendment C145 Booran Reserve, 1051 Glen Huntly Rd, Glen Huntly, Rezone to Public Park and Recreation Zone (This amendment brings the new park at Booran Reserve into the correct zoning of Public Park and Recreation)	Lodged with DELWP 3 June 2016.	N/A	N/A	Council resolved to seek 20(4) approval from the Minister 17 May 2016.	
Amendment C147 Bentleigh Urban Village Interim DDO (This amendment provides height limits to the commercial areas of the shopping center as well as design objectives to ensure character and amenity of neighbouring properties are protected)	Lodged with DELWP on 31 August 2016	N/A	N/A		
Amendment C148 Carnegie Urban Village Interim DDO (This amendment provides height limits to the commercial areas of the shopping center as well as design objectives to ensure character and amenity of neighbouring properties are protected)	Lodged with DELWP on 31 August 2016	N/A	N/A		

Parking and Prosecutions

Parking tickets issued versus Appeals received

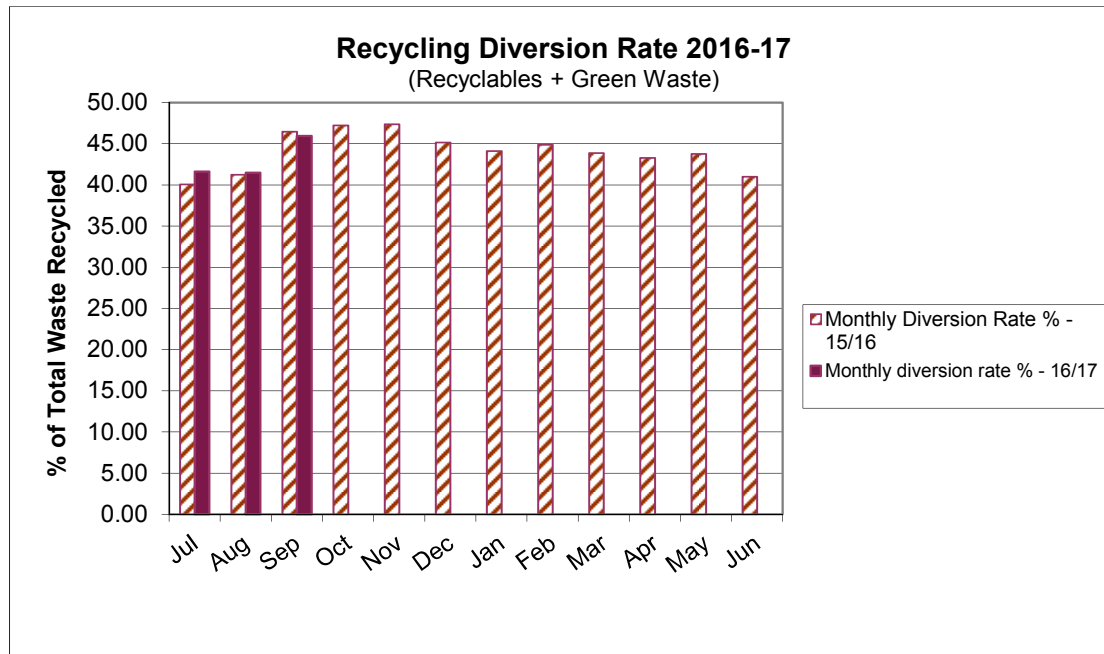


Comments:

Concentration continues to focus on safety around schools and building sites. Enforcement of clearways and public carparks continues to assist with traffic movements around commercial centres affected by the grade separation works.

Recycling and Waste Management

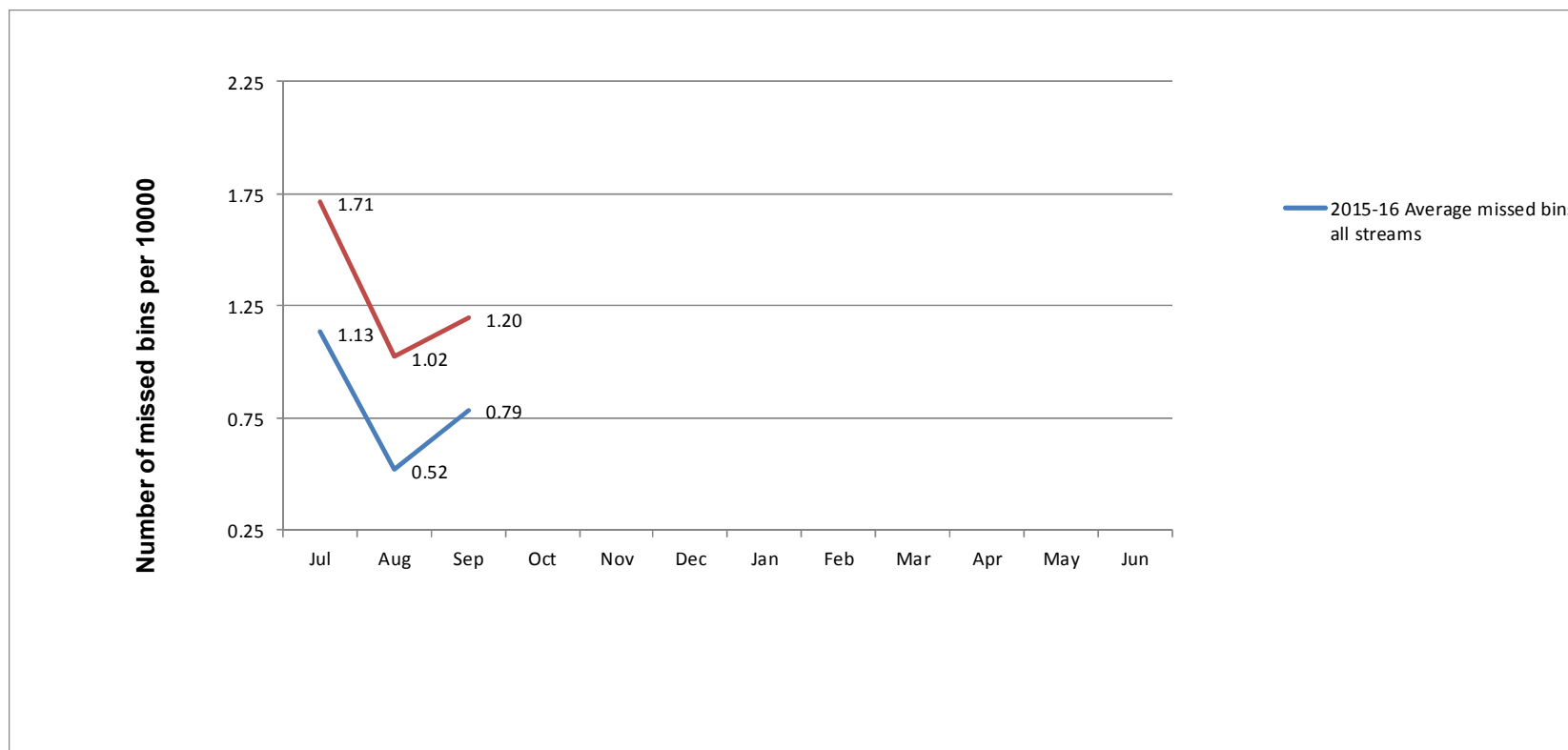
Recycling



Comments:

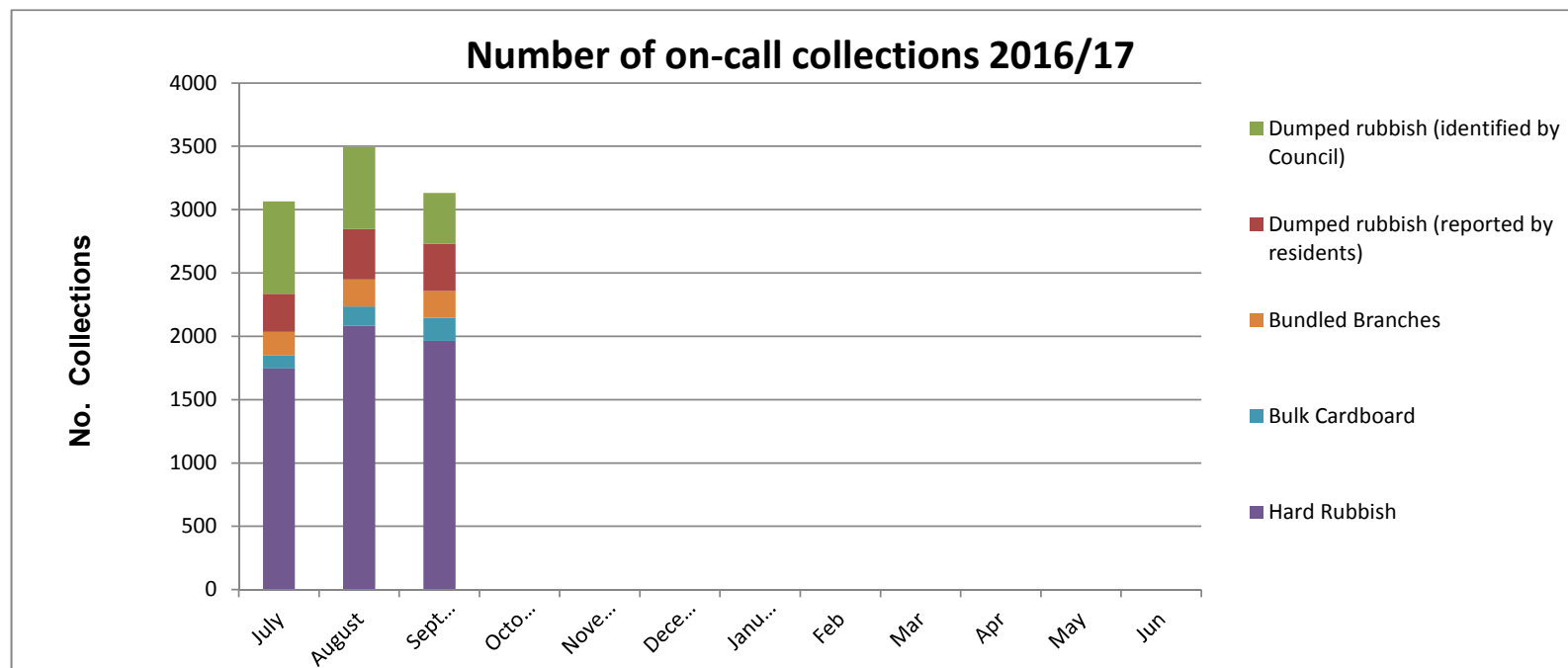
The first quarter of financial year 16/17 saw a slight increase in the recycling rate compared to the same period in the previous year from 42.8% in 15/16 to 43.1% this year.

Council collected more green waste but less garbage and less recycling than same period last year. The recycling rate varies due to weather and plant growth, and therefore the quantity of green waste recycled.

Kerbside bin service performance – missed bins**Comment:**

Council's service is performing at an excellent level and has some of the lowest numbers of missed bins in Melbourne. On average, there were 1.31 missed bins per 10,000 scheduled collections for the first quarter across the three waste streams.

Council empties around 90,000 bins around the City each week. The number of missed bins is a key indicator of how well the service is performing.

Hard rubbish, dumped rubbish and other large collections**Comments:**

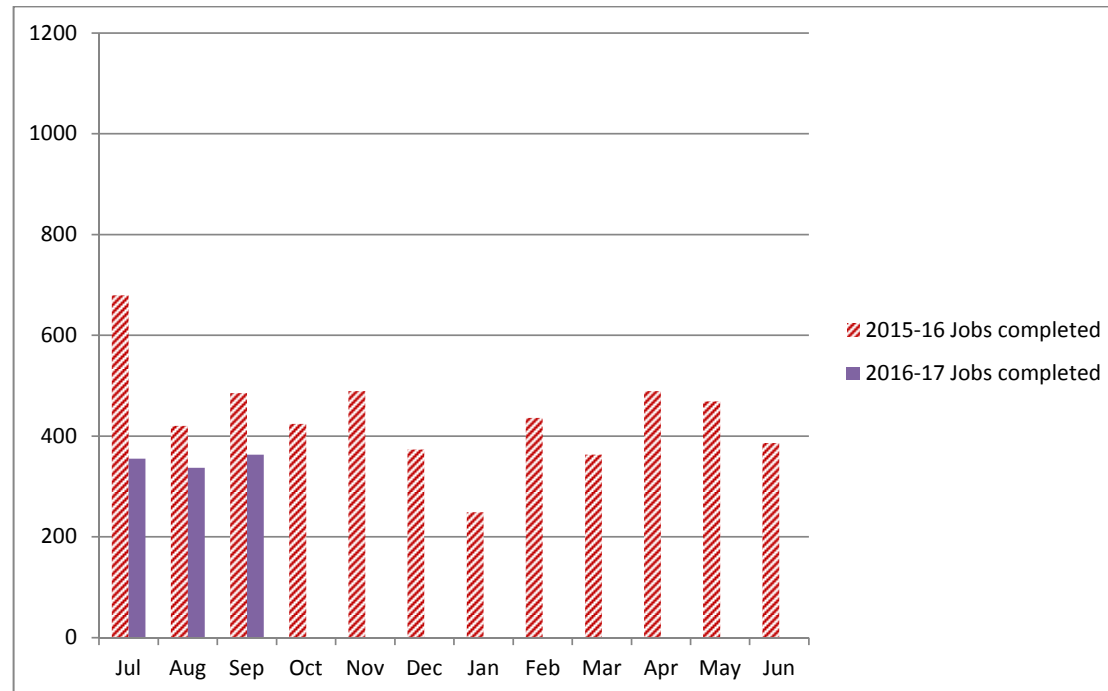
Council offers residents up to three on-call collections for hard rubbish, bulk cardboard and bundled branches. The first quarter of 16/17 saw a small decrease in requests for on call collections compared to the previous year. The number of bulk cardboard collections has increased and the hard rubbish bookings saw a small drop compared to the previous year.

In 2015 Council introduced a program to identify dumped rubbish on streets without requiring residents to report it – since then it has identified and removed more dumped rubbish, but rubbish stays on streets for less time and complaints have dropped.

Hard rubbish is sorted for recycling and ewaste is recycled (including TVs, computers, appliances, printers, microwaves etc). 185.46 tonnes (21.86%) of hard rubbish was recycled. Bundled branches and bulk cardboard is recycled. Collection numbers usually peak over summer and decrease again through winter.

Buildings and Properties

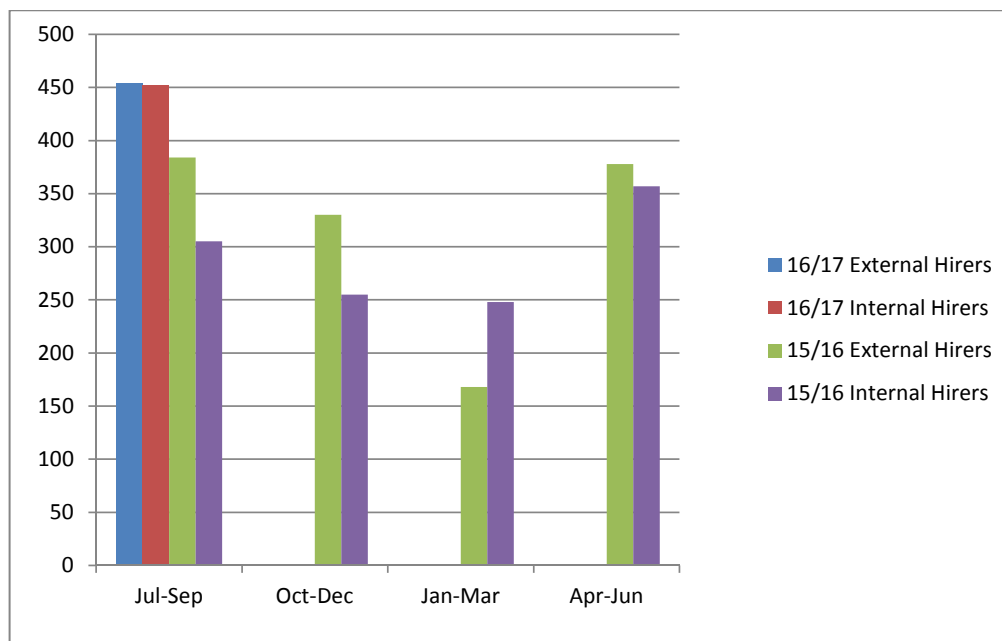
Building maintenance reactive services



Comments:

The number of reactive jobs so far in 2016-17 has been less than the same time last year. The main reason for the reduction of reactive maintenance jobs is due to increasing levels of planned preventative maintenance, site inspections and delivery of upgraded capital renewal programs across various programs (for example but not limited to; switchboard upgrades, roof renewals).

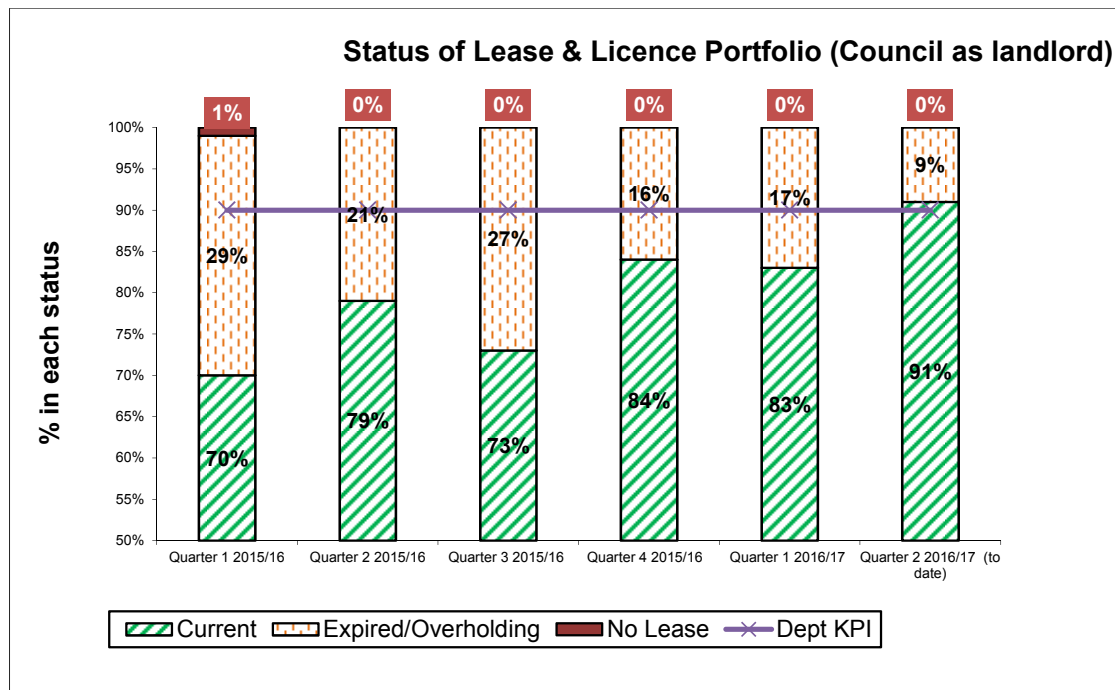
Average completion times well within target range. For this type of service the response time varies depending on the type of maintenance activity.

Facilities services**Comments:**

Council manages meeting rooms and function rooms at Glen Eira Town Hall and other sites such as Carnegie Library or Caulfield Park Pavillion

Council aims to make good use of its facilities and has a target of 2000 external bookings over the year.

Leases & Licences

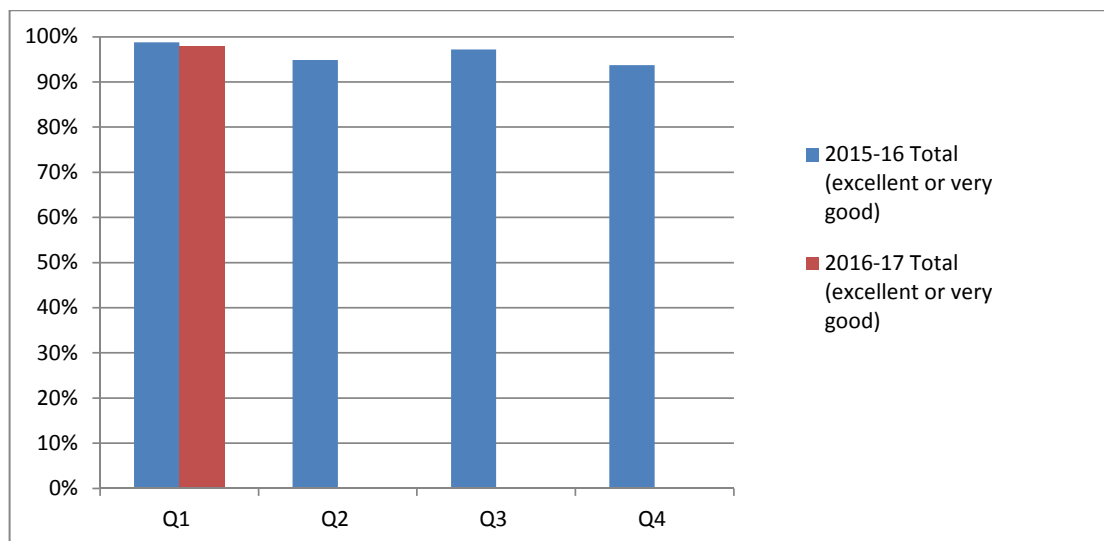


Comments:

Council administers 95 leases and licences covering a variety of tenancies – from community groups like kindergartens and scouts halls that lease council buildings and to community sporting groups that lease council land on which their own building sits. Council also manages a number of commercial lease or license agreements (for example, GESAC cafe). Council aims to renew leases ahead of their expiry dates, when they move to 'overholding' or month by month. Sometimes there are good reasons that leases/licences have not been renewed (for example, detailed negotiation or consideration of long term strategic issues).

46 leases or licences are being renewed in the 2016 calendar year. The 90% target is expected to be achieved by October 2016.

For the local government sector, Council has a high level of current leases and this has been increasing.

Sustainability Education – community satisfaction with events**Comments:**

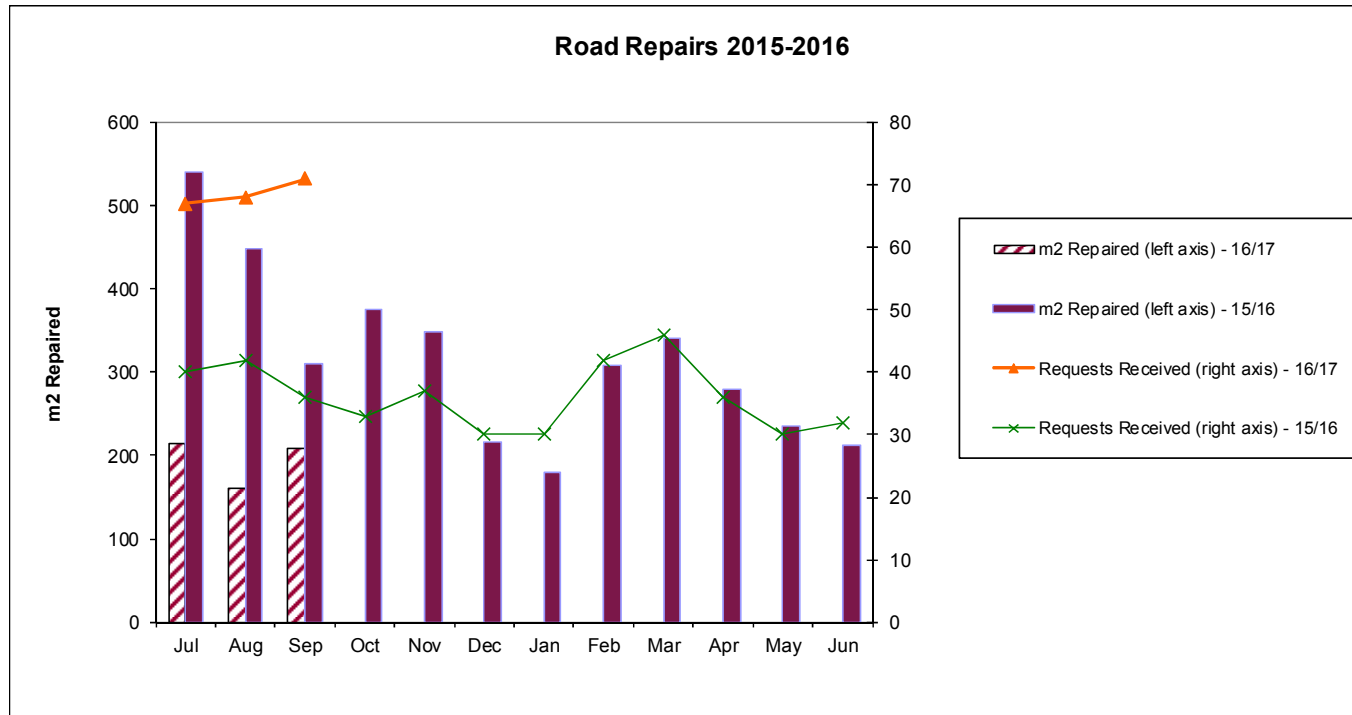
Council delivers an ongoing program of free community presentations on sustainability topics including sustainable gardening practices, energy efficiency, water saving and reducing waste. The program aims to assist residents to become more sustainable in their own homes and gardens.

Two presentations were held between 1 July and 30 September 2016; Gardening in Australia's Climate and Habitat Gardening and Frog Ponds.

74 respondents to our feedback survey said they will do or may do something differently following the presentation.

Works Depot

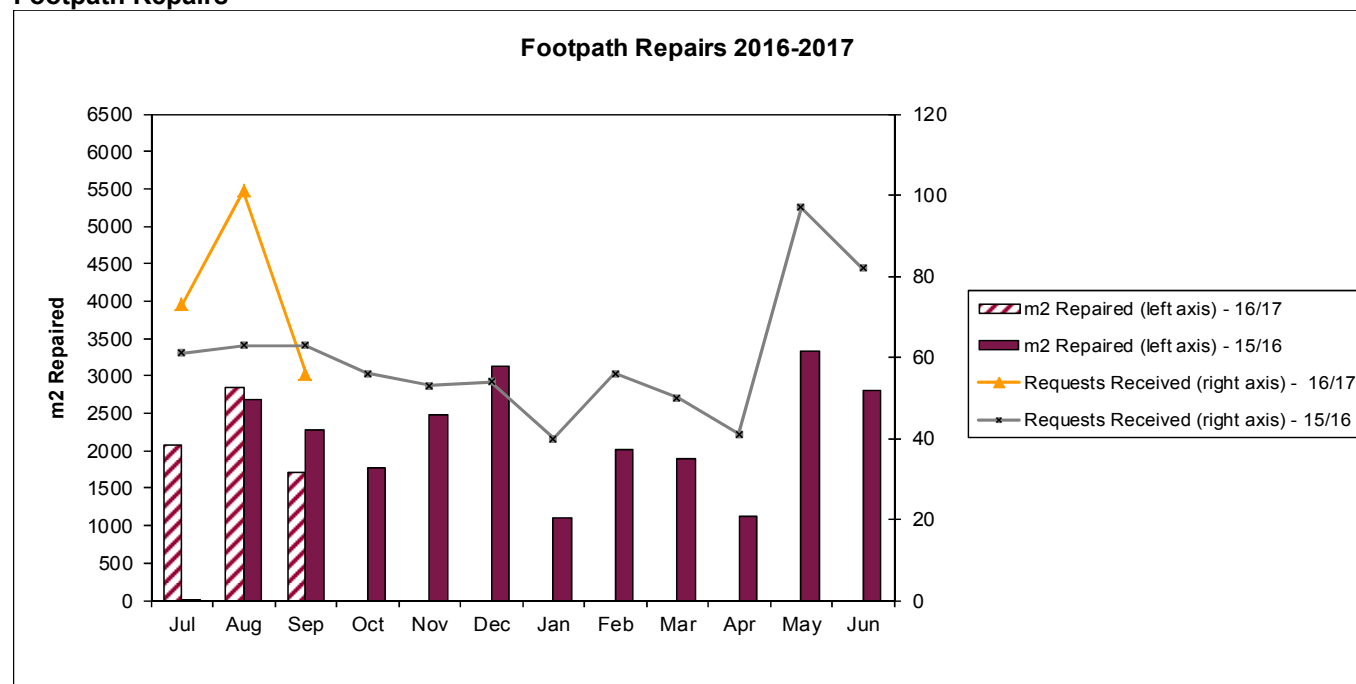
Road Repairs



Road Repairs	YTD 2016-17	YTD 2015-16
m2 Repaired	581	1299
Requests Received	206	118

Comments:

Although the number of requests is higher than the same time last year, many of these were for small repairs resulting in less m² than the same period last year. All requests received were actioned and resolved.

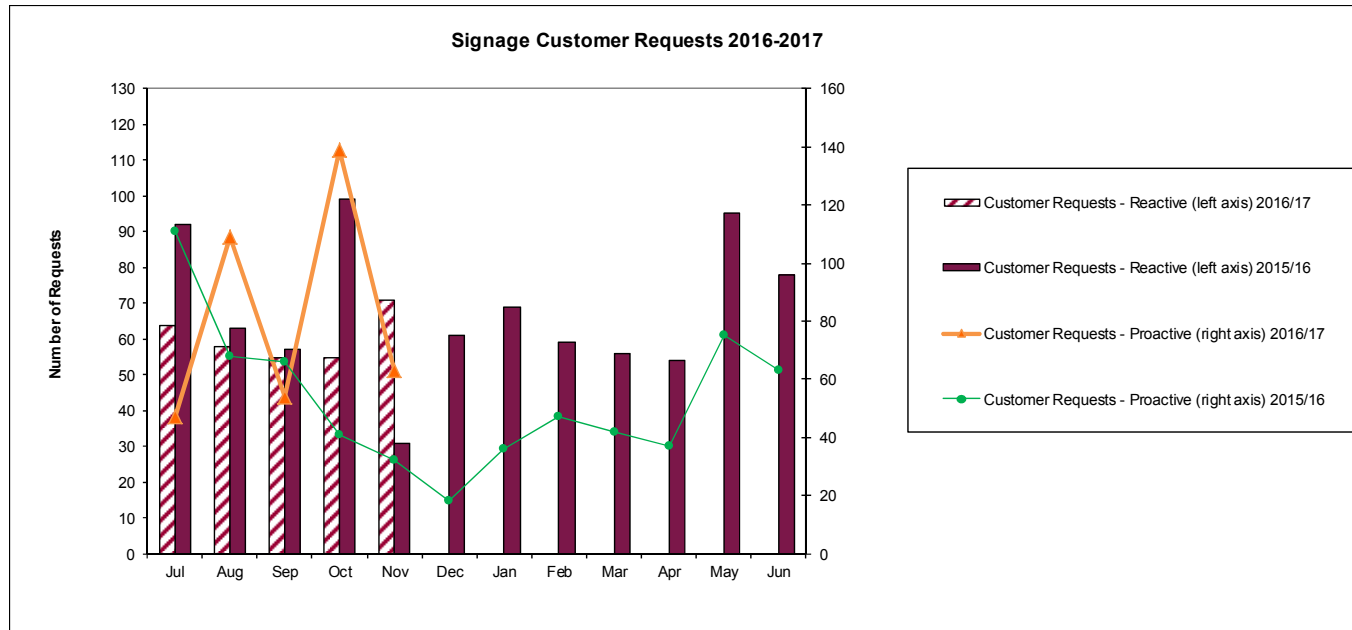
Footpath Repairs

Footpath Repairs	YTD 2016-17	YTD 2015-16
m2 Repaired	6622	4972
Requests Received	230	187

Comments:

Repair requests are higher than the same period last year and the amount of work undertaken is higher than the previous year. Required repairs are identified in a number of ways, including annual inspection programs. Physical works fluctuate monthly based on the number of requests, the area of footpath requiring work and the scheduling of work crews. Overall the condition of footpaths is being maintained to the service level in Council's Road Management Plan.

Signage

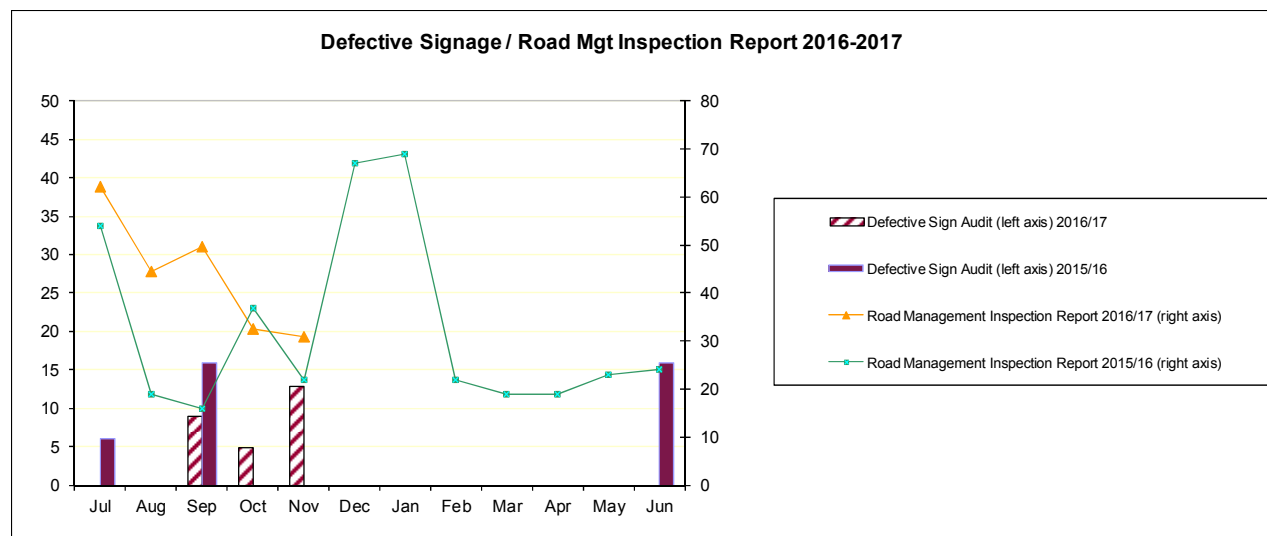


Signage	YTD 2016-17	YTD 2015-16
Customer Requests - Reactive	177	212
Customer Requests - Proactive	210	245

Comments:

The number of reactive requests is informed by Council's traffic engineers and reports by the general public. Fewer proactive and reactive requests were recorded than in the same period last year. Proactive requests are identified through routine scheduled inspections by Council's Road Management Inspector.

Defective Signage / Road Management Inspection Report



Defective Signage / Road Management Inspection Report	YTD 2016-17	YTD 2015-16
Defective Sign Audit	9	22
Road Management Inspection Report	156	89

Comments:

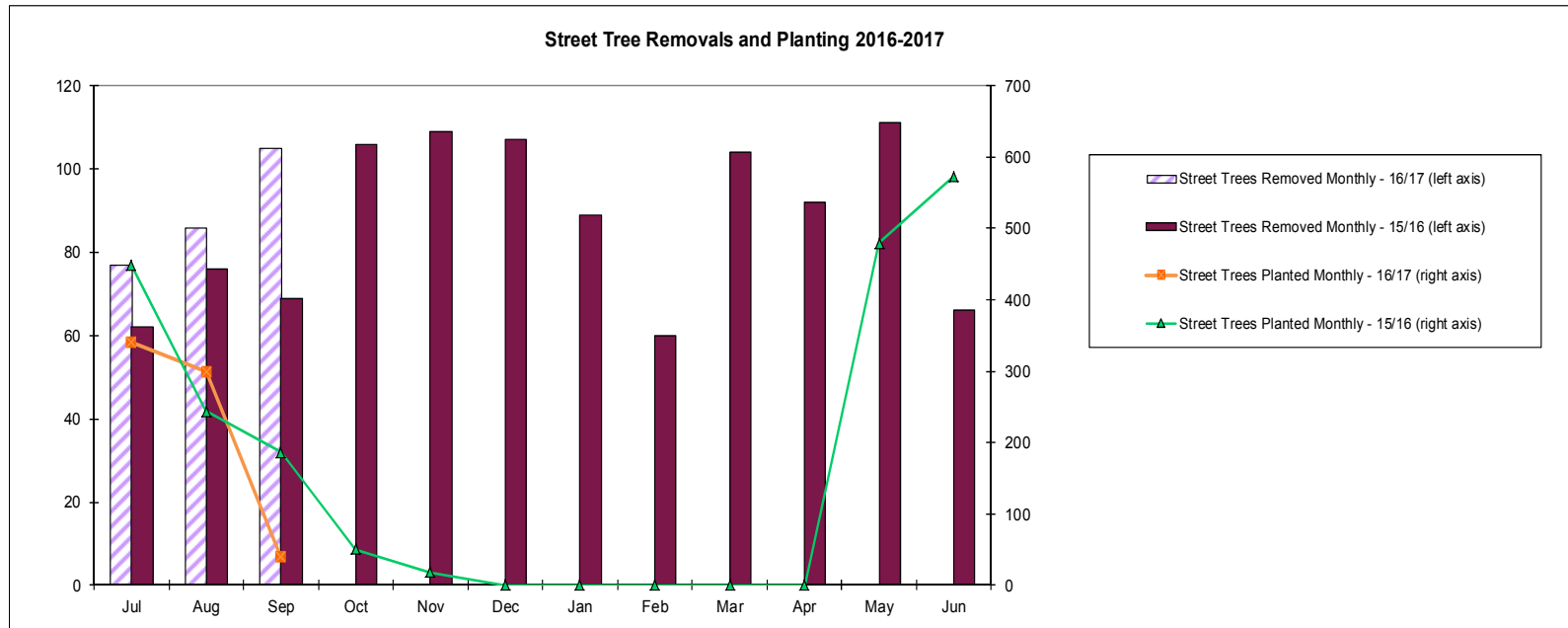
Council fixes signs and other damage on roads based on reports from Council traffic officers as well as scheduled routine inspections by the Road Management Inspector. In December and January a program of street furniture repairs was completed, which reflects in the increased works arising from the Road Management Inspections. These works were grouped together for efficiency and the increase does not indicate that more street furniture was in need of work during this period.

Defective Sign Audit: Reporting of Defective Signs reduced but is expected to increase due to recruitment of a number of new Council parking officers.

Road Management Inspection Report figures have remained consistent due to reporting by the Road Management Inspector while conducting quarterly shopping centre inspection programs. This includes graffiti, damage or vandalism on street furniture and signs.

Parks

Tree Removals and Planting

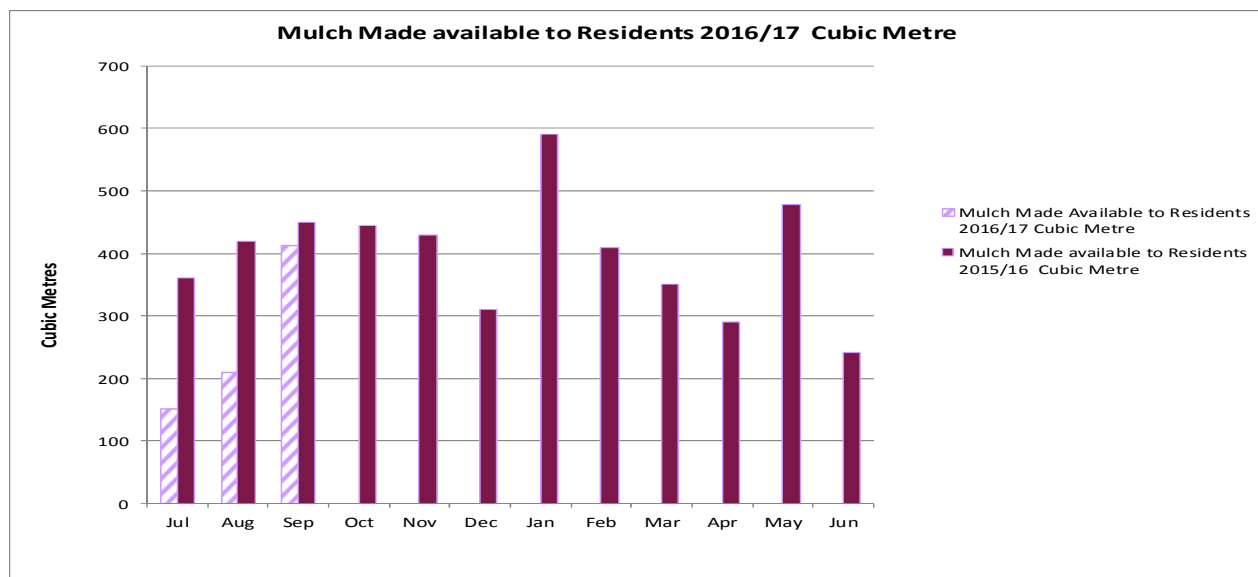


Tree Removals and Planting	YTD 2016-17	YTD 2015-16
Street Trees Removed	268	207
Street Trees Planted	681	878

Comments:

There was an increase in the number of tree removals compared to the same period last year, as the last of the structural tree removals for electrical compliance were actioned. A later start to tree planting this year was due to a delay on stock availability of certain tree species from growers, which will increase planting in the second quarter of 16/17.

Mulch Made Available to Residents



Mulch Made Available	YTD 2016-17	YTD 2015-16
Mulch Made Available to Residents	778	1230

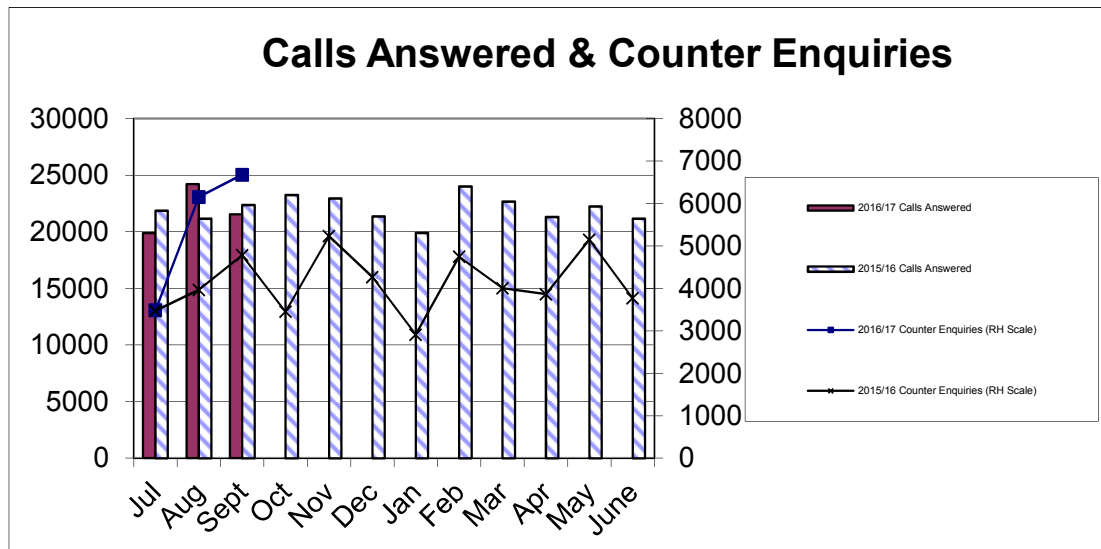
Comments:

The woodchip mulch material stored at the Glen Huntly Park mulch facility is generated from Council's in-house tree pruning work, approved tree contractors, and street tree powerline clearance works. The free mulch material is very popular with the community, and at times strong demand has left the facility empty of material.

The amount of mulch produced this quarter was lower than normal as the Comprehensive Tree Pruning programme which produces the higher volumes mulch did not actively start pruning until the middle of August.

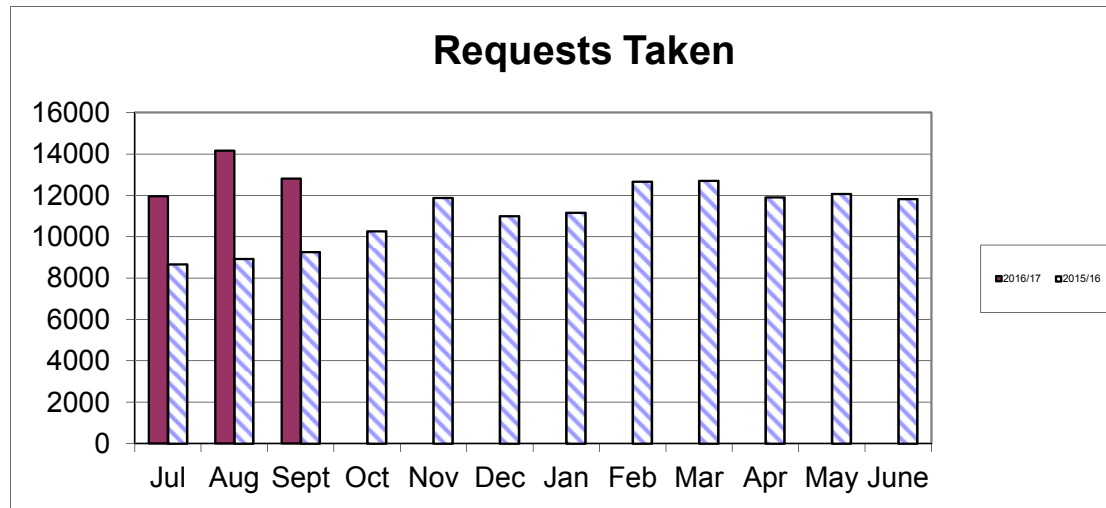
Service Centre

Number of Telephone Calls Answered and Counter Enquiries

**Comments:**

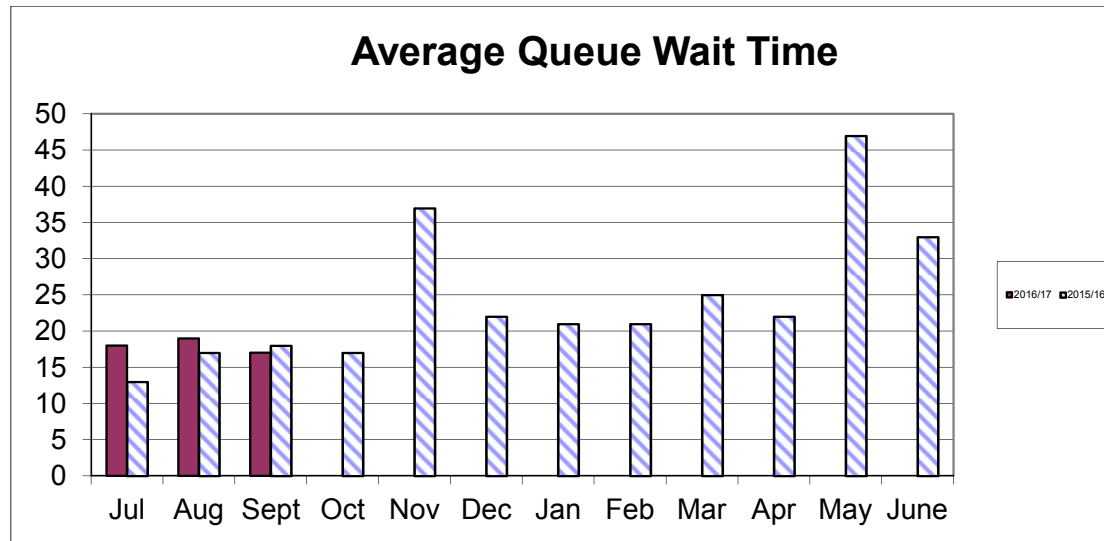
The monthly volume of telephone calls and counter enquiries can vary due to the timing of certain Council business activities such as rate installment and dog registration deadlines. The daily average of calls answered is 1,150 and counter enquiries is 300.

Number of Requests Taken

**Comments:**

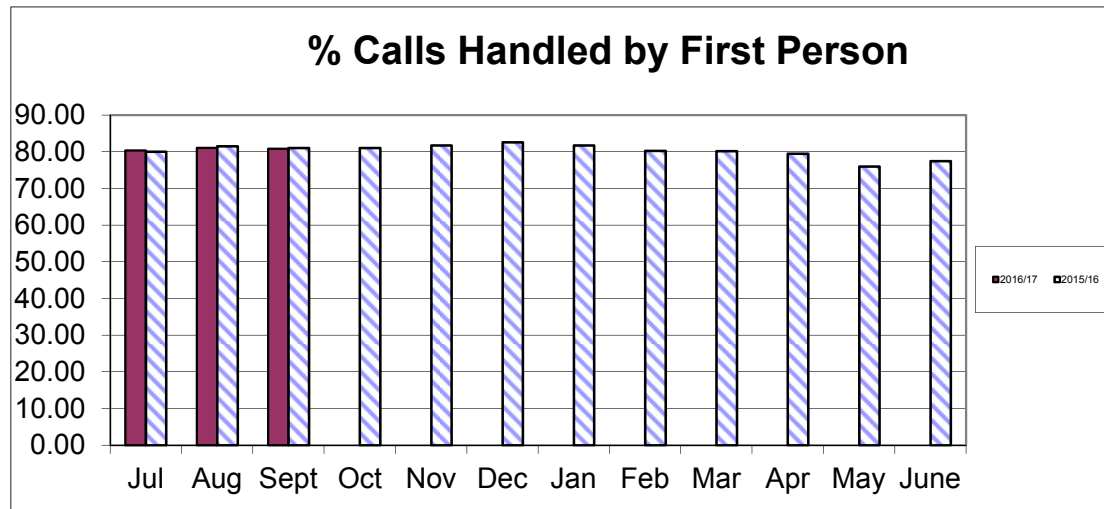
Requests taken are phone calls which require further action, thus necessitating referral to other officers through Council's automated tracking system. In the month of August 2016 we have received the highest ever amount of requests - 14,161. Prior to that, the last four months have been averaging over 12,000 requests per month, which is above our average. Again this is a combination of customers requesting more services together with a noticeable increase on planning, waste and rates enquiries.

Average Queue Wait Time by Seconds

**Comments:**

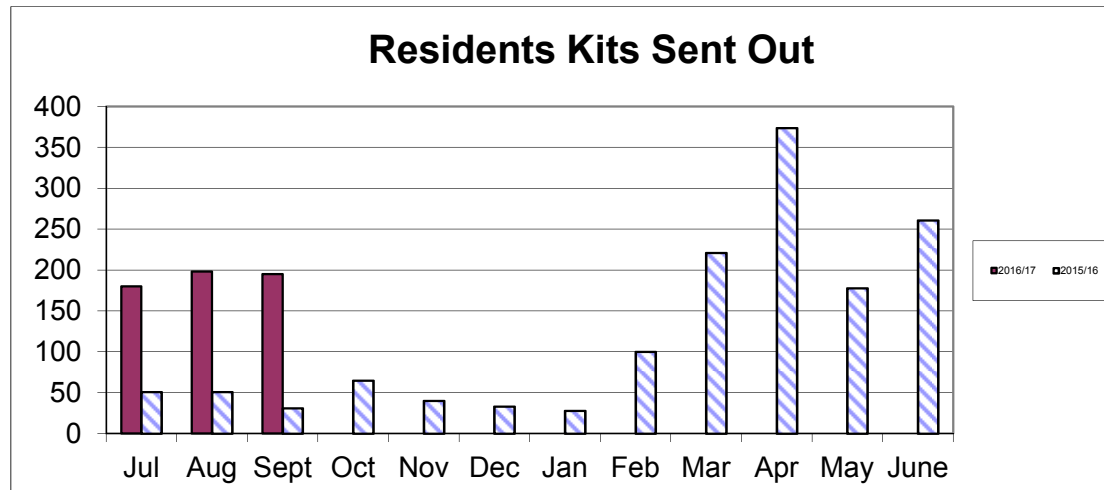
Telephone response times are dependent on the monthly level of customer activity which can be affected by business seasonality factors and staffing levels. From the beginning of this financial year we have noticed a significant improvement in our Average Queue Wait Time. This is a combination of newer staff having better knowledge and experience, and also having staff availability.

% Completed by First Person to Handle Call

**Comments:**

This graph demonstrates the percentage of telephone calls which are handled by the customer service officer, and do not require transfer to other officers or departments.

Number of New Resident Kits Sent Out

**Comments:**

The level of New Resident Kits distributed is totally dependent on the number of new residents identified from Council's property database in any given month. The kit gives new residents information on Glen Eira services as soon as they move in.

Risk Management

Insurance Claims	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	YTD 16/17	YTD 15/16
#Liability Received – 16/17	31	32	33										96	
#Liability Received – 15/16	31	29	33	31	29	30	22	27	18	26	30	30		93
Liability Closed – 16/17	4	1	3										8	
Liability Closed – 15/16	20	33	1	43	25	29	2	58	5	32	61	30		54
Motor Vehicle Received – 16/17	1	6	2										9	
Motor Vehicle Received – 15/16	1	7	5	1	1	0	1	2	3	0	0	5		13
Motor Vehicle Closed – 16/17	1	3	3										7	
Motor Vehicle Closed – 15/16	7	3	3	4	7	0	1	0	5	1	0	1		13
Other Received – 16/17	0	0	0										0	
Other Received – 15/16	0	1*	0	0	0	0	0	0	0	0	0	0		1
Other Closed – 16/17	0	0	0										0	
Other Closed – 15/16	0	0	0	0	0	0	0	0	0	0	0	0		0

Comments

*25 August 2015 burst water pipe resulting in a water damage claim at Rosstown Community 6 Ames Avenue Carnegie.

Public liability claims received for compensation mainly alleging council is responsible for damage to third party private property or personal injury to the public. These are usually tree root damage to property claims and trip and fall injury claims

Community Plan 2016 / 2017

OT = On Track to achieve the action as at 30 June 2017

NOT = Not On Track to achieve the action as at 30 June 2017

ID = In Doubt, uncertain as to achieving the action as at 30 June 2017

Key Strategic Activity	Actions for 2016-2017	Measures	Progress as at 30 September 2016
Theme 1: Services to support the community To maintain high quality service standards and deliver universal services that support the community, particularly the needs of families, youth, senior citizens and people with a disability.			
Continue to provide a comprehensive range of community services that are responsive to the needs of the community.	Provide community services which minimise social isolation and build community identification.	Deliver social outings and exercise classes to at least 200 socially isolated residents each year.	Social outings delivered to 169 socially isolated residents to date.
		Deliver Home Library Service to at least 200 socially isolated clients.	213 Home Library Service clients at end of September 2016
		Provide 23,433 hours of social support.	5,637.27 hours of social support provided
		Provide 500 hours Maternal and Child Health specifically targeted at vulnerable clients.	201 hours have been provided to families year to date
	Implement the Municipal Public Health and Wellbeing Plan.	90% of 2016-17 actions complete.	37% of actions delivered
	Inspect registered food businesses to assess compliance with National Food Safety Standards.	Conduct 850 food safety assessments.	302 food safety assessments conducted year to date
Encourage residents to raise issues through letters, emails and calls to the Service Centre and provide timely and informative responses.	Customer Service Centre to resolve calls at first point of contact.	82% of calls resolved at first point of contact.	80.69% of calls resolved at first point of contact
	Ensure telephone calls are answered promptly.	Average call waiting time of 18 seconds or less.	Average call waiting time is 18 Seconds
Deliver children's services that provide support, education and improve health and wellbeing outcomes for young children and their families subject to State Government policies and funding arrangements.	Deliver maternal and child health services that meet state government targets.	15,000 Key Age and Stage visits delivered.	4,350 Key Ages and Stages visits delivered year to date
	Implement the Municipal Early Years Plan.	90% of 2016-17 actions complete.	24% of actions complete year to date
	Provide vaccinations to infants and school children in accordance with the National Immunisation Schedule.	8,000 vaccinations provided to infants and school children.	3,386 vaccinations provided year to date
Assist older people and people with a disability to maintain healthy, active and independent lifestyles in their own home and within the community.	Provide a range of services which support frail older people and people with disabilities to live independently at home.	Deliver all funded hours of Home Care, Personal Care and Respite Care to eligible residents currently set by DHHS at 95,000 hours.	24,612 hours delivered at end of September 2016
		Meet all service requests from eligible residents for Home Maintenance Services.	1,087 hours of home maintenance delivered
	Support senior citizens clubs to enhance social inclusion of older persons.	Council to provide 14,000 hours per annum of free facility use to local senior citizens clubs.	4,949 hours of access as year to date
	Provide quality accredited residential aged care services that achieve a high level of resident satisfaction.	Achieve 90% resident satisfaction as measured by Annual Quality Performance Systems survey.	Currently undertaking the 2016-2017 survey with results available late January 2017
	Implement actions contained in the Glen Eira Ageing Strategy.	90% of 2016-17 actions complete.	25% of action complete

Community Plan 2016 / 2017

Key Strategic Activity	Actions for 2016-2017	Measures	Progress as at 30 September 2016
Deliver a range of disability services that promotes community inclusiveness and access for all abilities.	Implement actions in the Disability Action Plan.	90% of 2016-17 actions complete.	17% of actions complete
Ensure Council libraries provide a broad range of books, e-books, learning materials, access to technology, activities and programs that entertain, enrich and develop the community.	Offer a range of library services and programs which encourage family and community involvement.	600,000 visits to Council libraries annually.	182,379 visits to Council libraries.
		Provide Story-time and Baby-time sessions for 50,000 attendees at the libraries in Bentleigh, Carnegie, Caulfield and Elsternwick.	17,058 attendees at Story-time and Baby-time sessions.
	Offer a range of library programs for adults that promote reading and encourage social connectedness.	Deliver at least 250 library programs aimed at information technology, community connections or enjoyment of reading.	144 library programs delivered.
Implement a range of centre and school-based programs to engage young people aged 10 – 25 years and encourage active participation.	Offer a range of centre and school based programs.	Provide more than 250 programs.	61 centre and school based programs delivered year to date
Provide Youth Work support to young people and families to assist in positive development.	Assist and deliver support advocacy and referral to young people who are disadvantaged, isolated or at risk.	7,000 young people and their families supported through school and centre based programs, information and referral, service collaboration and special events.	2,818 young people and their families supported year to date

Community Plan 2016 / 2017

Key Strategic Activity	Actions for 2016-2017	Measures	Progress as at 30 September 2016
Theme 2: Traffic, parking and transport To promote the safe movement of pedestrian, bicycle and vehicle traffic in a way that minimises the impact of traffic and parking on the local amenity and physical environment.			
Improve safety and movement of road users and provide a fair and equitable balance of parking.	Investigate community requests about traffic and parking.	95% of reactive investigations responded to within 5 days, 50 community consultations undertaken, and the placing of the "Not So Fast" speed trailer at problem locations.	95% of reactive investigations responded to within 5 Days. 22 consultations undertaken to date and the speed trailer placed at 3 Locations.
Continue to promote walking, cycling and public transport options in Glen Eira as alternatives to motor vehicle use.	Implement actions outlined in the Walking Strategy Action Plan.	At least 90% of budgeted actions complete.	Patterson Road shopping strip with new pedestrian crossings and associated streetscape works. Pedestrian refuge on Kooyong Road, Caulfield South to occur coming weeks. Completed construction of pedestrian refuge on Chesterville Road in Bentleigh East.
	Review the Bicycle Strategy Action Plan.	Complete the review of the Bicycle Strategy Action Plan.	SRV funding application unsuccessful. Currently sourcing suitable consultant to undertake review
Inform the community about local active transport options such as pedestrian, bicycle and public transport options including those arising from consultations.	Articles through Glen Eira News and Council's website.	Six active transport related articles in Glen Eira News and on Council's website.	One article to date
Improve safety around shopping centres, and schools by maintaining safe school crossings and installing traffic management treatments to protect vulnerable road users such as children and older residents.	Audit schools and identify improvements to safety and the movement of people.	Three audits completed and business cases prepared for supported recommendations.	In progress
	Audit shopping centres and identify improvements to safety and the movement of people.	Two audits completed and business cases prepared for supported recommendations.	In progress
Improve road safety and manage congestion on the local road network.	Implement capital program including traffic calming measures in local streets informed by the Transport Strategy, Road Safety Strategy and the Local Area Traffic Management Priority System.	All traffic capital works projects (identified in the Budget) at least 90% complete.	In progress
	Undertake traffic counts within the City and add to Council's Local Area Traffic Management Priority System to inform future capital works projects.	At least 105 traffic counts completed.	19 Traffic counts undertaken to date

Community Plan 2016 / 2017

Key Strategic Activity	Actions for 2016-2017	Measures	Progress as at 30 September 2016
Theme 3: Town Planning and Development To manage the rate and extent of change to the built environment consistent with State and local planning policies to achieve a diversity of housing as sympathetic as possible to neighbourhood character.			
Plan for a mixture of housing types that allows residents to meet their housing needs in different stages of their life-cycle within the City.	Actively plan for a mix of dwelling types underpinned by the three residential zones (Neighbourhood Residential Zone, General	At least 50% of new dwellings to be located within the General Residential, Residential Growth and Commercial Zones.	78% of new dwelling located within the General Residential, Residential Growth and Commercial Zones
Enforce the provisions of the Glen Eira Planning Scheme and building control requirements across the City as well as compliance with any planning permits.	Conduct proactive and reactive site inspections for compliance with planning permit conditions and Local Law requirements.	300 proactive inspections completed and respond to 95% of reactive planning enforcement matters within 5 days.	135 proactive inspections undertaken to date. 96% with 5 days
	Enforce building control requirements and investigate building enforcement matters.	200 building enforcement matters investigated and respond to 95% of reactive building enforcement matters within 5 days.	80 Building enforcement matters investigated to date. 95% within 5 days
Ensure new multi-dwelling residential development is sympathetic to the existing neighbourhood character in Glen Eira's Neighbourhood Residential Zone.	Make decisions in accordance with Council's Neighbourhood Residential Zone with an emphasis on Neighbourhood Character.	Refuse under manager delegation all applications which do not satisfy the purpose of Council's Neighbourhood Residential Zone.	19 applications refused to date
Encourage and support community involvement in the planning permit application process.	Promote Council's suite of fast track permit application processes.	Report to Council, year on year, the percentage of applications using fast track process.	To date we have not had any fast track applications lodged in 2016-17. 6% of applications were lodged using the fast track process during the first quarter of 2015-16.
Provide an opportunity for all residents to be informed and to participate in town planning applications where they (and others) object.	Maintain both the non-statutory planning Conference (Council decision by resolution) and Delegated Planning Committee as forums for resident involvement in the town planning process.	Except for a Managerial Refusal of an application, ensure all objectors are provided with an opportunity to participate in a Consultation Meeting, Delegated Planning Committee Meeting or Planning Conference.	88 Delegated Planning Meetings and 12 Planning Conferences have been held to date.
Provide a fair, transparent and inclusive town planning decision making process.	Improve the Delegated Planning Committee (DPC) efficiency by reducing the number of planning applications needing to be referred for a decision by undertaking mediation.	Undertake ten (10) mediation meetings.	5 mediation meetings undertaken to date
Undertake community consultation and engagement to ensure the Glen Eira Municipal Strategic Statement, Glen Eira Planning Scheme and town planning process meets the needs of local residents and ratepayers.	Survey participants in the Delegated Planning Committee process to ascertain satisfaction rates.	80% satisfaction rating of participants in the DPC process.	92% of participants were happy with the DPC process to date

Community Plan 2016 / 2017

Key Strategic Activity	Actions for 2016-2017	Measures	Progress as at 30 September 2016
Theme 4: Governance To deliver strong local leadership and governance in an open and responsible manner in the best interests of the community.			
Inform the community about Council's roles and activities through a broad range of media.	Ensure all Council endorsed strategies, plans and policies are available on the Council website.	All Council endorsed strategies, plans and policies published in a user friendly format on the Council website.	All Council endorsed strategies, plans and policies have been published on the Council website.
Maximise capital investment while continuing to keep operating costs and rates below the average of neighbouring Councils.	Continue to keep operating costs and rates per assessment low.	Average operating cost 5% below the average of our seven benchmark Councils.	Glen Eira's operating cost per property is approximately 13% below the average of all neighbouring Councils.
Ensure that Council complies with financial and performance reporting requirements.	The preparation and completion of Council's 2015-16 annual accounts.	Completion of 2015-16 Financial Report and Performance Statement by 30 September 2016 with an unqualified audit opinion.	Achieved. The 2015-16 Financial Report and Performance Statement was completed by 30 September 2016 with unqualified audit opinions.
	Delivery of the 2016-2017 Annual Budget in line with approved budget timelines.	Completion of the 2016-17 Budget - to be adopted by Council by 30 June 2016 and submitted to the Minister before 30 June 2016.	Achieved. The 2016-17 Budget was adopted by Council on 28 June 2016 and submitted to the Minister by 30 June 2016.
Ensure that Council adheres to the Charter of Human Rights.	Ensure all staff receive information about the Charter of Human Rights and comply with the Charter.	No breaches of the Charter.	Information about the Charter is provided in Induction packs for new staff and online training on the Charter is mandatory
Establish an effective monitoring and review process for the Glen Eira Community Plan to check and report progress towards community needs.	Regular reporting on progress against action items in the Community Plan.	Report progress to Council quarterly.	In progress
	All agendas and minutes of Council meetings are posted on Council website and are easy to locate and search.	Agendas and minutes on website.	Achieved. All Council and Special meeting agendas and minutes are placed on Council's website. They are easy to locate and have a search facility.
Implement the Council Risk Management Strategy to ensure that risk is effectively managed throughout the organisation.	Implement Council's Risk Management Strategy.	Rolling program of Business Unit risks to Audit Committee Meetings.	The rolling program covering Business Unit operational risks continues to be reported to the Audit Committee on a quarterly basis.
Continue to implement Occupational Health and Safety strategies to provide a safe workplace and protect staff from injuries.	Ensure compliance with Councils externally audited safety accreditation system (SafetyMAP).	Council complies with SafetyMAP criteria and maintains accreditation status.	Council continues to maintain SafetyMap certification with the next Audit visit scheduled for February 2017. Any actions or non conformance resulting from the most recent re-certification Audit in April 2016 are expected to be addressed prior to the commencement of the next audit.

Community Plan 2016 / 2017

Key Strategic Activity	Actions for 2016-2017	Measures	Progress as at 30 September 2016
Theme 5: Recreation and open space. To enhance recreation facilities and open space to meet current and future needs of the local community.			
Upgrade or renew Council sporting pavilions in line with Council's Priorities for Pavilion Upgrades Report to provide clubs and groups with access to relevant and appropriate facilities and amenities.	Commence Design of the new Lord Reserve Pavilion to replace two existing pavilions.	Design completed incorporating energy and water efficiency features.	Lord Reserve Pavilion design on hold pending Master plan of Lord reserve/ Carnegie/ Koornang Park Precinct. Marlborough Pavilion design on hold pending developer plans for Virginia Park. Other pavilion priorities currently being assessed for inclusion in this program.
Implement an annual capital works program in relation to the open space and sporting facility upgrade.	Duncan Mackinnon Reserve outer walking track upgrade.	Complete upgrade.	Landscape Architect engaged to prepare scope of works. Early discussion with annual supply contractors regarding timing of works underway. Awaiting outcome of SRV funding announcement, due in Nov 2016.
	Advocate for funding for Duncan Mackinnon Reserve athletics track upgrade.	Advocacy complete.	Funding application submitted. Awaiting funding announcement in November 2016.
	Redevelop EE Gunn No 2 following grade separation soil stock piling.	Complete redevelopment.	Tenderer awarded. Works programmed to begin upon LXRA exiting site.
	Redevelop Bailey Reserve No 2 sports ground.	Complete the sports ground redevelopment.	Tender currently being advertised
	Upgrade the irrigation system to the main oval at McKinnon Reserve to improve reliability and minimise maintenance.	Complete upgrade.	Works completed in September 2016
	Upgrade the rubber play surface at Carnegie Library interactive Play area.	Upgrade completed.	On target for completion by 30 June 2017
	Complete construction of Booran Reserve.	Park open for public use.	Delay due to wet weather approx. 6 weeks.
	Upgrade sportsground lighting at Bailey Reserve.	Sports ground lighting upgrade at Bailey Reserve Oval 2.	Building permit currently being processed. Contractor engaged.
	Hopetoun Gardens landscape enhancement works.	Complete Hopetoun Gardens landscape works.	Landscape enhancement works have begun. Contractor on site.
	Upgrade Multipurpose Courts at East Caulfield and Koornang Park.	Upgrade completed.	East Caulfield courts currently open for bookings. Koornang Park project deferred and will be revisited as part of the Lord Reserve / Carnegie / Koornang Park Masterplan in 2017/18.
Provide access to Council facilities (including sporting grounds and pavilions) for community activities and sport.	Accommodate at least 400 sporting teams on sporting fields in the municipality.	Teams allocated to grounds.	All teams allocated for winter clubs, processing all summer requests.
	Provide local community rooms and encourage community use.	Provide use of Town Hall and Carnegie Community Centre for Council, community organisations and members of the community. More than 2,000 bookings.	External (Community) Bookings 454, Internal (Council) bookings 452; Total year to date 906
	Install shade sails in Council parks and reserves.	Shade sail program at Elsternwick Plaza, North Avenue Park and Memorial Park.	North Avenue Park building permit submitted. Works set to begin in October. Designs being sought for Memorial Park and Elsternwick Plaza. Council has also applied for State government funding for these two sites.
Ensure the availability of a diverse range of passive recreational opportunities in local parks that meet the needs of the community.	Continue Stage 2 landscape upgrade works at Marara Road Reserve.	Complete upgrade.	Detailed design drawings being prepared.

Community Plan 2016 / 2017

Key Strategic Activity	Actions for 2016-2017	Measures	Progress as at 30 September 2016
Provide a range of leisure and aquatic programs at GESAC that meet the needs of the community.	Provide a range of programs and events for the community at GESAC.	Maintain membership at not less than 14,000.	Membership currently at 15,563 at end of September following a promotional month selling 252 memberships.
Provide a range of leisure and aquatic programs at the Carnegie Swim Centre that meet the needs of the community.	Provide a range of programs and events for the community at Carnegie Swim Centre.	Six community events and programs held over the season.	Pool currently out of season and won't open until November, pools will be commissioned for staff training by the 23 of October 2016
Work with key stakeholders to reduce water and energy consumption required to maintain parks and sporting facilities.	Progressively reduce energy use from lighting in parks including by moving to newer lighting technology.	Complete lighting installation at Caulfield Park, Gardenvale Park, Bentleigh Hodgson Reserve, Joyce Park and Princes Park.	Procurement process underway for lighting upgrades at Princes Park, Joyce Park and Packer Park. Gardenvale Park programmed for February 2017.
Continue a program of upgrading or redeveloping playgrounds to ensure that a diverse array of play opportunities for children of all abilities is provided.	Implement Council's budgeted program to upgrade playgrounds.	Council program implemented.	New playground installed at Clee Street Reserve and new play elements installed at McKinnon Reserve and Caulfield Park. Procurement process underway for North Avenue and Clapperton Street Reserve.
Continue to provide a balance of both on and off leash areas for dogs across the City and educate pet owners on responsible pet ownership.	Complete 1,500 patrols of parks to educate the community about responsible pet ownership.	1,500 park patrols conducted to encourage responsible pet ownership.	599 Park patrols undertaken to date
Continue to maintain and improve facilities in parks.	Install new automated public toilet at King George Reserve.	Complete installation.	Scope of works currently being prepared. Stakeholder consultation to be undertaken once completed.
	Install outdoor fitness pod at Marara Road Reserve.	Complete installation.	Concept design received. Works to be undertaken in conjunction with Marara Road Stage 2 Landscape Works.
	Continue the rolling program to replace aged, unsafe and damaged park furniture infrastructure.	Expend at least 90% of the 2016-17 budget for replacing aged, unsafe and damaged park furniture.	Program on target
Continue to plant and maintain trees and other vegetation in our parks.	Undertake park tree pruning to uplift and shape trees associated with sightlines and pedestrian hazards.	2500 trees pruned.	On target for completion by 30 June 2017

Community Plan 2016 / 2017

Key Strategic Activity	Actions for 2016-2017	Measures	Progress as at 30 September 2016
Theme 6: Waste, graffiti and cleanliness To maintain a safe, clean and attractive City.			
Provide a comprehensive waste management program to ensure the safe and responsible removal and treatment of local waste.	Continue to deliver kerbside waste collection, street sweeping, litter bin collection and hard rubbish collection services across the municipality.	Services delivered.	Services delivered generally at a good standard. Kerbside collection service continues to perform at a very good standard.
Develop and implement programs to reduce waste and increase rates of recycling within the community.	Introduce food waste collection as part of organics recycling services for the community.	Preparation and introduction complete.	Preparation has commenced. New food waste recycling facilities are not likely to be available until late 2017 at this stage.
Deliver graffiti services that rapidly removes graffiti from Council owned assets and assists local residents and businesses to remove and prevent graffiti.	Prompt removal of graffiti from Council owned buildings.	90% of graffiti reported removed within five working days.	All reports removed within agreed response times
	Assist with the removal of graffiti from private property where resources allow.	90% of requests responded to within ten working days.	All reports removed within agreed response times

Community Plan 2016 / 2017

Key Strategic Activity	Actions for 2016-2017	Measures	Progress as at 30 September 2016
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.			
Deliver a strategic and informed program to renew, upgrade and build community assets to meet the current and future needs of the community.	Implement Council's Road Reconstruction Sub-program in accordance with Council's Asset Management Strategy.	Expend 90% of the budgeted capital works program for road reconstruction.	Approx. 8% completed by end September 2016. Majority of works take place over summer.
	Deliver capital works program to renew, upgrade or build Council assets, community facilities and infrastructure.	\$25M spent on capital works projects.	\$3,828,764 spent on capital works projects year to date.
	Implement the Public Toilet Strategy including upgrading the Morton Avenue toilet in Carnegie.	Expend \$150,000 implementing the public toilet strategy.	All identified sites scoped; works to commence in February 2017.
	Implement \$1.7M footpath upgrade capital program at various locations around the City in accordance with Council's Road Management Plan.	Expend 90% of the budgeted capital works program for footpath installation.	\$403,823 (approx. 25% of budget spent)
Maintain, renew and upgrade Council's drainage system to reduce the risk of flood damage.	Implement Council's Drainage Improvement and Flood Mitigation Sub Programs.	Expend 90% on Council's Drainage Improvement and Flood Mitigation Sub Programs.	Approx. 10% completed by end September 2016.
	Inspect Council drainage pits.	10,000 pits inspected.	2,935 pits inspected.
Improve the quality and cleanliness of Glen Eira's major activity and retail precincts to meet the needs of business, visitors and the community.	Progressively renew and revitalise Shopping Strip Streetscapes.	Expend \$400,000 on revitalisation of Shopping Strip Streetscapes	Plans to upgrade the streetscape along the Clarence Street shops is well underway, with works expected to begin early 2017. The project seeks to revitalise the local shops and make the street safer for local school movements. Plans are also well underway to improve pedestrian safety along the Patterson Road shopping strip with new pedestrian crossings and associated streetscape works.
Continue to promote and support strategies to increase environmental biodiversity.	As part of the implementation of the Street Tree Strategy, plant additional street trees until vacant nature strip sites are filled.	Plant an additional 1,000 trees into vacant sites.	On target for completion by 30 June 2017
Implement strategies to reduce the use of potable water, energy and natural resources of Council assets and operations.	Continue to support Council's commitment to purchasing 'green' products.	Purchasing of green products in 2016-17 to meet or better Council's green expenditure in 2015-16.	In progress
	Reduce energy consumption from existing buildings and lighting and increase use of renewable energy.	Invest \$800,000 in energy efficiency and renewable energy for existing Council buildings and lighting.	Invested \$114,000 year to date in energy efficiency and renewable energy for existing Council buildings and lighting.
	Investigate feasibility of future energy efficiency and sustainability options.	Complete investigations into next best energy efficiency and renewable energy opportunities for Council managed infrastructure. Subject to approval from the electricity distribution companies, replace HPNa street lights with a more energy efficient alternative.	Investigations into next best energy efficiency and renewable energy opportunities for Council managed infrastructure in progress. A business case is being developed to replace HPNa street lights with a more energy efficiency alternative.

Community Plan 2016 / 2017

Key Strategic Activity	Actions for 2016-2017	Measures	Progress as at 30 September 2016
Support the community to reduce their impact on the environment.	Run regular ongoing recycling education activities targeted to address key barriers. These to include regular articles and promotional ads, community presentations, direct mail and promotion in languages other than English.	Total of 10 articles in GE news and Leader Newspaper, 3 activities at community events; promotions in languages other than English.	3 Articles in GE News and 6 Articles in Leader Newspaper
	Facilitate sustainability education activities related to sustainable energy use, water conservation and biodiversity with community networks.	10 activities for the community and 10 for schools and children, 20 articles published.	3 Community Activities, 1 School Activity, 13 articles in the Leader and 7 Articles in GE News. An activity with multiple schools is underway.
	Deliver the Neighbourhood Sustainable Gardening Program and the Glen Eira Energy Saving Program to support community in practical ways.	10% increase in the number of participants in the Neighbourhood Sustainable Gardening Program. Increase participation in the energy saving program by 150.	5.7% increase in Neighbourhood Sustainable Gardening Program participants (48 new participants). Energy saving program: 13 new participants. Actions are underway to attract new participants to the program.

Community Plan 2016 / 2017

Key Strategic Activity	Actions for 2016-2017	Measures	Progress as at 30 September 2016
Theme 8: Community building and engagement To build a strong connected community that actively participates and engages with Council to improve outcomes for the community.			
Provide a range of events, festivals and community celebrations to build social connectedness and promote community inclusion.	Provide at least ten community celebrations, exhibitions and arts events including three Party in the Park celebrations, exhibitions of local artists work, a story telling festival, a series of musical events, three food and live entertainment events, and at least two group or thematic exhibitions , one "feature exhibition" in the Glen Eira Gallery.	Ten community celebrations, exhibitions and events delivered with 75% of participants satisfied based on exit surveys.	One Council curated exhibition which exceeded 75% satisfaction
	Foster business, employment and marketing opportunities to enhance the social and economic wellbeing of residents and traders.	Provide a minimum of seven Glen Eira Women's Business networking events, encourage business leadership through the May Business Month educational program and facilitate support for business to access mentors and students.	3 Women's Business Networking Events held to date. Continual support of businesses affected by level crossing removal works through marketing, business support.
Provide a range of initiatives and programs to build strong connected community groups.	Provide four newsletters to community groups to provide information about local community connectedness initiatives and grant opportunities.	Four newsletters produced and disseminated to community groups.	First edition of newsletters to community groups delivered in August 2016
	Deliver three capacity building sessions for community groups annually to promote effective and resilient community organisations	Three capacity building sessions delivered to community groups.	Planning has commenced
	Implement Arts and Cultural Strategy.	90% of 2016-17 actions complete.	All Arts and Cultural Strategy action items have been fully implemented. There are no Arts and Cultural Strategy action items for 2016-17. A new Strategy will be developed from 2017-18 onwards.
	Fund Community Information Glen Eira to provide community information and referral services to support the community.	\$139,000 delivered to Community Information Glen Eira for community information and referral services.	\$80,859 delivered to CIGE
Support local community groups through the provision of community grants to assist groups to meet identified community needs.	Continue to implement Council's community grants program with a funding priority encouraging community strengthening and inclusion.	Deliver at least \$350,000 in community grants to community groups to encourage community strengthening and inclusion activities.	\$396,896 delivered to community groups to encourage strengthening and inclusion activities
Actively encourage and promote volunteering opportunities within the local community and recognise the achievements of local volunteers.	Conduct Volunteer Recognition Ceremony.	Volunteer Recognition Ceremony conducted.	Planning for Volunteer recognition ceremony in May 2017
	Provide funding for Community Information Glen Eira for the operation of Glen Eira Volunteer Resource Centre.	\$24,839 in funding provided to Community Information Glen Eira.	\$13,335 has been provided to Community Information Glen Eira. (Payment is made bi-annually)

Community Plan 2016 / 2017

Key Strategic Activity	Actions for 2016-2017	Measures	Progress as at 30 September 2016
Deliver a comprehensive range of community consultation processes that provide all members of the community with the opportunity to participate.	Deliver a range of consultations process to maximise community participation.	Use e-newsletter, "bang the table", questionnaires, surveys, public meetings and focus groups as part of consultation processes and ensure consultations comply with Community Engagement Strategy.	A range of community consultation activities undertaken for the development of the Community Plan including public meetings, Have Your Say online, promotion through newspapers and newsletters
	Council e-newsletters distributed to provide information about community consultations and outcomes.	Four e-newsletters distributed annually and a 10% increase in the number of subscribers.	One newsletter delivered in July and 2% increase in the number of subscribers year to date
	Update community signage to provide information about community consultations and outcomes.	Community signage updated at least four times each year.	Community Signage updated in August 2016
Communicate and engage with the local community by providing accurate and up to date information about local issues and how they will be addressed by Council.	Distribute Glen Eira News to all households in Glen Eira.	11 editions of Glen Eira News published annually.	3 editions of Glen Eira News published (July, August and September)
	Publish corporate advertisements providing information on local issues and activities.	22 Council corporate advertisements published annually.	5 corporate ads published.

COUNCIL MEETINGS - ITEMS FOR ACTION

Date	Item	Item for Action - Council Meetings	Status as at 30 September 2016	Officer
03-Sep-13	9.5	Public Questions and Right to make a Statement: That the following be referred to the Local Laws Advisory Committee for the purpose of amending the Local Law with respect to meeting procedure.	Council commenced the statutory process to make amendments to the Local Law in April/May 2016. Finalisation of amendments were considered on 19 July 2016.	CEO
16-Dec-14	9.11	That Council (f) Review the 2006 Recreation Needs Strategy with a view to developing an appendix outlining changes in sporting demand and opportunities for Council to support such demand without conflicting with existing passive and active open space uses.	Future report to Council in early 2017.	Director Infrastructure, Environment and Leisure
02-Feb-16	11.1(b)	That a report be prepared on the old Murrumbeena Police station as follows: 1. Council identifies the owner of the building. 2. What possible uses could Council see for this building.	On hold as report cannot be fully informed of the risks and benefits until it is clear how the rail corridor and activity centres nearby will function.	Director Infrastructure, Environment and Leisure
02-Feb-16	11.1(c)	A report be prepared on the long term greenhouse gas emissions pathway Council is projected to have, the current proportion of Green Power purchased, implications of increasing the amount purchased as means to reduce emissions, and to offer advice on how to reduce emissions from Council activities.	Report to Council 1 September 2016	Director Infrastructure, Environment and Leisure
23-Feb-16	9.8	Re - policing and security of events on land or in facilities for which the Council is responsible - That officers prepare a report and recommendation that accord with the scope of the original request that this report and recommendation be placed on the agenda of a future Council meeting.	Presentation to Assembly on 13 September 2016. Follow-up report to Council in early 2017.	Director Infrastructure, Environment and Leisure
17-May-16	9.7	Environmental Sustainability Strategy - Review - That this item be deferred to a future Council Meeting.	Report to Council on 19 July 2016 to release the E.S.S for community consultation.	Director Infrastructure, Environment and Leisure
07-Jun-16	9.6	Montgomery Rest Home - (b) That this report be updated and placed on the meeting agenda immediately following the handing down of the recommendation from Heritage Victoria.	On hold until Heritage Victoria issues its decision.	Director Planning and Place

COUNCIL MEETINGS - ITEMS FOR ACTION

Date	Item	Item for Action - Council Meetings	Status as at 30 September 2016	Officer
07-Jun-16	11.1(a)	That a report be prepared on the provision by Council of concrete footpaths outside houses where currently no footpaths exist. The report should address the following points: a) Requirements for Council under the Disability Discrimination Act for the provision of footpaths in residential roads; and b) What the cost would be of providing such footpaths and what process or processes could be used to do so.	Report considered by Council on 9 August 2016.	Director Infrastructure, Environment and Leisure
07-Jun-16	11.1(b)	That a report be prepared to assess the traffic conditions of Newstead Street noting the residents concerns especially regarding heavy vehicle use and make some recommendations about future options.	Report to Council on 19 July 2016.	Director Planning and Place
07-Jun-16	11.1(c)	That a report be prepared on the Moorleigh community centre to include: 1. Overall dimensions of the land 2. Owners of the land 3. Zoning classification of the land.	Report to Assembly on 2 August 2016	Director Infrastructure, Environment and Leisure
07-Jun-16	11.1(d)	That a report be prepared on the number of community organisations that Council provides financial assistances to by way of paying rent on buildings that are not in the Moorleigh community centre.	Report to Assembly on 2 August 2016	Director Community Wellbeing
28-Jun-16	5(a)	Parking in Philip Street, Bentleigh. That the petition be received and noted and a response provided to the lead petitioner.	Letter sent July 2016	Director Planning and Place
28-Jun-16	9.6	That Council requests that a report update be prepared following the release of the 2016 ABS Census data (forecast population growth)	Awaiting ABS Stats	Director Planning and Place
28-Jun-16	9.7	That Council requests a further report to be prepared on planning fees, and the effect of the new fees, at the end of the 2016-2017 Financial Year	Report to be presented to the July 2017 Council Meeting	Director Planning and Place
28-Jun-16	9.12	That Council request officers to report back to Council in 12 months' time with a paper considering Glen Eira's future involvement in "Resilient Melbourne" once the potential value of the program to the Glen Eira community is clearer.		CEO
19-Jul-16	5(a)	Two hour parking restrictions - Hillside Ave, Harcourt Ave, Sylverly Grove, Hartley Ave, Alfred St, Gerard St That the petition be received and noted. That a report be prepared for the Council in February, 2017, following a review.	Report to be presented in February 2017.	Director Planning and Place

COUNCIL MEETINGS - ITEMS FOR ACTION

Date	Item	Item for Action - Council Meetings	Status as at 30 September 2016	Officer
19-Jul-16	10(2)	<p>That Council Resolves to -</p> <p>(a) Make urgent representations to the Level Crossing Removal Authority to ensure that the historic buildings and footbridge of Murrumbena and Carnegie Railway Stations are protected and preserved and place on the public record any responses received on Council's previous advocacy on this.</p> <p>(b) Make urgent representations to the National Trust to advocate for improved protection levels for Murrumbena and Carnegie Railway Stations and environs.</p> <p>(c) Strongly urge that should there be any plans for protection, or repurposing of the buildings and footbridge that these are made known to the public immediately, allowing sufficient time for members of the public to consider these plans, comment and offer feedback.</p> <p>(d) Prepare and lodge an application to Heritage Victoria nominating Carnegie and Murrumbena Railway Stations for inclusion in the Victorian Heritage Register.</p> <p>(e) Write to Heritage Victoria stating that the Carnegie and Murrumbena Railway Stations are at immediate threat of demolition, and seek immediate interim demolition protection to be implemented by Heritage Victoria.</p>	<p>Letter sent to Level Crossing Removal Authority on 11 August 2016.</p> <p>Letter sent 27 July 2016.</p> <p>Letter sent to Level Crossing Removal Authority on 18 August 2016.</p> <p>Letter and application sent on 1 August 2016.</p> <p>Letter and application sent on 1 August 2016.</p>	Director Infrastructure, Environment and Leisure
19-Jul-16	11.1(a)	That officers prepare a report into the potential for Council to collaborate with schools in Glen Eira to utilise their open space and grounds for use by sporting clubs and the wider community	Future report to Council in early 2017.	Director Infrastructure, Environment and Leisure

COUNCIL MEETINGS - ITEMS FOR ACTION

Date	Item	Item for Action - Council Meetings	Status as at 30 September 2016	Officer
19-Jul-16	11.1(b)	That a report be prepared showing the expenses and expected revenue of the Wellness Centre at GESAC and that the report also show options for a social venture element and potential community or business partnerships that can be explored to deliver a social outcome.	Report to Council 19 September 2016	Director Infrastructure, Environment and Leisure
9-Aug-16	11.1(a)	That a report be produced on the progress of the Ministerial commitments regarding the Caulfield Racecourse Reserve. The production of this report solicit and include the communication regarding the working group report to the Minister. Specifically any information regarding the completion of the report, the recommendations and the timing of any actions.		Chief Executive Officer
9-Aug-16	11.1(b)	That a report be prepared which follows up on Item 9.4 of the Ordinary Council Meeting of 21 May 2013 which reported on the condition and maintenance of identified significant red gum trees on Council land around Glen Eira.	Report to 19 September 2016 Council Meeting	Director Infrastructure, Environment and Leisure
30-Aug-16	9.4	Interim Height Controls for Bentleigh and Carnegie Activity Centres Planning Scheme Amendments C147 and C148 - That Council requests the Minister for Planning to prepare, adopt and approve Planning Scheme Amendment C147 and C148	Submitted to Minister on 31 August 2016.	Director Planning and Place
30-Aug-16	9.9	Bi-Partisan Working Group Report of the Caulfield Racecourse Reserve - That a report be prepared on the recommended advocacy position with regard to: a. Future land management model; and b. Terms of any new lease arrangements for the Melbourne Racing Club;	Report presented to the 19 September 2016 Council Meeting	Chief Executive Officer
30-Aug-16	11.1(a)	VCAT Decision 6-10 Claire Street, McKinnon That a report be prepared on the recent VCAT decision overturning Council's decision to refuse an application for a proposed three storey building with 33 apartments. The report should cover the options available to Council to challenge the VCAT decision. The report should also provide an assessment of the potential costs for each option and the likelihood of success	Report to 19 September 2016 Council Meeting	Director Planning and Place
30-Aug-16	11.1(b)	Community Safety in Glen Eira - Request a report on what Council can do within its realms of responsibility, including advocacy, that would increase community safety in Glen Eira		Director Community Wellbeing

COUNCIL MEETINGS - ITEMS FOR ACTION

Date	Item	Item for Action - Council Meetings	Status as at 30 September 2016	Officer
30-Aug-16	11.1(c)	Manuka Street, Bentleigh East - Request for officers to prepare a report advising Council whether these intersections meet current traffic engineering standards. If they do not meet current traffic engineering standards, request that officers advise what design options are available to update these intersection so that they comply with current standards		Director Planning and Place
19-Sep-16	9.1	88-100 McKinnon Road, McKinnon - That Council seeks authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C143		Director Planning and Place
19-Sep-16	9.2	333-335, 337, 339, 341, 345 and 355 Hawthorn Road, Caulfield, 2 and 4 Briggs Street Caulfield - That Council seeks authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C146		Director Planning and Place
19-Sep-16	9.11	GESAC Wellness Centre Potential Social Outcomes - That Council: (2) receives a report 12 months after opening to inform Council of the social partnering outcomes.		Director Infrastructure, Environment and Leisure

**ITEM 9.17 FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDING
30 NOVEMBER 2016**

Author: *John Vastianos (Chief Financial Officer)*

File No: *16/1744138*

Attachments: *Financial Management Report for the period ending 30 November
2016*

PURPOSE AND SUMMARY

To report Council's finances in the Financial Management Report for the period ending 30 November 2016.

RECOMMENDATION

That Council notes the Financial Management Report for the period ending 30 November 2016.

BACKGROUND

The report includes a comparison of year-to-date (YTD) actual income and expenditure with budgeted (YTD and forecast end-of-year) and other information for the current financial year.

This report also provides a review of the 2016-17 Capital Works Program, cash flow reports and investment reports.

ISSUES AND DISCUSSION

Council's forecast cash balance has improved but is still expected to remain at relatively low levels, sufficient to cover current liabilities.

One of the items which has placed additional pressure on Council's Liquidity Ratio is classification of leave entitlements. Notwithstanding a majority of leave entitlements are not expected to be settled within 12 months, almost all leave entitlements are classified as current liability provisions in Council's balance sheet, placing greater pressure on the liquidity ratio.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The key financial objectives for Council are:

- Manage finances appropriately within the constraints set by the State Government's Rate Capping regime.
- Generate funds to provide additional public open space and renew and upgrade our ageing assets and community facilities.
- Maintain essential services at not less than current levels.
- Set rates and fee increases that are manageable and sustainable.
- Focus on continuous improvement.
- Keep day-to-day costs and rates below our peers.

POLICY AND LEGISLATIVE IMPLICATIONS

Section 138 of the *Local Government Act* 1989 (the Act).

COMMUNICATION AND ENGAGEMENT

Council officers in preparing the Financial Management Report, take into account other plans and strategies in regard to services and initiatives which commit financial and non-financial resources for the current financial year.

LINK TO COUNCIL PLAN

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

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

The positive operating result year to date is higher than was anticipated when the annual budget was set. The Balance Sheet position and the cash position are sound.

Moved: Cr Hyams

Seconded: Cr Athanasopoulos

That Council notes the Financial Management Report for the period ending 30 November 2016.

CARRIED UNANIMOUSLY

Procedural Motion

Moved: Cr Hyams

Seconded: Cr Silver

That the Council meeting be extended to finish at 11pm.

CARRIED UNANIMOUSLY

ATTACHMENT:**Financial Management Report for the period ending 30 November 2017****1. Contents**

Executive Summary	5
Financial Strategy.....	10
Assurance Map	13
Income Statement	16
Balance Sheet.....	17
Performance Graphs	18
Capital Works Program Expenditure	22

Executive Summary***for the period ending 30 November 2016*****a) Current Month Budget Result**

At the end of November 2016, the performance against budget from ordinary activities showed a positive variance of \$6.3m due to higher than anticipated income of \$3.39m and favorable variance in operating expenditure of \$2.91m (refer to page 16 for details of the variances).

b) Current Month Forecast Result

The forecast result expected for the financial year is an operating surplus of \$24.4m compared with the original adopted 2016-17 Annual Budget of \$17.22m.

Any surplus from day-to-day operations is used to accelerate capital works projects. The current monthly forecast movement shows an increase in operating revenue of \$1.03m and a decrease in operating expenditure of \$447k.

c) Liquidity

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

Council needs to ensure working capital is maintained such that sufficient cash reserves are available to meet normal cash flow requirements. Over the last few years, Council has invested heavily in its capital works program by fully utilising cash reserves.

Council will continue to have a large investment in capital works projects. Council is required to hold sufficient cash to cover 'Restricted Assets' such as: Residential Aged Care Deposits, Public Open Space Reserve, Contract Deposits and *Fire Services Property Levy*.

d) Open Space Contributions***Contributions***

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

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

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

Open Space Reserve

The balance of the Open Space Reserve as at 30 November 2016 is as follows:

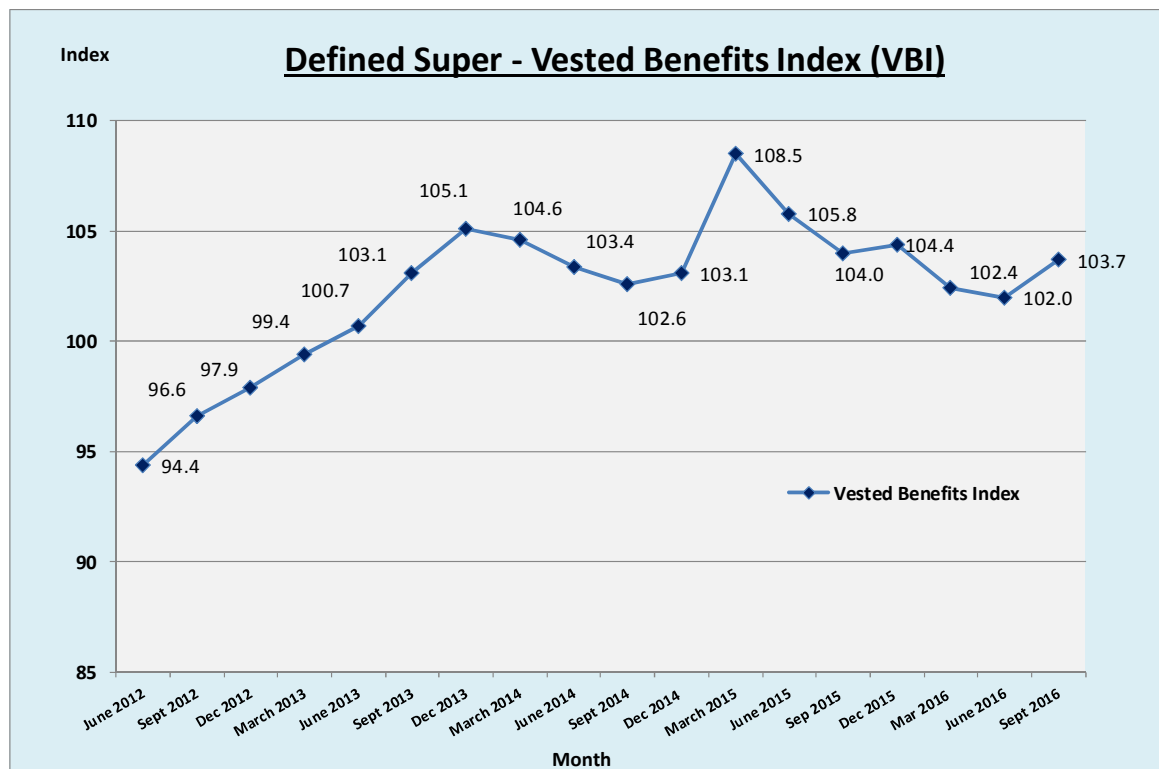
Description	2016-17 Current Month Actual	2016-17 Year-to-Date
Open Space Contributions Received	\$751,374	\$3,659,085
Open Space Capital Expenditure	(\$884,499)	(\$2,445,375)
Net Movement	(\$133,125)	\$1,213,710
Opening Balance as at 1 July 2016		\$4,093,307
Closing Balance – Open Space Reserve		\$5,307,017

e) Superannuation – Defined Benefits Scheme

Vested Benefits Index (VBI)

The VBI is the key index that the super fund regulator, APRA, considers when assessing the financial position of the Defined Benefit Plan. In simple terms, this measures whether there would be enough assets to meet the liabilities of the Defined Benefit Plan if it became necessary to pay all members their total entitlements on a particular day.

For the Plan to be in a satisfactory financial position requires a VBI of 100% or more. Below is the estimated VBI since 30 June 2012:



f) Forecast adjustments for November 2016***Income from ordinary activities increase of \$1.03M***

The favourable income forecast movement is mainly due to:

- **User Fees** – relate mainly to the recovery of service delivery costs through the charging of fees to users of Council's services. These include use of leisure, community facilities and the provision of human services such as family day care and home care services.

The increase of \$251k is mainly due to higher than forecast town planning income relating to planning permit fees and subdivision fees.

- **Statutory Fees and Fines** – relate mainly to fees and fines levied in accordance with legislation and include animal registrations, health act registrations and parking fines.

The increase of \$216k is mainly due to higher than forecast parking infringements income across the municipality. This increase is due to the emphasis on safety around schools and balancing trader and patron parking due to increased building activity and the grade separation works.

- **Contributions (Monetary)** – relates to open space contributions received during the year. These contributions are transferred to the Open Space Reserve pursuant to section 18 of the *Subdivision Act 1988*.

The increase of \$347k is based on the timing of Council receiving open space contributions. These amounts are variable in nature and it is difficult to determine the exact timing of anticipated contributions.

Expenditure from ordinary activities decrease of \$447k

The favourable expenditure forecast movement is mainly due to:

- **Employee Costs** – include all labour related expenditure and on-costs such as allowances, leave entitlements, employer superannuation and WorkSafe. The decrease of \$80k is due to the timing of staff recruitment.
- **Grants and Subsidies** – relate mainly to the provision of Community Grants. The decrease of \$208k is due to the timing for payment of the Grants.

g) Capital Works Expenditure Program

As at the end of November 2016, total capital works expenditure in 2016-17 is expected to be \$39.11M, represented by:

- New capital works projects as per the 2016-17 Annual Budget \$31.36m
- Capital works funding \$1.94m
- Carry forward expenditure from the 2015-16 financial year \$2.05m
- Forecast increase year to date \$3.76m.

There are no forecast adjustments for the month of November.

Financial Strategy

Each year, the Auditor-General of Victoria performs an audit of the Local Government sector and produces a report to Parliament of the results of those audits. As part of this process, the Auditor-General assesses the financial sustainability of Councils. In 2015-16 the Auditor-General assessed the financial sustainability risk at an individual Council level. The following pages explain and present the Auditor-General's financial sustainability risks and criteria and page 10 provides indicators for Glen Eira City Council.

(a) Financial sustainability risk indicators

Indicator	Formula	Description
Net result (%)	Net result / Total revenue	A positive result indicates a surplus, and the larger the percentage, the stronger the result. A negative result indicates a deficit. Operating deficits cannot be sustained in the long term. Net result and total revenue is obtained from the comprehensive operating statement.
Liquidity (ratio)	Current assets / Current liabilities	This measures the ability to pay existing liabilities in the next 12 months. A ratio of one or more means there are more cash and liquid assets than short-term liabilities.
Internal financing (%)	Net operating cash flow / Net capital expenditure	This measures the ability of an entity to finance capital works from generated cash flow. The higher the percentage, the greater the ability for the entity to finance capital works from their own funds. Net operating cash flows and net capital expenditure are obtained from the cash flow statement.
Indebtedness (%)	Non-current liabilities/own-sourced revenue	Comparison of non-current liabilities (mainly comprised of borrowings) to own-sourced revenue. The higher the percentage, the less able to cover non-current liabilities from the revenues the entity generates itself. Own-sourced revenue is used—rather than total revenue—because it does not include grants or contributions.
Capital replacement (ratio)	Cash outflows for property, plant and equipment / Depreciation	Comparison of the rate of spending on infrastructure with its depreciation. Ratios higher than 1:1 indicate that spending is faster than the depreciating rate. This is a long-term indicator, as capital expenditure can be deferred in the short term if there are insufficient funds available from operations, and borrowing is not an option. Cash outflows for infrastructure are taken from the cash flow statement. Depreciation is taken from the comprehensive operating statement.
Renewal gap (ratio)	Renewal and upgrade expenditure/depreciation	Comparison of the rate of spending on existing assets through renewing, restoring, and replacing existing assets with depreciation. Ratios higher than 1:1 indicate that spending on existing assets is faster than the depreciating rate. Similar to the investment gap, this is a long-term indicator, as capital expenditure can be deferred in the short term if there are insufficient funds available from operations, and borrowing is not an option. Renewal and upgrade expenditure are taken from the statement of capital works. Depreciation is taken from the comprehensive operating statement.

Financial Strategy (continued)**(b) Financial sustainability risk assessment criteria**

The financial sustainability risk of each local council is assessed using the criteria outlined below:

Risk	Net result	Liquidity	Indebtedness	Internal financing	Capital replacement	Renewal gap
High	Less than negative 10% Insufficient revenue is being generated to fund operations and asset renewal.	Less than 0.75 Immediate sustainability issues with insufficient current assets to cover liabilities.	More than 60% Potentially long-term concern over ability to repay debt levels from own-source revenue.	Less than 75% Limited cash generated from operations to fund new assets and asset renewal.	Less than 1.0 Spending on capital works has not kept pace with consumption of assets.	Less than 0.5 Spending on existing assets has not kept pace with consumption of these assets.
Medium	Negative 10%–0% A risk of long-term run down to cash reserves and inability to fund asset renewals.	0.75–1.0 Need for caution with cash flow, as issues could arise with meeting obligations as they fall due.	40–60% Some concern over the ability to repay debt from own-source revenue.	75–100% May not be generating sufficient cash from operations to fund new assets.	1.0–1.5 May indicate spending on asset renewal is insufficient.	0.5–1.0 May indicate insufficient spending on renewal of existing assets.
Low	More than 0% Generating surpluses consistently.	More than 1.0 No immediate issues with repaying short-term liabilities as they fall due.	40% or less No concern over the ability to repay debt from own-source revenue.	More than 100% Generating enough cash from operations to fund new assets.	More than 1.5 Low risk of insufficient spending on asset renewal.	More than 1.0 Low risk of insufficient spending on asset base.

Source: Victorian Auditor-General's Office.











Financial Strategy (continued)Monthly Report Relative to Financial Strategy

Financial Sustainability Risk Indicators	Objective	2015-2016 Actuals	2016-2017 Annual Budget as at 30 June 2017	2016-2017 Annual Forecast as at 30 June 2017	2016-2017 Risk based on Annual Forecast as at 30 June 2017	Comment
(1) Net Result	Generating surpluses consistently of greater than 0%.	7.73%	10.41%	14.44%	Low	Council is generating positive surpluses.
(2) Liquidity	To measure Council's ability to repay short-term liabilities as they fall due. The indicator is to be greater than 1.0.	0.99	1.04	1.02	Low	Council's forecast to 30 June 2017 indicates a Liquidity Ratio of around 1.0.
(3) Indebtedness	Lower than 40% relates to the ability to repay debt from own-source revenue.	19.48%	16.91%	16.05%	Low	Council is operating at a ratio of lower than 40%, therefore has the ability to repay debt from own-source revenue.
(4) Internal Financing	Generating enough cash from operations to fund new assets. The indicator is to be greater than 100%.	121.00%	116.94%	122.90%	Low	Council is generating enough cash from operations to fund new assets.
(5) Capital Replacement	To ascertain the level of risk of insufficient spending on asset renewal. The indicator is to be more than 1.5.	1.72	1.57	1.77	Low	Council operates at a low level of risk with respect to capital replacement.
(6) Renewal Gap	To ensure there is sufficient spending on Council's asset base. The indicator is to be greater than 1.0.	1.42	1.22	1.22	Low	Council spends sufficient funds on its asset base.
Council aims to keep average rates and charges significantly below benchmark Councils and provide a pensioner rate rebate over the State Government's universal rebate.	Council aims to keep average rates and charges significantly below benchmark Councils and the pensioner rate rebate above the State Government's universal rebate.	\$1,535	\$1,594	\$1,598	Average rates and charges are well below the average of inner metropolitan Councils. In 2014-15 Glen Eira is the second lowest of the 21 Inner Melbourne Councils (2013-14: also second lowest) and is \$266 per assessment (\$16.6m) below the average outcome. This means that Council charges \$16.6m p.a. less than inner metropolitan municipalities and has \$16.6m p.a. less for upgrading or providing facilities and services.	
<ul style="list-style-type: none"> Average Rates and Charges Pensioner Rate Rebate 		\$270	\$270	\$270		
Operating costs per property should be kept as low as possible in order to generate <u>both</u> operating surpluses <u>and</u> lower Rates.	Council should aim to keep average operating costs below the average benchmark Councils.	\$2,119	\$2,340	\$2,280	In terms of operational expenditure (excluding depreciation), Glen Eira ranks as spending \$176 less per assessment (\$11m) than the average for the Inner Melbourne Councils grouping.	

Assurance Map

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

Council's Strategic Risks	Risk Rating	Type of Assurance						Previous and proposed IA activity 2016/17-2017/18-2018/19, and/or other independent reviews/checks
		Management	External Parties				Internal Audit	
		Management Review / self-assessment	Insurance Coverage	LG Investigations / Compliance Inspectorate	VAGO Performance Audits*	Independent Consultants / External party review	Internal Audit	
1. State Government decisions impacting our community	E							Food Safety (2011/12) Statutory Planning (2013/14)
2. Terrorist Attack – Lone Wolf	H							Security Protocol Review (2014) Disaster Recovery Planning and Business Continuity Planning (2017/18)
3. Vulnerability to cyber attack	H							Cyber Security Review including mobile devices website management and penetration testing (2016) Development of Information Management Strategy (2017/18)
4. Contracts – contracting process by Council	H							Tendering (2013/14) Contract Management (2013/14) Financial Compliance transaction analysis (ongoing)
5. Vulnerability to litigious action	H							Risk Management Framework (2015-16) Fraud Management Review (2016-17)
6. Failure to keep pace with emerging technologies and digital environment	H							IT Sensitive Information (2011/12) IT Security (2012/13, 2014/15) IT General Controls (2015/16) IT Strategy (management) (2013/14) Regular penetration testing on the internal and external network infrastructure and external websites Development of Information Management Strategy (2017/18)

Council's Strategic Risks	Risk Rating	Type of Assurance					Previous and proposed IA activity 2016/17-2017/18-2018/19, and/or other independent reviews/checks
		Management	External Parties			Internal Audit	
		Management Review / Self-assessment	Insurance Coverage	LG Investigations / Compliance Inspectorate	VAGO Performance Audit*	Independent Consultants / External party review	
7. Vulnerability to significant fraud	H						 Fraud Review (2013/14) Financial Controls (2014/15) Financial Compliance transaction analysis (ongoing) Risk Management Framework (2015-16) Fraud Management Review (2016-17) Procurement and Contracts (2017/18)
8. Not sufficiently agile to respond to change	H						Change Management Framework <i>ProMap</i>
9. Failure to effectively plan for the changing demographic of our workforce	M						 SafetyMAP recertification (2013/14) OH&S Review (2015/16) People and Culture Audit (2018/19)
10. Transformation program fails to deliver anticipated benefits for the organisation and community.	M						

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

Level of coverage:  Entire  Partial  None

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

Income Statement

for the period ending 30 November 2016

	2016-17 Year to Date Actual	2016-17 Year to Date Budget	2016-17 Year to Date Variance	2016-17 Year to Date Variance	2016-17 Last Month Forecast	2016-17 Current Month Forecast	2016-17 Current Month Forecast Movement	2016-17 Annual Budget	2016-17 Budget Forecast Variance	2016-17 Budget Forecast Variance
	\$ 000's	\$ 000's	\$ 000's	(%)	\$ 000's	\$ 000's	\$ 000's	\$ 000's	\$ 000's	(%)
Income										
Income from Ordinary Activities										
General Rates	85,188	85,051	137	0.2%	85,190	85,188	(2)	85,051	137	0.2%
Supplementary Rates	805	800	5	0.7%	846	805	(41)	800	5	0.7%
Waste and Recycling Charges	14,318	14,264	54	0.4%	14,856	14,875	19	14,821	54	0.4%
Grants (Operating and Capital)	11,798	11,253	545	4.8%	24,899	24,989	90	24,443	545	2.2%
Interest Received	526	375	151	40.4%	1,015	1,051	36	900	151	16.8%
User Fees	10,669	10,567	101	1.0%	25,443	25,694	251	25,500	194	0.8%
Statutory Fees and Fines	3,684	2,389	1,294	54.2%	6,688	6,904	216	5,610	1,294	23.1%
Contributions (Monetary)	3,659	2,668	991	37.1%	6,040	6,386	347	5,500	886	16.1%
Other Income	921	810	111	13.7%	2,316	2,432	116	2,321	110	4.8%
Total Income from Ordinary Activities	131,569	128,178	3,390	2.64%	167,293	168,325	1,032	164,947	3,378	2.0%
Expenses										
Expenses from Ordinary Activities										
Employee Costs	28,367	29,272	905	3.1%	69,585	69,505	80	70,660	1,154	1.6%
Materials and Consumables	2,124	2,443	319	13.1%	5,713	5,730	(17)	6,040	311	5.1%
Contractor Payments	10,842	11,477	635	5.5%	29,050	29,040	10	29,729	689	2.3%
Maintenance	2,038	2,632	595	22.6%	5,943	5,851	92	6,323	472	7.5%
Utility Services	1,690	1,900	209	11.0%	3,988	4,009	(22)	4,218	209	5.0%
Insurances	622	704	83	11.7%	1,011	992	19	1,075	83	7.7%
Other Expenses	1,702	1,818	116	6.4%	4,383	4,306	77	4,438	132	3.0%
Grants and Subsidies	506	557	51	9.2%	1,079	871	208	922	51	5.5%
Borrowing Costs	333	332	(1)	(0.3%)	762	763	(1)	762	(1)	(0.1%)
Total Expenses from Ordinary Activities	48,224	51,134	2,911	5.7%	121,514	121,067	447	124,166	3,099	2.5%
Surplus before non operational activities	83,345	77,044	6,301	8.2%	45,779	47,258	1,479	40,781	6,477	15.9%
Non-operational Activities										
Proceeds from Sale of Property, Infrastructure, Plant and Equipment	382	270	112	41.5%	654	663	9	481	182	37.9%
Written Down Value of Assets Sold/Disposed	476	638	162	25.4%	1,471	1,369	103	1,531	162	10.6%
Depreciation and Amortisation	9,022	9,381	359	3.8%	22,242	22,155	87	22,514	359	1.6%
Surplus for the period	74,229	67,295	6,933	10.3%	22,719	24,396	1,678	17,216	7,180	41.7%

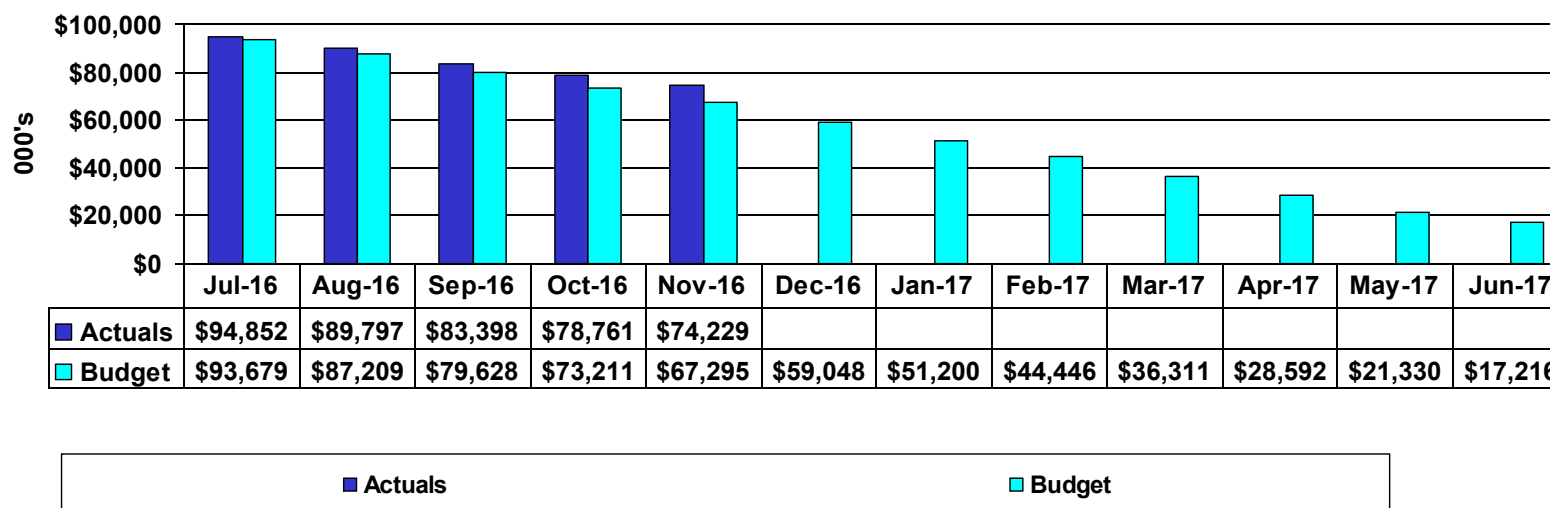
Key to Variance - Positive figures relate to an increase in revenue and a decrease in expenditure. Negative figures relate to a decrease in revenue and increase in expenditure.

Balance Sheet*for the period ending 30 November 2016*

	Actuals 2015-16	Annual Budget 2016-17	Annual Forecast 2016-17	Year to Date Actual 2016-17	Previous Month's Actuals
	\$ 000's	\$ 000's	\$ 000's	\$ 000's	\$ 000's
Assets					
Current Assets					
Cash and Cash Equivalents	45,930	45,582	46,339	59,180	50,130
Trade and Other Receivables	10,408	8,984	10,408	71,506	86,137
Other Assets	1,297	1,309	1,297	333	391
Total Current Assets	57,635	55,875	58,044	131,019	136,657
Non-Current Assets					
Property, Infrastructure, Plant and Equipment	2,047,138	1,727,370	2,063,391	2,049,149	2,046,453
Intangible Assets	1,042	750	1,042	870	928
Investments in Joint Operations	2,125	2,595	2,125	2,125	2,125
Other Financial Assets	5	5	5	5	5
Total Non-Current Assets	2,050,310	1,730,720	2,066,563	2,052,149	2,049,511
TOTAL ASSETS	2,107,945	1,786,595	2,124,607	2,183,168	2,186,168
Liabilities					
Current Liabilities					
Trade and Other Payables	16,494	11,832	14,994	7,014	6,406
Trust Funds and Deposits	25,501	24,670	25,501	37,356	36,196
Provisions	12,891	13,692	12,891	12,552	12,501
Interest-Bearing Liabilities	3,149	3,349	3,349	3,294	3,270
Total Current Liabilities	58,035	53,543	56,735	60,216	58,374
Non-Current Liabilities					
Provisions	1,186	1,187	1,186	1,186	1,186
Interest-Bearing Liabilities	21,734	18,113	18,113	20,364	20,658
Other Liabilities - Joint Operations	2,568	3,352	2,568	2,568	2,568
Total Non-Current Liabilities	25,488	22,652	21,867	24,118	24,412
Total Liabilities	83,523	76,195	78,602	84,335	82,786
Net Assets	2,024,422	1,710,400	2,046,005	2,098,834	2,103,382
Equity					
Accumulated Surplus	890,150	908,144	911,733	963,166	967,564
Asset Revaluation Reserve	1,130,179	797,983	1,130,179	1,130,361	1,130,377
Public Open Space Reserve	4,093	4,273	4,093	5,307	5,440
Total Equity	2,024,422	1,710,400	2,046,005	2,098,834	2,103,382

Performance Graphs

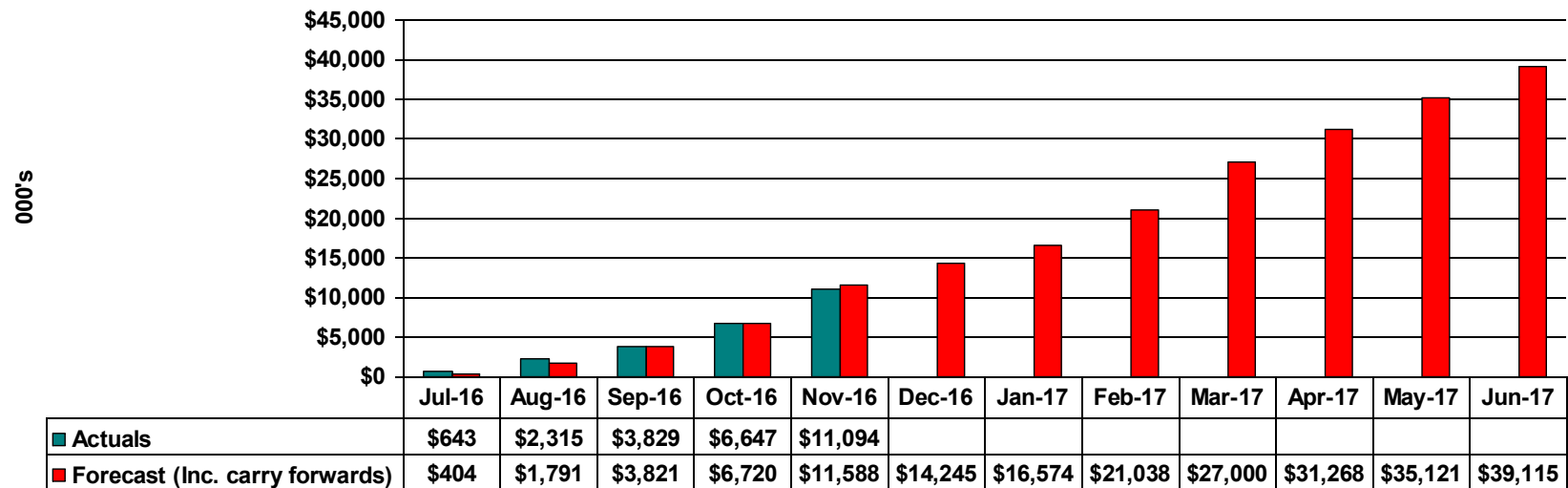
Financial Performance
for the period ending 30 November 2016



The November 2016 year to date financial performance was \$6.93m better than the year to date budget mainly due to:

- Better than anticipated income received for statutory fees and fines \$1.29m, open space contributions \$991k, government grants \$545k, interest received \$151k, general rates and charges \$137k, Other Income \$111k and User Fees \$101k.
- Favourable variances in expenditure items including: employee costs \$905k, contractors \$635k, maintenance \$595k, materials and consumables \$319k, Utility Services \$209k, Other Expenses \$116k and Insurances \$83k.

Capital Works Expenditure
for the period ending 30 November 2016

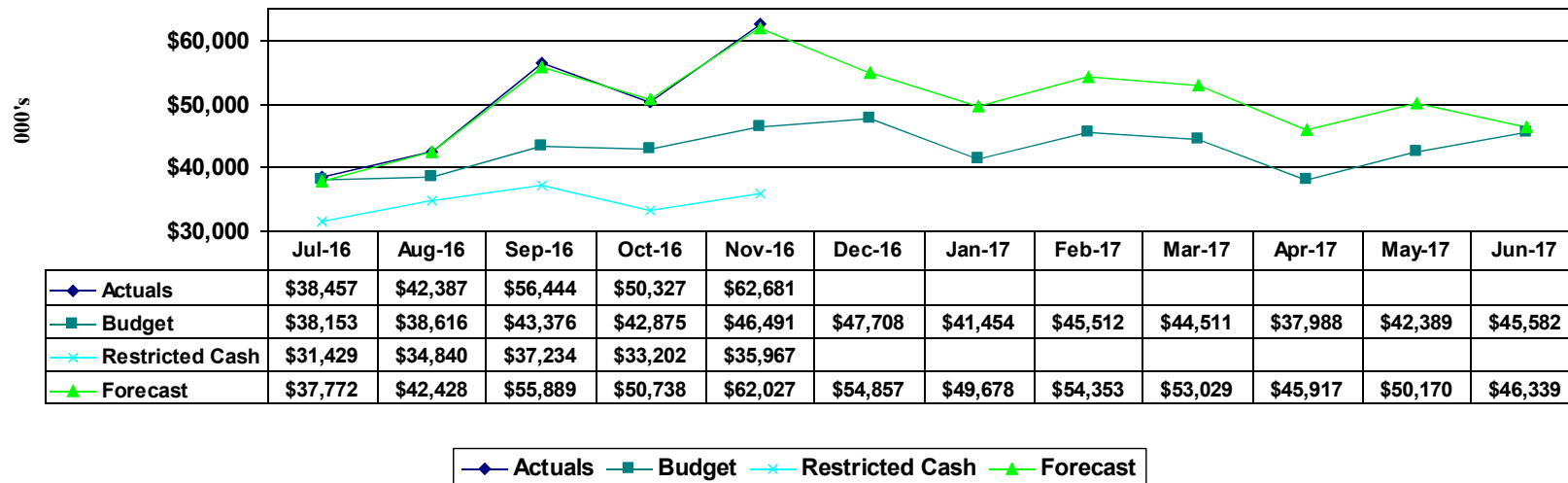


Actuals

Forecast (Inc. carry forwards)

Council's capital expenditure is behind forecast by \$494k mainly due to Booran Reserve.

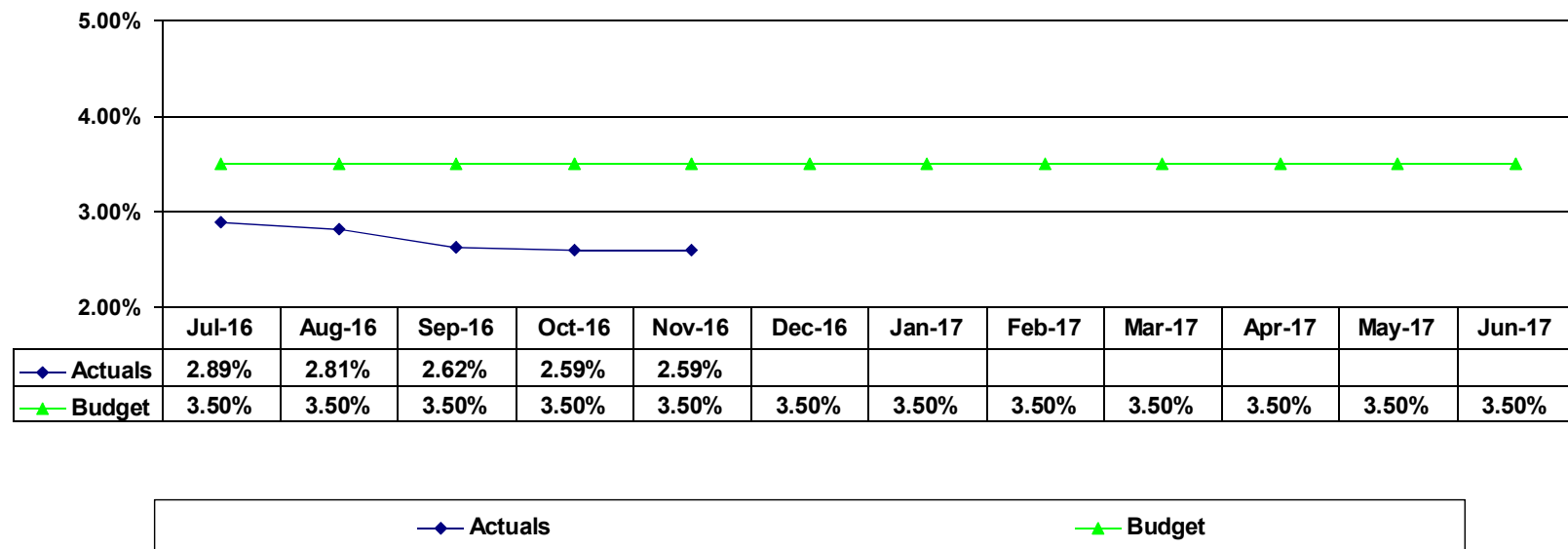
Cash and Investments Balances
for the period ending 30 November 2016



Council's year to date cash balance of \$62.68m is higher than budget for the current month. Council's forecast position to June 2017 of \$46.34m has been adjusted to reflect the movements in Council's Income Statement and Capital Works Program forecast adjustments.

Council has cash assets that are subject to restrictions. Restricted funds as at 30 November 2016 include: residential aged care deposits of \$24.43m, trust funds and deposits \$4.17m (including asset protection permits), open space reserve \$5.31m and fire services property levy \$2.06m.

Actual Interest Rate vs Budget Interest Rate
for the period ending 30 November 2016



Council achieved a lower return of 2.59% against the budget of 3.50%.

Capital Works Program Expenditure

for period ending 30 November 2016

Description	2016-17 Carry Forwards from 2015-16	2016-17 Adopted Annual Capital Budget	2016-17 Capital Grant Funding	2016-17 Budget Plus 2015-16 Carry Forward	2016-17 YTD Work In Progress	2016-17 YTD Forecast	2016-17 YTD Variance	2016-17 Annual Forecast Projected end of June 2017 expenditure	2016-17 Forecast Adjustments
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
<u>CAPITAL WORKS: PRIORITY ITEMS</u>									
Information Systems	-	837,500	-	837,500	248,332	40,000	(208,332)	837,500	-
Vehicle Replacements	-	1,706,112	-	1,706,112	534,532	356,673	(177,859)	1,706,112	-
Footpath Replacement	-	1,725,000	-	1,725,000	681,350	718,750	37,400	1,725,000	-
Kerb and Channel Replacement	-	160,000	-	160,000	4,065	70,000	65,935	160,000	-
Road Rehabilitation	-	3,082,409	-	3,082,409	430,592	433,000	2,408	3,082,409	-
Drainage Improvement	-	3,482,000	-	3,482,000	1,592,993	745,000	(847,993)	3,482,000	-
Local Road Resurfacing	-	1,500,000	-	1,500,000	14,587	332,000	317,413	1,500,000	-
Right of Way Renewal	-	330,000	-	330,000	286,982	252,000	(34,982)	330,000	-
Traffic Signal Renewal	-	100,000	-	100,000	-	-	-	100,000	-
Local Area Traffic Management (LATM) Replacement	-	500,000	-	500,000	23,315	15,000	(8,315)	500,000	-
Car Park Rehabilitation	-	775,000	-	775,000	82,445	-	(82,445)	775,000	-
Roads to Recovery	-	714,999	665,001	1,380,000	6,261	-	(6,261)	1,380,000	-
TOTAL PRIORITY ITEMS	-	14,913,020	665,001	15,578,021	3,905,454	2,962,423	(943,031)	15,578,021	-
<u>CAPITAL WORKS: ROLLING ANNUAL CAPITAL WORKS: ROLLING ANNUAL- ENVIRONMENTAL INITIATIVES</u>									
Bicycle Strategy Implementation	101,000	250,000	-	351,000	32,115	130,000	97,885	351,000	-
Warm season grass Program	-	600,000	700,000	1,300,000	2,750	-	(2,750)	1,300,000	-
TOTAL CAPITAL WORKS: ROLLING ANNUAL- ENVIRONMENTAL INITIATIVES	101,000	850,000	700,000	1,651,000	34,865	130,000	95,135	1,651,000	-
<u>CAPITAL WORKS: ROLLING ANNUAL-LIBRARIES</u>									
Library and Information Services	-	793,467	62,811	856,278	421,373	427,102	5,729	856,278	-
TOTAL CAPITAL WORKS: ROLLING ANNUAL- LIBRARIES	-	793,467	62,811	856,278	421,373	427,102	5,729	856,278	-
<u>CAPITAL WORKS: ROLLING ANNUAL-TRAFFIC MANAGEMENT</u>									
Blackspot Treatment	-	18,000	-	18,000	-	-	-	18,000	-
Traffic Engineering	412,955	1,075,000	-	1,487,955	302,398	331,955	29,557	1,487,955	-
TOTAL CAPITAL WORKS: ROLLING ANNUAL- TRAFFIC MANAGEMENT	412,955	1,093,000	-	1,505,955	302,398	331,955	29,557	1,505,955	-
<u>CAPITAL WORKS: ROLLING ANNUAL-PUBLIC OPEN SPACES AND RECREATIONAL FACILITIES</u>									
Playground Minor Equipment/Art Rolling Program	-	345,000	-	345,000	304,691	270,000	(34,691)	365,000	20,000
Carnegie Swim Centre Capital Maintenance	-	50,000	-	50,000	-	10,000	10,000	50,000	-
Minor Park Improvements	-	899,050	-	899,050	368,463	512,050	143,587	899,050	-
Sports Ground Lighting	-	80,000	-	80,000	32	80,000	79,968	80,000	-
Public Hall Furniture	-	4,000	-	4,000	4,900	4,000	(900)	4,000	-
Shade Sails Rolling Program	-	105,000	-	105,000	31,535	105,000	73,465	105,000	-
Plinth Curbing	-	85,000	-	85,000	57,309	45,000	(12,309)	85,000	-
TOTAL CAPITAL WORKS: ROLLING ANNUAL- PUBLIC OPEN SPACES AND RECREATIONAL FACILITIES	-	1,568,050	-	1,568,050	766,930	1,026,050	259,120	1,588,050	20,000

Capital Works Program Expenditure

for period ending 30 November 2016 (continued)

Description	2016-17 Carry Forwards from 2015-16	2016-17 Adopted Annual Capital Budget	2016-17 Capital Grant Funding	2016-17 Budget Plus 2015-16 Carry Forward	2016-17 YTD Work In Progress	2016-17 YTD Forecast	2016-17 YTD Variance	2016-17 Annual Forecast Projected end of June 2017 expenditure	2016-17 Forecast Adjustments
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
<u>CAPITAL WORKS: ROLLING ANNUAL-BUILDING WORKS</u>									
Building Improvements	-	550,500	-	550,500	124,024	212,700	88,676	550,500	-
Kitchen/ Joinery Renewal	-	30,000	-	30,000	2,000	30,000	28,000	30,000	-
Roof Renewal	-	113,700	-	113,700	48,609	34,110	(14,499)	113,700	-
Painting Program	-	111,650	-	111,650	19,922	34,950	15,028	111,650	-
TOTAL CAPITAL WORKS: ROLLING ANNUAL-BUILDING WORKS	-	805,850	-	805,850	194,555	311,760	117,205	805,850	-
<u>CAPITAL WORKS: ROLLING ANNUAL-SHOPPING CENTRES</u>									
Annual Shopping Streetscape Program	-	567,000	-	567,000	4,565	-	(4,565)	567,000	-
TOTAL CAPITAL WORKS: ROLLING ANNUAL-SHOPPING CENTRES	-	567,000	-	567,000	4,565	-	(4,565)	567,000	-
TOTAL ROLLING ANNUAL	513,955	5,677,367	762,811	6,954,133	1,724,686	2,226,867	502,181	6,974,133	20,000
<u>CAPITAL WORKS: MAJOR PROJECTS</u>									
Lord Hex Pavilion, Carnegie	-	220,000	-	220,000	-	-	-	220,000	-
Duncan Mackinnon Pavilion	-	-	-	-	13,672	-	(13,672)	-	-
Marlborough Pavilion, Bentleigh East	-	25,000	-	25,000	-	-	-	25,000	-
Carnegie Swim Centre	-	280,000	-	280,000	380	50,000	49,620	280,000	-
TOTAL MAJOR PROJECTS	-	525,000	-	525,000	14,052	50,000	35,948	525,000	-
<u>CAPITAL WORKS: OPEN SPACE STRATEGY IMPLEMENTATION</u>									
Open Space Strategy Initiatives	-	900,000	-	900,000	108,336	350,000	241,664	900,000	-
Booran Reserve	-	3,962,495	97,000	4,059,495	2,445,375	2,850,000	404,625	4,059,495	-
TOTAL OPEN SPACE STRATEGY IMPLEMENTATION	-	4,862,495	97,000	4,959,495	2,553,711	3,200,000	646,289	4,959,495	-
<u>SHORT TERM PROJECTS</u>									
<u>CAPITAL WORKS: SHORT TERM-ENVIRONMENTAL INITIATIVES</u>									
Building Improvements	-	716,676	-	716,676	135,167	300,000	164,833	716,676	-
Park Lighting Energy Efficiency Upgrade	-	218,337	-	218,337	-	-	-	218,337	-
TOTAL CAPITAL WORKS: SHORT TERM-ENVIRONMENTAL INITIATIVES	-	935,013	-	935,013	135,167	300,000	164,833	935,013	-
<u>CAPITAL WORKS: SHORT TERM-AGED CARE</u>									
Building Improvements	-	83,000	-	83,000	-	83,000	83,000	83,000	-
ILU Refurbishment	-	120,000	-	120,000	-	36,000	36,000	120,000	-
Residential Services Minor Improvements	-	220,000	-	220,000	50,363	60,000	9,637	220,000	-
TOTAL CAPITAL WORKS: SHORT TERM-AGED CARE	-	423,000	-	423,000	50,363	179,000	128,637	423,000	-
<u>CAPITAL WORKS: SHORT TERM-FAMILY & CHILDREN'S SERVICES</u>									
Replacement FDC of Equipment	-	10,000	-	10,000	9,658	-	(9,658)	10,000	-
TOTAL CAPITAL WORKS: SHORT TERM-FAMILY & CHILDREN'S SERVICES	-	10,000	-	10,000	9,658	-	(9,658)	10,000	-

Capital Works Program Expenditure

for period ending 30 November 2016 (continued)

Description	2016-17 Carry Forwards from 2015-16	2016-17 Adopted Annual Capital Budget	2016-17 Capital Grant Funding	2016-17 Budget Plus 2015-16 Carry Forward	2016-17 YTD Work In Progress	2016-17 YTD Forecast	2016-17 YTD Variance	2016-17 Annual Forecast Projected end of June 2017 expenditure	2016-17 Forecast Adjustments
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
<u>CAPITAL WORKS: SHORT TERM-PUBLIC OPEN SPACES AND RECREATIONAL FACILITIES</u>									
ILU Refurbishment	-	50,000	-	50,000	-	15,000	15,000	50,000	-
Multi-purpose Sports Court redevelopment	99,880	165,000	-	264,880	91,524	95,000	3,476	264,880	-
Recreation	130,000	875,000	195,000	1,200,000	28,286	75,000	46,714	1,200,000	-
Parks & Gardens	-	158,000	-	158,000	65,106	18,000	(47,106)	308,000	150,000
Outdoor Fitness Stations and Instructional Signage	-	70,000	-	70,000	-	-	-	70,000	-
Bin Enclosures	-	37,500	-	37,500	33,447	37,500	4,053	37,500	-
TOTAL CAPITAL WORKS: SHORT TERM-PUBLIC OPEN SPACES AND RECREATIONAL FACILITIES	229,880	1,355,500	195,000	1,780,380	218,363	240,500	22,137	1,930,380	150,000
<u>CAPITAL WORKS: SHORT TERM-TRAFFIC MANAGEMENT</u>									
Parking Ticket Machines	-	150,000	-	150,000	-	-	-	150,000	-
TOTAL CAPITAL WORKS: SHORT TERM-TRAFFIC MANAGEMENT	-	150,000	-	150,000	-	-	-	150,000	-
<u>CAPITAL WORKS: SHORT TERM-BUILDING WORKS</u>									
Renewal of Heating Ventilation Air Conditioning	-	972,000	-	972,000	5,378	-	(5,378)	972,000	-
Land Acquisition- 6, Aileen St, Caulfield South	-	-	-	-	2,106,281	2,100,000	(6,281)	2,100,000	2,100,000
Land Acquisition- 53, Magnolia Road, Gardenvale	-	-	-	-	9,500	-	(9,500)	1,490,000	1,490,000
Building Improvements	-	538,635	219,000	757,635	128,542	184,000	55,458	757,635	-
Disability Access Upgrade	-	65,000	-	65,000	10,474	65,000	54,526	65,000	-
GESAC	1,311,128	250,000	-	1,561,128	199,726	40,000	(159,726)	1,561,128	-
Public Toilet Exeloo	-	180,000	-	180,000	-	-	-	180,000	-
TOTAL CAPITAL WORKS: SHORT TERM-BUILDING WORKS	1,311,128	2,005,635	219,000	3,535,763	2,459,901	2,389,000	(70,901)	7,125,763	3,590,000
<u>CAPITAL WORKS: SHORT TERM-LIBRARIES</u>									
Smart Sorter Machine	-	250,000	-	250,000	5,176	-	(5,176)	250,000	-
TOTAL CAPITAL WORKS: SHORT TERM-LIBRARIES	-	250,000	-	250,000	5,176	-	(5,176)	250,000	-
<u>CAPITAL WORKS: SHORT TERM-OTHER</u>									
Furniture & Fittings	-	50,000	-	50,000	-	-	-	50,000	-
Refurbishment of outdoor play space	-	45,000	-	45,000	5,384	-	(5,384)	45,000	-
Drainage Asset Management Decision tool	-	28,000	-	28,000	-	-	-	28,000	-
Annual Plant and Equipment Replacement	-	131,000	-	131,000	11,862	40,000	28,138	131,000	-
TOTAL CAPITAL WORKS: SHORT TERM-OTHER	-	254,000	-	254,000	17,246	40,000	22,754	254,000	-
TOTAL SHORT TERM PROJECTS	1,541,008	5,383,148	414,000	7,338,156	2,895,874	3,148,500	252,626	11,078,156	3,740,000
TOTAL CAPITAL WORKS EXPENDITURE	2,054,963	31,361,030	1,938,812	35,354,805	11,093,777	11,587,790	494,013	39,114,805	3,760,000

ITEM 9.18 SALE OF PROPERTIES TO RECOVER UNPAID RATES – 4 Properties**Author:** *John Enticott, Manager Rates & Valuations***File No:**

Attachments: In accordance with section 77(2)(c) of the Local Government Act 1989, the Chief Executive officer has designated the attachment to the report on Sale of Properties to Recover Unpaid Rates – 4 properties as confidential under section 89(2)(b) given the matter relates to personal hardship of any resident or ratepayer.

PURPOSE AND SUMMARY

To recommend exercising legal action pursuant to the powers granted to Council under S181 of the *Local Government Act 1989*, to sell land to recover unpaid rates or charges.

RECOMMENDATION

That Council notes, as a last resort, officers are to commence the process of selling the properties detailed in the confidential attachments, to recover all outstanding rates and charges. This action is taken pursuant to the powers granted to Council under Section 181 of the *Local Government Act 1989*. The objective is to recover the monies owed.

BACKGROUND**Council Policy and Previous Action Taken**

Council's *Payment of Rates* policy makes provision for the sensitive handling of instances of genuine financial hardship. The policy also gives authority and flexibility in pursuing the small % of ratepayers in default of their obligations.

One section of the policy relates to the power of Council to move to sell a property to recover rates unpaid for a period of three or more years (Section 181 of the *Local Government Act 1989*).

In previous years Council has exercised its powers under S181 and this action has resulted in the defaulting owner/ratepayers fully discharging their liability prior to Council selling their properties.

Since 2003/2004 Council has taken action under S181 against 32 properties.

The results have been excellent, with 24 of the debts being paid in full and the remaining 8 entering into acceptable payment arrangements.

This stand has enabled Council to collect over \$275,000 of outstanding rates and charges from owner/ratepayers who had refused to make payment(s) or enter into a suitable arrangement.

ISSUES AND DISCUSSION**ACTION TO BE TAKEN**

Council has sent many notices and attempted to make personal contact with the relevant ratepayers in an attempt to recover the debts. Judgements have been obtained in the Melbourne Magistrates Court and warrants for the collection of the debts have been served by the Sheriff's Office. No responses have been forthcoming.

Council has fully complied with the provisions set out in Section 181(1a, b & c) of the *Local Government Act 1989*. These are as follows:

- Parts of the debts have been overdue for more than 3 years.
- There are no current arrangements between Council and the owner/ratepayer(s) to repay the debts.
- Council has a Court order requiring payment of the debts.

None of the above-mentioned steps have resulted in the payment of the debts in full and it is considered that the only course of action available is to initiate the process to sell the properties to recover the debts. Please note that any debt is a charge against the property and must be paid before ownership can be transferred.

The *Local Government Act 1989* stipulates the process for this, being:

- Serve notice on all people with an interest in the land requiring payment. This notice is to include a copy of the relevant Section of the *Local Government Act 1989* detailing Council's power to sell;
- Give public notice of the intention to sell the land(s);
- Obtain a valuation of the properties by a qualified valuer (it is our intention to use an independent firm of valuers with a well-regarded reputation);
- Appoint a Real Estate Agency to conduct the sales; and
- Advise all people with an interest in the properties of the date and time of the auction.

If at any time through this process the debts are paid in full (including all costs incurred at that time), the process will cease.

In the event that the property is sold under Section 181, Council recovers its money and the balance is payable to the owner.

It is proposed that Council take legal action against the following property owners/ratepayers under Section 181 of the *Local Government Act 1989*.

PROPERTY DETAILS - Current Situation

Property 1

This property is a 1920's brick veneer dwelling of 115 square metres situated in Carnegie.

The property is situated close to major roads, shopping strips, schools, parks and all public transportation.

As per Certificate of Title the property has been in the same ownership since July 1986.

Current Council statutory valuations (level of value as at 1 January 2016) are:

Site Value	\$950,000
Capital Improved Value	\$1,030,000
Net Annual Value	\$51,500

- **Details of Debt**

The arrears carried forward as at 30 June 2016 were \$11,575.20

A detailed breakdown is shown in the table below.

Item	Amount
Rates and charges as at 30 June 2015	\$5,792.95
Interest as at 30 June 2015	\$952.85
Legal fees to 30 June 2015	\$2,528.00

Sub Total as at 30 June 2015	\$9,273.80
Rates and charges for 2015/2016	\$1,683.60
Interest for year 2015/2016	\$617.80
Payments 2015/2016	\$-0.00
Sub Total as at 30 June 2016	\$11,575.20
Total amount outstanding as at 1/10/16	\$12,237.50

- **Action taken to date**

Rates and charges outstanding are since November 2010.

The current complaint resulted after numerous promises of payment and broken arrangement plans. Appointments were also not kept.

The owner was served with a Complaint (Summons) in February 2015 in the Magistrates Court in accordance with Section 180 (1) of the *Local Government Act 1989*.

A promised letter from the superannuation company declaring the owner's release of funds was not forthcoming and as a result, judgement in favour of Glen Eira Council was obtained in May 2015.

An execution of a distress warrant through the Sheriff's office in June 2015 had no results.

For this debt, Council has sent at least 6 Annual Rate and Valuations notices, 17 Instalment Notices, numerous reminder and final notices and other letters of demand detailing the debt without payment of the debt in full from the owner/ratepayer.

Property 2

This property is a 1 bedroom flat of 43 square metres, built in 1965 and situated in Caulfield East.

The property is situated close to major roads, shopping strips, schools, the University, Caulfield Race Course, parks and all public transportation.

As per Certificate of Title the property has been in the same ownership since July 1995.

Current Council statutory valuations (level of value as at 1 January 2016) are:

Site Value	\$154,000
Capital Improved Value	\$286,000
Net Annual Value	\$14,300

- **Details of Debt**

The arrears carried forward as at 30 June 2016 were \$7,102.90.

A detailed breakdown is shown in the table below.

Item	Amount
Rates and charges as at 30 June 2015	\$3,677.45
Interest as at 30 June 2015	\$994.90
Legal fees to 30 June 2015	\$1,270.80
Sub Total as at 30 June 2015	\$5,943.15
Rates and charges for 2015/2016	\$780.40

Interest for year 2015/2016	\$379.35
Payments 2015/2016	\$-0.00
Sub Total as at 30 June 2016	\$7,102.90
Total amount outstanding as at 01/10/16	\$7,401.60

- **Action taken to date**

Rates and charges outstanding are since September 2009.

The current complaint resulted after numerous attempts to contact the rate-payer via post as no phone number is available.

The owner was served with a Complaint (Summons) in May 2013 in the Magistrates Court in accordance with Section 180 (1) of the *Local Government Act 1989*.

No contact, payment or arrangement was entered into and as a result, judgement in favour of Glen Eira Council was obtained in July 2013.

An unsuccessful execution of a distress warrant through the Sheriff's office in September 2013 was made.

Since late 2013, Council has sent further notices and reminders and as attempted to contact the resident by post, but no responses have been received.

For this debt, Council has sent at least 7 Annual Rate and Valuations notices, 20 Instalment Notices, numerous reminder and final notices and other letters of demand detailing the debt without payment of the debt in full from the owner/ratepayer.

Property 3

This property is a 1970's brick veneer 2 bedroom unit of 87 square metres situated in Carnegie.

The property is situated close to major roads, shopping strips, schools, parks and all public transportation.

As per Certificate of Title the property has been in the same ownership since June 2009.

Current Council statutory valuations (level of value as at 1 January 2016) are:

Site Value	\$241,000
Capital Improved Value	\$510,000
Net Annual Value	\$25,500

- **Details of Debt**

The arrears carried forward as at 30 June 2016 were \$8,155.40

A detailed break down is shown in the table below.

Item	Amount
Rates and charges as at 30 June 2015	\$4,444.25
Interest as at 30 June 2015	\$1,144.50
Legal fees to 30 June 2015	\$1,042.30
Sub Total as at 30 June 2015	\$6,631.05

Rates and charges for 2015/2016	\$1,060.70
Interest for year 2015/2016	\$463.65
Payments 2015/2016	\$-0.00
Sub Total as at 30 June 2016	\$8,155.40
Total amount outstanding as at 01/10/16	\$8,567.30

- **Action taken to date**

Rates and charges outstanding are since November 2010.

The current complaint resulted after numerous attempts to contact the rate-payer via post and phone. Forthcoming offers of arrangements were not maintained.

The owner was served with a Complaint (Summons) in October 2012 in the Magistrates Court in accordance with Section 180 (1) of the *Local Government Act 1989*.

Judgement in favour of Glen Eira Council was obtained in February 2013.

An execution of a distress warrant through the Sheriff's office in February 2013 resulted in an arrangement plan. Six payments were made (with many prompts and reminders from Council) resulting in a broken arrangement for the third time, under the original arrangement plan. No further payments have been received since April 2015.

For this debt, Council has sent at least 6 Annual Rate and Valuations notices, 16 Instalment Notices, numerous reminder and final notices and other letters of demand detailing the debt without payment of the debt in full from the owner/ratepayer.

Property 4

This property is a 1960's brick veneer dwelling of 120 square metres situated in Bentleigh East.

The property is situated close to major roads, shopping strips, schools, a hospital, parks and all public transportation.

As per Certificate of Title the property has been in the same ownership since November 2005.

Current Council statutory valuations (level of value as at 1 January 2016) are:

Site Value	\$845,000
Capital Improved Value	\$915,000
Net Annual Value	\$45,750

- **Details of Debt**

The arrears carried forward as at 30 June 2016 were \$15,192.55

A detailed breakdown is shown in the table below.

Item	Amount
Rates and charges as at 30 June 2015	\$8,270.15
Interest as at 30 June 2015	\$2,199.45
Legal fees to 30 June 2015	\$500.00
Sub Total as at 30 June 2015	\$10,969.60
Rates and charges for 2015/2016	\$1,717.00

Interest for year 2015/2016	\$854.55
Legal fees for 2015/16	\$1,651.40
Payments 2015/2016	\$-0.00
Sub Total as at 30 June 2016	\$15,192.55
Total amount outstanding as at 01/10/16	\$16,298.45

- **Action taken to date**

Rates and charges outstanding are since February 2010. (Originally May 2007)

The current complaint resulted after numerous attempts to contact the rate-payer via post and phone.

The owner was served with a Complaint (Summons) in February 2016 in the Magistrates Court in accordance with Section 180 (1) of the *Local Government Act 1989*.

Council approved the sale of this property pursuant to S181 of the Local Government Act in early 2015.

An "Intention to Sell" letter was sent to all interested parties on the Title in April 2015 and the rate-payer paid \$3,000 in June 2015, clearing the Judgement amount and halting the sale of the property.

Since then, no further payments have been made, notwithstanding many attempts to contact the rate-payer.

In April 2016 Council obtained a further Judgement.

For this debt, Council has sent at least 7 Annual Rate and Valuations notices, 20 Instalment Notices, numerous reminder and final notices and other letters of demand detailing the debt without payment of the debt in full from the owner/ratepayer.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

Not Applicable

POLICY AND LEGISLATIVE IMPLICATIONS

S181 of the *Local Government Act 1989*

COMMUNICATION AND ENGAGEMENT

Not Applicable

LINK TO COUNCIL PLAN

Theme 4: Governance

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

In all these cases we have:

- Non-payment of rates for in excess of 3 years;
- No acceptable response to previous legal proceedings;
- Large and mounting debts.

Equity for all ratepayers that pay their rates on time, as well as responsible cash management, require that action under Section 181 of the *Local Government Act 1989* should proceed.

Moved: Cr Silver**Seconded: Cr Esakoff**

That Council notes, as a last resort, officer are to commence the process of selling the properties detailed in the confidential attachments, to recover all outstanding rates and charges. This action is taken pursuant to the powers granted to Council under Section 181 of the Local Government Act 1989. The objective is to recover the monies owed.

CARRIED UNANIMOUSLY

10. URGENT BUSINESS**10.1 Racial Discrimination Act****Moved: Cr Delahunty****Seconded: Cr Hyams**

That the matter of changes to the Racial Discrimination Act be dealt with as an item of urgent business.

CARRIED UNANIMOUSLY

Moved: Cr Delahunty**Seconded: Cr Hyams**

That Council:

1. endorses the attached submission to the Parliamentary inquiry into freedom of speech from the Victorian, Multicultural, Faith and Community Organisations'; and
2. submits to the Parliamentary Joint Committee on Human Rights inquiry into freedom of speech in Australia.

Moved: Cr Delahunty**Seconded: Cr Esakoff**

That Council grants Cr Hyams a one minute extension of speaking time.

CARRIED UNANIMOUSLY

The Motion moved by Cr Delahunty and seconded by Cr Hyams was PUT and **CARRIED**

It is noted that Cr Silver abstained from voting on this matter.

11. ORDINARY BUSINESS**11.1 Requests for reports from Officers****11.1(a)****Moved: Cr Hyams****Seconded: Cr Athanasopoulos**

That Council receives a report on the Infrastructure Victoria report 'Victoria's 30-year Infrastructure Strategy, December 2016' addressing the following:

- 1 Identify any changes from the draft report;
- 2 Identify any changes that relate to Council's submission; and
- 3 What steps Council can take to advocate to the Victorian Government on areas of concern.

CARRIED UNANIMOUSLY

11.1(b)**Moved: Cr Delahunty****Seconded: Cr Taylor**

That officers prepare a report on the planning provision options available to Council to strengthen the requirement to provide social housing in future stages of the Caulfield Village development with reference to past examples of municipal requirements of social housing in large developments.

CARRIED UNANIMOUSLY

11.2 Right of reply - NIL**11.3 Councillor questions - NIL****11.4 Public questions to Council****1. James Walker – Caulfield North**

Given that public open space is continuing to shrink in Glen Eira, why is council doing a deal with DELWP and MRC re Crown allotment 2031 whereby public open space there is to be removed?

Response

There is no intention by Council for open space to be reduced in the municipality. Council has been actively creating increased open space for some time through its Open Space Strategy. The State Government has offered Council the management of this parcel of land as the Committee of Management. If Council agrees to this offer, the land will continue to be used as public open space for the medium term and enhanced from the current offering to improve its usability.

In the long term, the use may need to be re-considered in the context of the masterplan for the Caulfield Racecourse Reserve and the development of the surrounding precinct. Any change of use at that time would need to be conditional on no nett loss of open space in the municipality.

2. James Walker – Caulfield North

Why is council contemplating the removal of public open space in Rippon Lea Reserve where a small gain in access to public space will be at the cost of a larger area sacrificed to commercial development including a large car park?

Response

The Ripponlea Lea Estate is owned by the National Trust of Australia and not Council. The current planning application under consideration by Council has been put forward by the National Trust. The National Trust is a not for profit entity.

The car park to the north of the stables/ ticketing area already exists as an informal car park. The proposal involves improving the surface of this existing car park.

The proposal also seeks to open up a section of the of the Rippon Lea Estate's gardens for free public access. This will help to improve the overall amount of free public open space available to the community.

3. Rosetta Manaszewicz - McKinnon

The ombudsman's report into local government transparency makes several recommendations including: publishing webcasts/audio recordings of council meetings and the minuting of all public questions - amongst many other recommendations to improve transparency and good governance. Will council amend its local law to ensure the ombudsman's recommendations are implemented by mid 2017?

Response

Council does minute public questions as noted in the Ombudsman's report. Investigation for the introduction of webcasting and live streaming of Council meetings commenced prior to the Ombudsman's report. The challenge has always been the heritage status of the Town Hall, not a lack of willingness to have webcasting available to the public. I am pleased to report that the outstanding issues have recently been resolved and Council will consider a report on the implementation of webcasting early in 2017.

The Minister has indicated that she will consider the Ombudsman's recommendations as part of her review of the Local Government Act. It is not yet clear which, if any, of the recommendations will be enshrined in legislation.

Council will also consider the recommendations in the Ombudsman's report as part of a future Local Law review.

Council's next full review of the Local Law will be undertaken by 2018/2019 as the Local Law 2009 will cease to operate in November 2019. The procedure for making a local law is set out in section 119 of the Local Government Act 1989 and requires public notification and a submission process, at which time members of the public may make submissions to Council on the content of the local law.

4. Rosetta Manaszewicz - McKinnon

What is the total cost for the development of the Booran Road Reservoir including: concept plans, demolition works, consultation, and actual construction costs?

Response

The total cost of the project including consultant fees, demolition and construction is approximately \$10.86 million. The final total project cost will be known when construction is completed.

5. Markus Oswald - Carnegie

Mr Oswald's question was not read at the meeting as he was not present in the Chamber. A letter will be sent to Mr Oswald in accordance with the Local Law.

12. CONSIDERATION OF CONFIDENTIAL ITEMS**Moved: Cr Hyams****Seconded: Cr Silver**

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.

CARRIED UNANIMOUSLY**Table of Contents**

- 12.1 Tender Recommendation for Consideration by Council Tender 2017.012 Provision of Municipal 2018 Revaluation Services

It is recorded that the public gallery was vacated to enable Council to consider the above listed items in Confidential Business.

Moved: Cr Hyams**Seconded: Cr Esakoff**

1. That Council appoints Patel Dore Valuers Pty Ltd, ACN 068 656 557 as the contractor under Tender number 2017.012 for an amount of \$1.85m exclusive of GST (or in accordance with the Schedule of Rates submitted.)
2. That the contract be prepared in accordance with the Conditions of Contract included in the tender.
3. That the contract be executed in an appropriate manner by affixing of the Council Seal.
4. That this resolution be incorporated in the public minutes of this Meeting

CARRIED UNANIMOUSLY

Moved: Cr Hyams

Seconded: Cr Silver

That the meeting be opened to the public

CARRIED UNANIMOUSLY

13. CLOSURE OF MEETING

Following consideration of Confidential Business the Chairperson declared the meeting closed at 10.31pm.

Confirmed this 7 Day of February 2017

Chairperson: